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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printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Fall 2000 VAC Supplement includes final regulations published through *Virginia Register* Volume 16, Issue 24, dated August 14, 2000). 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
Title 2. Agriculture			
2 VAC 5-330-30	Amended	17:8 VA.R. 1192	2/5/01
2 VAC 5-430-10 et seq.	Repealed	17:8 VA.R. 1192	1/31/01
2 VAC 5-600-10	Amended	17:9 VA.R. 1293	12/14/00
Title 3. Alcoholic Beverages			
3 VAC 5-10-70	Amended	17:10 VA.R. 1528	2/28/01
3 VAC 5-10-240	Amended	17:10 VA.R. 1528	2/28/01
3 VAC 5-70-170	Amended	17:10 VA.R. 1530	2/28/01
3 VAC 5-70-210	Added	17:10 VA.R. 1529	2/28/01
Title 4. Conservation and Natural Resources			
4 VAC 15-20-50	Amended	17:6 VA.R. 919	1/1/01
4 VAC 15-20-130	Amended	17:6 VA.R. 920	1/1/01
4 VAC 15-30-40	Amended	17:6 VA.R. 921	1/1/01
4 VAC 15-250-30	Amended	17:6 VA.R. 923	1/1/01
4 VAC 15-320-30	Amended	17:6 VA.R. 924	1/1/01
4 VAC 15-320-100	Amended	17:6 VA.R. 925	1/1/01
4 VAC 15-320-120	Amended	17:6 VA.R. 925	1/1/01
4 VAC 15-320-170	Added	17:6 VA.R. 925	1/1/01
4 VAC 15-330-30	Amended	17:6 VA.R. 926	1/1/01
4 VAC 15-330-50	Amended	17:6 VA.R. 926	1/1/01
4 VAC 15-330-60	Amended	17:6 VA.R. 926	1/1/01
4 VAC 15-330-100	Amended	17:6 VA.R. 926	1/1/01
4 VAC 15-330-120	Amended	17:6 VA.R. 926	1/1/01
4 VAC 15-330-160	Amended	17:6 VA.R. 927	1/1/01
4 VAC 15-330-190	Amended	17:6 VA.R. 927	1/1/01
4 VAC 15-360-10	Amended	17:6 VA.R. 928	1/1/01
4 VAC 15-360-60	Amended	17:6 VA.R. 928	1/1/01
4 VAC 20-110-10	Amended	17:5 VA.R. 698	10/30/00
4 VAC 20-110-15	Added	17:5 VA.R. 698	10/30/00
4 VAC 20-110-20 through 4 VAC 20-110-50	Amended	17:5 VA.R. 698	10/30/00
4 VAC 20-110-55	Added	17:5 VA.R. 699	10/30/00
4 VAC 20-110-60	Amended	17:5 VA.R. 699	10/30/00
4 VAC 20-110-65	Added	17:5 VA.R. 699	10/30/00
4 VAC 20-252-30	Amended	17:5 VA.R. 699	10/30/00
4 VAC 20-252-70	Amended	17:12 VA.R. 2024	1/26/01
4 VAC 20-252-90	Amended	17:12 VA.R. 2024	1/26/01
4 VAC 20-252-100	Amended	17:12 VA.R. 2024	1/26/01
4 VAC 20-252-110	Amended	17:12 VA.R. 2025	1/26/01
4 VAC 20-252-140	Amended	17:12 VA.R. 2025	1/26/01
4 VAC 20-337-10 through 4 VAC 20-337-30	Added	17:5 VA.R. 700-702	11/1/00
4 VAC 20-490-20	Amended	17:3 VA.R. 386	10/15/00
4 VAC 20-490-40	Amended	17:3 VA.R. 387	10/15/00
4 VAC 20-490-60	Amended	17:3 VA.R. 387	10/15/00
4 VAC 20-540-30	Amended	17:5 VA.R. 702	1/1/01
4 VAC 20-540-40	Amended	17:5 VA.R. 702	1/1/01

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4 VAC 20-560-40	Amended	17:7 VA.R. 1035	12/1/00
4 VAC 20-560-50	Amended	17:7 VA.R. 1035	12/1/00
4 VAC 20-620-30	Amended	17:10 VA.R. 1530	1/1/01
4 VAC 20-620-40	Amended	17:5 VA.R. 703	10/30/00
4 VAC 20-620-40	Amended	17:10 VA.R. 1531	1/1/01
4 VAC 20-670-30	Amended	17:10 VA.R. 1532	1/1/01
4 VAC 20-670-40	Amended	17:10 VA.R. 1532	1/1/01
4 VAC 20-720-20	Amended	17:3 VA.R. 387	10/1/00
4 VAC 20-720-40	Amended	17:3 VA.R. 388	10/1/00
4 VAC 20-720-50	Amended	17:3 VA.R. 388	10/1/00
4 VAC 20-720-60	Amended	17:3 VA.R. 389	10/1/00
4 VAC 20-720-70	Amended	17:3 VA.R. 389	10/1/00
4 VAC 20-720-80	Amended	17:3 VA.R. 390	10/1/00
4 VAC 20-754-30	Amended	17:3 VA.R. 393	10/1/00
4 VAC 20-755-10	Amended	17:5 VA.R. 704	10/30/00
4 VAC 20-755-20	Amended	17:5 VA.R. 704	10/30/00
4 VAC 20-755-30	Amended	17:5 VA.R. 704	10/30/00
4 VAC 20-890-20	Amended	16:25 VA.R. 3227	10/1/00
4 VAC 20-890-25	Amended	17:1 VA.R. 62	9/21/00
4 VAC 20-890-30	Amended	17:1 VA.R. 62	9/21/00
4 VAC 20-890-40	Amended	16:25 VA.R. 3227	10/1/00
4 VAC 20-900-10 emer	Amended	16:25 VA.R. 3330	7/28/00-8/24/00
4 VAC 20-900-25 emer	Amended	16:25 VA.R. 3330	7/28/00-8/24/00
4 VAC 20-900-25	Amended	17:1 VA.R. 63	9/1/00
4 VAC 20-900-25 emer	Amended	17:5 VA.R. 832	10/20/00-11/19/00
4 VAC 20-900-25	Amended	17:7 VA.R. 1036	11/17/00
4 VAC 20-900-25	Amended	17:10 VA.R. 1533	1/1/01
4 VAC 20-900-30	Amended	17:10 VA.R. 1533	1/1/01
4 VAC 20-900-35	Amended	17:10 VA.R. 1534	1/1/01
4 VAC 20-910-45	Amended	17:3 VA.R. 393	11/1/00
4 VAC 20-950-10	Amended	17:3 VA.R. 394	10/1/00
4 VAC 20-950-45	Amended	17:3 VA.R. 394	10/1/00
4 VAC 20-995-20	Amended	17:5 VA.R. 705	10/30/00
4 VAC 20-995-20	Amended	17:12 VA.R. 2025	1/26/01
4 VAC 20-995-30	Amended	17:5 VA.R. 706	10/30/00
4 VAC 25-30 (Forms)	Amended	17:4 VA.R. 613	--
4 VAC 25-30 (Forms)	Amended	17:8 VA.R. 1201	--
4 VAC 25-40 (Forms)	Amended	17:4 VA.R. 613	--
4 VAC 25-40 (Forms)	Amended	17:8 VA.R. 1201	--
4 VAC 25-90 (Forms)	Amended	17:4 VA.R. 613	--
4 VAC 25-100 (Forms)	Amended	17:4 VA.R. 613	--
4 VAC 25-130 (Forms)	Amended	17:4 VA.R. 614	--
4 VAC 25-130 (Forms)	Amended	17:8 VA.R. 1201	--
4 VAC 25-170 (Forms)	Amended	17:8 VA.R. 1203	--
Title 6. Criminal Justice and Corrections			
6 VAC 20-190-10 through 6 VAC 20-190-200	Amended	17:3 VA.R. 395-398	11/23/00
6 VAC 20-190 (Forms)	Added	17:8 VA.R. 1204	--
Title 8. Education			
8 VAC 20-21-10	Amended	17:8 VA.R. 1193	1/31/01
8 VAC 20-21-50	Amended	17:8 VA.R. 1194	1/31/01
8 VAC 20-21-80	Amended	17:8 VA.R. 1195	1/31/01
8 VAC 20-21-260	Amended	17:8 VA.R. 1196	1/31/01
8 VAC 20-80-10	Amended	17:5 VA.R. 707	1/1/01
8 VAC 20-80-10	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-20	Repealed	17:5 VA.R. 717	1/1/01
8 VAC 20-80-30	Amended	17:5 VA.R. 717	1/1/01

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8 VAC 20-80-30	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-40	Amended	17:5 VA.R. 721	1/1/01
8 VAC 20-80-40	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-45	Added	17:5 VA.R. 722	1/1/01
8 VAC 20-80-45	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-50	Amended	17:5 VA.R. 725	1/1/01
8 VAC 20-80-52	Added	17:5 VA.R. 727	1/1/01
8 VAC 20-80-54	Added	17:5 VA.R. 728	1/1/01
8 VAC 20-80-54	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-56	Added	17:5 VA.R. 731	1/1/01
8 VAC 20-80-56	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-58	Added	17:5 VA.R. 735	1/1/01
8 VAC 20-80-60	Amended	17:5 VA.R. 736	1/1/01
8 VAC 20-80-62	Added	17:5 VA.R. 738	1/1/01
8 VAC 20-80-62	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-64	Added	17:5 VA.R. 746	1/1/01
8 VAC 20-80-65	Added	17:5 VA.R. 748	1/1/01
8 VAC 20-80-66	Added	17:5 VA.R. 748	1/1/01
8 VAC 20-80-68	Added	17:5 VA.R. 752	1/1/01
8 VAC 20-80-70	Amended	17:5 VA.R. 756	1/1/01
8 VAC 20-80-70	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-72	Added	17:5 VA.R. 765	1/1/01
8 VAC 20-80-74	Added	17:5 VA.R. 767	1/1/01
8 VAC 20-80-76	Added	17:5 VA.R. 768	1/1/01
8 VAC 20-80-76	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-78	Added	17:5 VA.R. 776	1/1/01
8 VAC 20-80-80 through 8 VAC 20-80-150	Amended	17:5 VA.R. 778-786	1/1/01
8 VAC 20-80-80	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-152	Added	17:5 VA.R. 786	1/1/01
8 VAC 20-80-152	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-155	Added	17:5 VA.R. 787	1/1/01
8 VAC 20-80-160	Amended	17:5 VA.R. 787	1/1/01
8 VAC 20-80-160	Erratum	17:8 VA.R. 1217	--
8 VAC 20-80-170	Repealed	17:5 VA.R. 788	1/1/01
8 VAC 20-80-180	Repealed	17:5 VA.R. 789	1/1/01
8 VAC 20-80-190	Amended	17:5 VA.R. 790	1/1/01
8 VAC 20-80-200	Repealed	17:5 VA.R. 790	1/1/01
8 VAC 20-80 Appendix A	Erratum	17:8 VA.R. 1217	--
8 VAC 20-110-10	Amended	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-20	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-40	Amended	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-50	Amended	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-60	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-70	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-140	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-131-10 through 8 VAC 20-131-150	Amended	16:25 VA.R. 3228-3237	9/28/00
8 VAC 20-131-170	Amended	16:25 VA.R. 3237	9/28/00
8 VAC 20-131-180	Amended	16:25 VA.R. 3237	9/28/00
8 VAC 20-131-210	Amended	16:25 VA.R. 3238	9/28/00
8 VAC 20-131-220	Amended	16:25 VA.R. 3239	9/28/00
8 VAC 20-131-240	Amended	16:25 VA.R. 3239	9/28/00
8 VAC 20-131-250	Repealed	16:25 VA.R. 3240	9/28/00
8 VAC 20-131-260 through 8 VAC 20-131-320	Amended	16:25 VA.R. 3240-3249	9/28/00
8 VAC 20-131-325	Added	16:25 VA.R. 3249	9/28/00
8 VAC 20-131-340	Amended	16:25 VA.R. 3250	9/28/00
8 VAC 20-570-10 et seq.	Repealed	17:5 VA.R. 706	1/1/01

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8 VAC 20-640-10	Added	17:8 VA.R. 1198	1/31/01
8 VAC 35-10-20	Amended	17:10 VA.R. 1534	12/22/00
8 VAC 35-10-30	Amended	17:10 VA.R. 1535	12/22/00
8 VAC 35-10-50	Amended	17:10 VA.R. 1535	12/22/00
8 VAC 35-10-60	Amended	17:10 VA.R. 1535	12/22/00
8 VAC 35-10-80	Amended	17:10 VA.R. 1535	12/22/00
8 VAC 35-10-90	Amended	17:10 VA.R. 1536	12/22/00
8 VAC 35-20-10 et seq.	Repealed	17:10 VA.R. 1536	12/22/00
8 VAC 35-21-10 through 8 VAC 35-21-360	Added	17:10 VA.R. 1536-1547	12/22/00
Title 9. Environment			
9 VAC 5-60-120 through 9 VAC 5-60-180	Added	17:4 VA.R. 585	1/1/01
9 VAC 5-60-150	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-50 through 9 VAC 5-80-120	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-180 through 9 VAC 5-80-300	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-305	Repealed	17:4 VA.R. 585	1/1/01
9 VAC 5-80-310 through 9 VAC 5-80-350	Amended	17:4 VA.R. 585	*
9 VAC 5-80-355	Repealed	17:4 VA.R. 585	*
9 VAC 5-80-360 through 9 VAC 5-80-380	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-400 through 9 VAC 5-80-460	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-480	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-490	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-510	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-540 through 9 VAC 5-80-570	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-610	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-620	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-650	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-660	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-680	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-700	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-80-705	Repealed	17:4 VA.R. 585	1/1/01
9 VAC 5-80-720	Amended	17:4 VA.R. 585	1/1/01
9 VAC 5-90-10 et seq.	Repealed	17:1 VA.R. 63	10/25/00
9 VAC 5-100-10 et seq.	Repealed	17:1 VA.R. 63	10/25/00
9 VAC 5-121-10 et seq.	Repealed	17:4 VA.R. 585	1/1/01
9 VAC 20-60-18	Amended	17:2 VA.R. 220	11/8/00
9 VAC 20-170-10 through 9 VAC 20-170-410	Added	17:9 VA.R. 1297-1327	**
9 VAC 25-31-10	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-30	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-40	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-100	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-120	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-121 (renumbered from 9 VAC 25-31-125)	Added	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-170	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-190	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-200	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-230	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-280	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-340	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-390	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-500	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-570	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-580	Amended	16:25 VA.R. 3252	9/27/00

* Regulatory process suspended in 17:9 VA.R. 1297.

** Regulatory process suspended in 17:13 VA.R.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-31-590	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-620	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-660	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-670	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-710	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-720	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-750	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-770	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-780	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-800	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-810	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-31-840	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-210-10	Amended	16:25 VA.R. 3252	9/27/00
9 VAC 25-210-50	Amended	16:25 VA.R. 3254	9/27/00
9 VAC 25-210-110	Amended	16:25 VA.R. 3254	9/27/00
9 VAC 25-210-110	Erratum	17:3 VA.R. 433	--
9 VAC 25-400-10	Amended	16:25 VA.R. 3255	9/27/00
9 VAC 25-630-10 through 9 VAC 25-630-60	Amended	17:3 VA.R. 399-409	12/1/00
9 VAC 25-630-30	Erratum	17:7 VA.R. 1112	--
9 VAC 25-630-50	Erratum	17:7 VA.R. 1112	--
9 VAC 25-630 (Forms)	Amended	17:8 VA.R. 1207	--
9 VAC 25-640-10 through 9 VAC 25-640-250	Added	17:10 VA.R. 1548-1556	3/2/01
9 VAC 25-640 Appendices I through IX	Added	17:10 VA.R. 1556-1566	3/2/01
9 VAC 25-650-10 through 9 VAC 25-650-210 emer	Added	17:9 VA.R. 1370-1383	12/14/00-12/13/01
9 VAC 25-730-10 through 9 VAC 25-730-40	Added	17:9 VA.R. 1328	2/16/01
Title 11. Gaming			
11 VAC 10-100-30	Amended	16:25 VA.R. 3261	8/8/00
11 VAC 10-100-110	Amended	16:25 VA.R. 3261	8/8/00
11 VAC 10-100-170	Amended	16:25 VA.R. 3262	8/8/00
11 VAC 10-100-210	Amended	16:25 VA.R. 3262	8/8/00
11 VAC 10-110-30	Amended	16:25 VA.R. 3262	8/8/00
11 VAC 10-110-90	Amended	16:25 VA.R. 3262	8/8/00
11 VAC 10-110-230	Added	16:25 VA.R. 3263	8/8/00
11 VAC 10-120-50	Amended	16:26 VA.R. 3507	8/14/00
11 VAC 10-120-80	Amended	16:26 VA.R. 3508	8/14/00
11 VAC 10-120-90	Amended	16:26 VA.R. 3508	8/14/00
11 VAC 10-130-10	Amended	17:4 VA.R. 586	10/16/00
11 VAC 10-130-20	Amended	17:4 VA.R. 587	10/16/00
11 VAC 10-130-40	Amended	17:4 VA.R. 588	10/16/00
11 VAC 10-130-60	Amended	17:4 VA.R. 588	10/16/00
11 VAC 10-130-70	Amended	17:4 VA.R. 589	10/16/00
11 VAC 10-130-76	Amended	17:4 VA.R. 589	10/16/00
11 VAC 10-130-77	Amended	17:4 VA.R. 589	10/16/00
11 VAC 10-130-80	Amended	17:4 VA.R. 590	10/16/00
11 VAC 10-150-10	Amended	16:26 VA.R. 3510	8/14/00
11 VAC 10-150-20	Amended	16:26 VA.R. 3510	8/14/00
11 VAC 10-150-30	Amended	16:26 VA.R. 3510	8/14/00
11 VAC 10-150-40	Amended	16:26 VA.R. 3510	8/14/00
11 VAC 10-150-80	Amended	16:26 VA.R. 3510	8/14/00
11 VAC 10-150-90	Amended	16:26 VA.R. 3511	8/14/00
11 VAC 10-150-120	Amended	16:26 VA.R. 3511	8/14/00
11 VAC 10-150-130	Amended	16:26 VA.R. 3511	8/14/00
11 VAC 10-150-170	Amended	16:26 VA.R. 3511	8/14/00
Title 12. Health			
12 VAC 5-90-185 emer	Added	17:11 VA.R. 1670	1/17/01-1/16/02
12 VAC 5-120-10 through 12 VAC 5-120-120 emer	Added	17:11 VA.R. 1671-1672	1/12/01-1/11/02

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-185-10 through 12 VAC 5-185-110	Added	17:9 VA.R. 1329-1331	2/14/01
12 VAC 5-371-150	Amended	17:1 VA.R. 64	10/27/00
12 VAC 5-371-260	Amended	17:1 VA.R. 64	10/27/00
12 VAC 5-410-220	Amended	17:1 VA.R. 65	10/27/00
12 VAC 5-475-10 through 12 VAC 5-475-100 emer	Added	17:11 VA.R. 1673-1675	1/17/01-1/16/02
12 VAC 5-507-10 through 12 VAC 5-507-290 emer	Added	17:11 VA.R. 1675-1681	1/17/01-1/16/02
12 VAC 5-508-10 through 12 VAC 5-508-280 emer	Added	17:11 VA.R. 1687-1692	1/23/01-1/22/02
12 VAC 5-510-10 emer	Amended	17:11 VA.R. 1681	1/17/01-1/16/02
12 VAC 5-510-10.1 emer	Added	17:11 VA.R. 1682	1/17/01-1/16/02
12 VAC 5-510-20 emer	Amended	17:11 VA.R. 1682	1/17/01-1/16/02
12 VAC 5-510-30 emer	Amended	17:11 VA.R. 1682	1/17/01-1/16/02
12 VAC 5-510-50 emer	Amended	17:11 VA.R. 1683	1/17/01-1/16/02
12 VAC 5-510-60 emer	Amended	17:11 VA.R. 1683	1/17/01-1/16/02
12 VAC 5-510-70 emer	Amended	17:11 VA.R. 1683	1/17/01-1/16/02
12 VAC 5-510-80 through 12 VAC 5-510-290 emer	Added	17:11 VA.R. 1684-1687	1/17/01-1/16/02
12 VAC 5-520-10 emer	Amended	17:11 VA.R. 1693	1/12/01-1/11/02
12 VAC 5-520-20 emer	Amended	17:11 VA.R. 1694	1/12/01-1/11/02
12 VAC 5-520-30 emer	Amended	17:11 VA.R. 1694	1/12/01-1/11/02
12 VAC 5-520-40 emer	Repealed	17:11 VA.R. 1694	1/12/01-1/11/02
12 VAC 5-520-50 emer	Repealed	17:11 VA.R. 1694	1/12/01-1/11/02
12 VAC 5-520-60 emer	Repealed	17:11 VA.R. 1694	1/12/01-1/11/02
12 VAC 5-520-70 emer	Repealed	17:11 VA.R. 1694	1/12/01-1/11/02
12 VAC 5-520-80 emer	Amended	17:11 VA.R. 1694	1/12/01-1/11/02
12 VAC 5-520-90 emer	Repealed	17:11 VA.R. 1694	1/12/01-1/11/02
12 VAC 5-520-110 emer	Repealed	17:11 VA.R. 1695	1/12/01-1/11/02
12 VAC 5-520-120 emer	Repealed	17:11 VA.R. 1695	1/12/01-1/11/02
12 VAC 5-520-130 through 12 VAC 5-520-210 emer	Added	17:11 VA.R. 1695-1697	1/12/01-1/11/02
12 VAC 30-10-150	Amended	17:5 VA.R. 791	1/1/01
12 VAC 30-40-345	Amended	17:3 VA.R. 410	11/22/00
12 VAC 30-50-30	Amended	17:5 VA.R. 792	1/1/01
12 VAC 30-50-70	Amended	17:5 VA.R. 792	1/1/01
12 VAC 30-50-130	Amended	17:5 VA.R. 792	1/1/01
12 VAC 30-50-229.1	Amended	17:5 VA.R. 798	1/1/01
12 VAC 30-50-250	Amended	17:5 VA.R. 793	1/1/01
12 VAC 30-50-300	Amended	17:12 VA.R. 2026	4/2/01
12 VAC 30-50-480	Amended	17:5 VA.R. 801	1/1/01
12 VAC 30-50-530	Amended	17:12 VA.R. 2026	4/2/01
12 VAC 30-60-170	Amended	17:5 VA.R. 802	1/1/01
12 VAC 30-80-21	Added	17:5 VA.R. 793	1/1/01
12 VAC 30-80-111	Added	17:5 VA.R. 803	1/1/01
12 VAC 30-90-19 emer	Added	17:10 VA.R. 1572	1/8/01-1/7/02
12 VAC 30-130-850 through 12 VAC 30-130-890	Added	17:5 VA.R. 794-796	1/1/01
12 VAC 30-130-880	Erratum	17:6 VA.R. 932	--
12 VAC 30-130-900 through 12 VAC 30-130-950	Added	17:5 VA.R. 803-806	1/1/01
Title 13. Housing			
13 VAC 5-51-71	Amended	17:7 VA.R. 1036	1/17/01
13 VAC 5-51-81	Amended	17:7 VA.R. 1037	1/17/01
13 VAC 5-51-130	Amended	17:7 VA.R. 1038	1/17/01
13 VAC 5-51-150	Amended	17:7 VA.R. 1038	1/17/01
13 VAC 5-51-170	Amended	17:7 VA.R. 1040	1/17/01
13 VAC 10-160-10	Amended	16:26 VA.R. 3512	9/1/00
13 VAC 10-160-30	Amended	16:26 VA.R. 3513	9/1/00
13 VAC 10-160-41	Repealed	16:26 VA.R. 3514	9/1/00
13 VAC 10-160-51	Repealed	16:26 VA.R. 3514	9/1/00
13 VAC 10-160-55 through 13 VAC 10-160-90	Amended	16:26 VA.R. 3515-3518	9/1/00

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 14. Insurance			
14 VAC 5-200-20 through 14 VAC 5-200-60	Amended	17:4 VA.R. 594-597	12/1/00
14 VAC 5-200-65	Added	17:4 VA.R. 597	12/1/00
14 VAC 5-200-70	Amended	17:4 VA.R. 598	12/1/00
14 VAC 5-200-90	Amended	17:4 VA.R. 598	12/1/00
14 VAC 5-200-110	Amended	17:4 VA.R. 599	12/1/00
14 VAC 5-200-120	Amended	17:4 VA.R. 601	12/1/00
14 VAC 5-200-150	Amended	17:4 VA.R. 601	12/1/00
14 VAC 5-200-155	Added	17:4 VA.R. 602	12/1/00
14 VAC 5-200-170	Amended	17:4 VA.R. 602	12/1/00
14 VAC 5-200-175	Added	17:4 VA.R. 603	12/1/00
14 VAC 5-200-180	Repealed	17:4 VA.R. 603	12/1/00
14 VAC 5-200-185	Added	17:4 VA.R. 603	12/1/00
14 VAC 5-200-187	Added	17:4 VA.R. 605	12/1/00
14 VAC 5-200-200	Amended	17:4 VA.R. 606	12/1/00
14 VAC 5-350 (Forms)	Amended	17:11 VA.R. 1698-1700	
14 VAC 5-370-20	Amended	16:25 VA.R. 3264	9/30/00
14 VAC 5-370-100	Amended	16:25 VA.R. 3264	9/30/00
Title 16. Labor and Employment			
16 VAC 15-30-20	Amended	17:1 VA.R. 66	10/25/00
16 VAC 15-30-200	Amended	17:1 VA.R. 66	10/25/00
16 VAC 15-30-210	Added	17:1 VA.R. 68	10/25/00
16 VAC 15-30-220	Added	17:1 VA.R. 68	10/25/00
16 VAC 15-30-230	Added	17:1 VA.R. 69	10/25/00
16 VAC 25-120-1917.1	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.2	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.3	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.23	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.25	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.26	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.27	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.30	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.42 through 16 VAC 25-120-1917.45	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.50	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.71	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.73	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.92	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.95	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.112	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.117 through 16 VAC 25-120-1917.122	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.124	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.151	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.152	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.153	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120-1917.156	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-120 Appendix I	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.1	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.2	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.24	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.25	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.37	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.41	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.42	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.43	Amended	16:25 VA.R. 3265	10/1/00

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16 VAC 25-130-1918.51	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.52	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.54	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.61	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.62	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.65	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.66	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.69	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.85	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.86	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.94	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.97	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.98	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.100	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.102	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130-1918.105	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130 Appendix II	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 25-130 Appendix IV	Amended	16:25 VA.R. 3265	10/1/00
16 VAC 30-100-10 through 16 VAC 30-100-80	Added	17:9 VA.R. 1331-1334	2/14/01
Title 18. Professional and Occupational Licensing			
18 VAC 45-20-5	Added	17:7 VA.R. 1041	2/1/01
18 VAC 45-20-10	Amended	17:7 VA.R. 1041	2/1/01
18 VAC 45-20-20	Amended	17:7 VA.R. 1042	2/1/01
18 VAC 45-20-30	Amended	17:7 VA.R. 1042	2/1/01
18 VAC 45-20-40	Amended	17:7 VA.R. 1042	2/1/01
18 VAC 45-20-50	Added	17:7 VA.R. 1043	2/1/01
18 VAC 85-20-131 emer	Amended	17:4 VA.R. 610	10/13/00-10/12/01
18 VAC 85-20-140	Amended	17:8 VA.R. 1198	1/31/01
18 VAC 85-31-10 through 18 VAC 85-31-160	Repealed	16:25 VA.R. 3266-3270	9/27/00
18 VAC 85-110-100 emer	Amended	17:7 VA.R. 1091	11/17/00-11/16/01
18 VAC 90-20-36 emer	Added	17:2 VA.R. 221	9/19/00-9/18/01
18 VAC 90-30-120	Amended	17:7 VA.R. 1047	1/17/01
18 VAC 90-50-30	Amended	17:11 VA.R. 1669	3/14/01
18 VAC 90-50-80	Amended	17:11 VA.R. 1669	3/14/01
18 VAC 100-20-5	Added	17:9 VA.R. 1334	3/1/01
18 VAC 100-20-10	Amended	17:9 VA.R. 1334	3/1/01
18 VAC 100-20-20	Repealed	17:9 VA.R. 1335	3/1/01
18 VAC 100-20-30	Repealed	17:9 VA.R. 1335	3/1/01
18 VAC 100-20-40	Repealed	17:9 VA.R. 1335	3/1/01
18 VAC 100-20-50	Amended	17:9 VA.R. 1335	3/1/01
18 VAC 100-20-54	Added	17:9 VA.R. 1335	3/1/01
18 VAC 100-20-55	Added	17:9 VA.R. 1336	3/1/01
18 VAC 100-20-56	Added	17:9 VA.R. 1336	3/1/01
18 VAC 100-20-60	Amended	17:9 VA.R. 1336	3/1/01
18 VAC 100-20-65	Added	17:9 VA.R. 1336	3/1/01
18 VAC 100-20-70	Amended	17:9 VA.R. 1337	3/1/01
18 VAC 100-20-80	Repealed	17:9 VA.R. 1337	3/1/01
18 VAC 100-20-81	Added	17:9 VA.R. 1337	3/1/01
18 VAC 100-20-85	Added	17:9 VA.R. 1338	3/1/01
18 VAC 100-20-87	Added	17:9 VA.R. 1338	3/1/01
18 VAC 100-20-90	Amended	17:9 VA.R. 1338	3/1/01
18 VAC 100-20-100	Amended	17:9 VA.R. 1338	3/1/01
18 VAC 100-20-110	Amended	17:9 VA.R. 1338	3/1/01
18 VAC 100-20-120	Added	17:9 VA.R. 1339	3/1/01
18 VAC 100-20-130	Added	17:9 VA.R. 1339	3/1/01
18 VAC 110-20-10	Amended	17:7 VA.R. 1047	1/17/01

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18 VAC 110-20-20	Amended	17:7 VA.R. 1050	1/17/01
18 VAC 110-20-20 emer	Amended	17:10 VA.R. 1573	1/10/01-1/9/02
18 VAC 110-20-425	Added	17:7 VA.R. 1050	1/17/01
18 VAC 110-30-10	Amended	17:7 VA.R. 1058	1/17/01
18 VAC 110-30-15	Added	17:7 VA.R. 1058	1/17/01
18 VAC 110-30-20	Amended	17:7 VA.R. 1058	1/17/01
18 VAC 110-30-30	Amended	17:7 VA.R. 1059	1/17/01
18 VAC 110-30-35	Added	17:7 VA.R. 1059	1/17/01
18 VAC 110-30-50	Amended	17:7 VA.R. 1059	1/17/01
18 VAC 110-30-60	Repealed	17:7 VA.R. 1059	1/17/01
18 VAC 110-30-80	Amended	17:7 VA.R. 1059	1/17/01
18 VAC 110-30-90	Amended	17:7 VA.R. 1059	1/17/01
18 VAC 110-30-100	Amended	17:7 VA.R. 1060	1/17/01
18 VAC 110-30-110	Amended	17:7 VA.R. 1060	1/17/01
18 VAC 110-30-160	Amended	17:7 VA.R. 1060	1/17/01
18 VAC 110-30-170	Amended	17:7 VA.R. 1061	1/17/01
18 VAC 110-30-190	Amended	17:7 VA.R. 1061	1/17/01
18 VAC 110-30-200	Amended	17:7 VA.R. 1061	1/17/01
18 VAC 110-30-210	Amended	17:7 VA.R. 1061	1/17/01
18 VAC 110-30-220	Amended	17:7 VA.R. 1062	1/17/01
18 VAC 110-30-240	Amended	17:7 VA.R. 1062	1/17/01
18 VAC 110-30-255	Added	17:7 VA.R. 1062	1/17/01
18 VAC 110-30-260	Amended	17:7 VA.R. 1062	1/17/01
18 VAC 110-30-270	Amended	17:7 VA.R. 1062	1/17/01
18 VAC 110-40-10 through 18 VAC 110-40-70	Added	17:7 VA.R. 1066-1067	1/17/01
18 VAC 112-10-10 through 18 VAC 112-10-120 emer	Added	17:4 VA.R. 611-612	10/17/00-10/16/01
18 VAC 112-20-10 through 18 VAC 112-20-150	Added	16:25 VA.R. 3266-3270	9/27/00
18 VAC 125-20-10	Amended	17:12 VA.R. 2026	3/28/01
18 VAC 125-20-30	Amended	17:12 VA.R. 2027	3/28/01
18 VAC 125-20-43	Added	17:12 VA.R. 2027	3/28/01
18 VAC 160-20-10	Amended	17:9 VA.R. 1342	2/15/01
18 VAC 160-20-20 through 18 VAC 160-20-70	Repealed	17:9 VA.R. 1343-1345	2/15/01
18 VAC 160-20-74	Added	17:9 VA.R. 1345	2/15/01
18 VAC 160-20-76	Added	17:9 VA.R. 1345	2/15/01
18 VAC 160-20-80	Amended	17:9 VA.R. 1345	2/15/01
18 VAC 160-20-85	Added	17:9 VA.R. 1345	2/15/01
18 VAC 160-20-90	Amended	17:9 VA.R. 1345	2/15/01
18 VAC 160-20-100	Repealed	17:9 VA.R. 1349	2/15/01
18 VAC 160-20-102	Added	17:9 VA.R. 1350	2/15/01
18 VAC 160-20-104	Added	17:9 VA.R. 1350	2/15/01
18 VAC 160-20-106	Added	17:9 VA.R. 1350	2/15/01
18 VAC 160-20-109	Added	17:9 VA.R. 1350	2/15/01
18 VAC 160-20-110	Repealed	17:9 VA.R. 1351	2/15/01
18 VAC 160-20-120	Added	17:9 VA.R. 1351	2/15/01
18 VAC 160-20-130	Added	17:9 VA.R. 1352	2/15/01
18 VAC 160-20-140	Added	17:9 VA.R. 1353	2/15/01
18 VAC 160-20-160	Amended	17:9 VA.R. 1353	2/15/01
Title 19. Public Safety			
19 VAC 30-20-80	Amended	17:10 VA.R. 1567	3/14/01
Title 20. Public Utilities and Telecommunications			
20 VAC 5-200-21	Amended	16:25 VA.R. 3274	7/28/00
20 VAC 5-200-30	Amended	16:25 VA.R. 3296	7/28/00
20 VAC 5-200 Appendix	Amended	16:25 VA.R. 3298	7/28/00
20 VAC 5-202-10 through 20 VAC 5-202-50	Added	17:5 VA.R. 819-824	10/20/00
20 VAC 5-309-10	Amended	17:9 VA.R. 1366	7/1/01
20 VAC 5-309-15	Added	17:9 VA.R. 1366	7/1/01

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
20 VAC 5-309-20	Amended	17:9 VA.R. 1366	7/1/01
20 VAC 5-309-30	Amended	17:9 VA.R. 1366	7/1/01
20 VAC 5-309-40	Amended	17:9 VA.R. 1366	7/1/01
20 VAC 5-309-50	Amended	17:9 VA.R. 1367	7/1/01
20 VAC 5-309-70	Amended	17:9 VA.R. 1367	7/1/01
20 VAC 5-309-90 through 20 VAC 5-309-220	Added	17:9 VA.R. 1367-1369	7/1/01
Title 22. Social Services			
22 VAC 30-20-10 through 22 VAC 30-20-60	Amended	17:7 VA.R. 1067-1076	1/17/01
22 VAC 30-20-80 through 22 VAC 30-20-130	Amended	17:7 VA.R. 1076-1086	1/17/01
22 VAC 30-20-150	Amended	17:7 VA.R. 1086	1/17/01
22 VAC 30-20-160	Amended	17:7 VA.R. 1087	1/17/01
22 VAC 30-20-170	Amended	17:7 VA.R. 1088	1/17/01
22 VAC 30-20-181	Amended	17:7 VA.R. 1088	1/17/01
22 VAC 30-20-200	Amended	17:7 VA.R. 1090	1/17/01
22 VAC 40-35-10	Amended	17:5 VA.R. 825	12/20/00
22 VAC 40-35-10	Amended	17:10 VA.R. 1567	2/28/01
22 VAC 40-35-90	Amended	17:10 VA.R. 1570	2/28/01
22 VAC 40-35-125	Amended	17:5 VA.R. 827	12/20/00
22 VAC 40-35-126	Added	17:5 VA.R. 827	12/20/00
22 VAC 40-35-127	Added	17:5 VA.R. 828	12/20/00
22 VAC 40-35-128	Added	17:5 VA.R. 828	12/20/00
22 VAC 40-60 (Forms)	Amended	17:1 VA.R. 72	--
22 VAC 40-170 (Forms)	Amended	17:5 VA.R. 833	--
22 VAC 40-180 (Forms)	Amended	16:25 VA.R. 3331-3332	--
22 VAC 40-600-10	Amended	17:1 VA.R. 70	10/25/00
22 VAC 40-600-50	Amended	17:1 VA.R. 70	10/25/00
22 VAC 40-600-70	Amended	17:1 VA.R. 70	10/25/00
22 VAC 40-600-90	Repealed	17:1 VA.R. 71	10/25/00
22 VAC 40-600-130	Amended	17:1 VA.R. 71	10/25/00
22 VAC 40-600-140	Amended	17:1 VA.R. 71	10/25/00
22 VAC 40-600-170	Amended	17:1 VA.R. 71	10/25/00
22 VAC 40-600-200	Amended	17:1 VA.R. 71	10/25/00
22 VAC 40-600-210	Amended	17:1 VA.R. 71	10/25/00
22 VAC 40-680-10	Amended	17:5 VA.R. 830	12/20/00
22 VAC 40-680-20	Amended	17:5 VA.R. 830	12/20/00
Title 24. Transportation and Motor Vehicles			
24 VAC 30-380-10	Amended	16:26 VA.R. 3518	8/23/00

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

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

TITLE 2. AGRICULTURE

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Agriculture and Consumer Services intends to consider amending regulations entitled: **2 VAC 5-360-10 et seq. Rules and Regulations for the Enforcement of the Virginia Commercial Feed Law.** The purpose of the proposed action is to review the regulation for effectiveness and continued need, including compatibility with changes to the Commercial Feed Law enacted by the General Assembly. The agency invites comment on whether there should be an adviser. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 3.1-828.4 of the Code of Virginia.

Public comments may be submitted until May 1, 2001.

Contact: Alan Rogers, Program Manager, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 402, Richmond, VA 23219, telephone (804) 786-2476 or FAX (804) 786-1571.

VA.R. Doc. No. R01-109; Filed January 25, 2001, 2:13 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Agriculture and Consumer Services intends to consider amending regulations entitled: **2 VAC 5-440-10 et seq. Rules and Regulations for Enforcement of the Virginia Pest Law - Cotton Boll Weevil Quarantine.** The purpose of the proposed action is to review the regulation for effectiveness and continued need, including the effectiveness and clarity of language relating to penalties, exemptions, and reporting and filing deadlines. VDACS also recommends the current regulation be amended to allow liens to be placed on the cotton crops of those producers who do not pay their fees in lieu of destruction of crops. The agency invites comment on whether there should be an adviser. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 3.1-188.23 of the Code of Virginia.

Public comments may be submitted until May 1, 2001.

Contact: Frank M. Fulgham, Program Manager, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 703, Richmond, VA 23219, telephone (804) 786-3515 or FAX (804) 371-7793.

VA.R. Doc. No. R01-110; Filed January 25, 2001, 2:13 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Agriculture and Consumer Services intends to consider amending regulations entitled: **2 VAC 5-530-10 et seq. Rules and Regulations Governing the Production, Handling and Processing of Milk for Manufacturing Purposes and Establishing Minimum Standards for Certain Dairy Products to be Used for Human Food.** The purpose of the proposed action is to review the regulation for effectiveness and continued need, including amending the regulation to (i) include the milk of goats, sheep, water buffalo, and other mammals if the milk or dairy products are intended for human consumption; (ii) be consistent with the USDA recommended requirements for milk for manufacturing purposes and plant purposes; and (iii) develop alternative requirements to foster the developing goats, sheep, and water buffalo industries in Virginia. The agency invites comment on whether there should be an adviser. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 3.1-530.1 and 3.1-530.2 of the Code of Virginia.

Public comments may be submitted until March 19, 2001.

Contact: John A. Beers, Program Supervisor, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 505, Richmond, VA 23219, telephone (804) 786-1453 or FAX (804) 371-7792.

VA.R. Doc. No. R01-64; Filed December 14, 2000, 2:49 p.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Agriculture and Consumer Services intends to consider repealing regulations entitled: **2 VAC 5-580-10 et seq. Rules and Regulations Pertaining to the Sanitary and Operating Requirements in Retail Food Stores.** The purpose of the proposed action is to review the regulation for effectiveness and continued need, including the abolishment of the current regulation and at the same time, adoption of the Food Code to bring Virginia's regulations pertaining to food safety in retail food stores into alignment with the regulations of other states that have adopted the Food Code and to support the FDA's efforts to promote uniform, nationwide sanitary requirements for all food handling establishments. The agency invites comment on whether there should be an adviser. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 3.1-364 and 3.1-398 of the Code of Virginia.

Public comments may be submitted until May 14, 2001.

Notices of Intended Regulatory Action

Contact: James A. Morano, Review and Compliance Officer, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Room 402, Richmond, VA 23219, telephone (804) 786-8899 or FAX (804) 371-7792.

VA.R. Doc. No. R01-120; Filed February 12, 2001, 2:57 p.m.

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TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to consider amending regulations entitled: **9 VAC 5-40-10 et seq. Existing Stationary Sources (Rev. J00 and Rev. K00)**. The purpose of these proposed actions is to develop state regulations that control emissions from commercial/industrial solid waste incinerators (CISWIs) and small municipal waste combustors (SMWCs) as required by §§ 111(d) and 129 of the federal Clean Air Act. (See 17:12 VA.R. 1911-1913 February 26, 2001, for more detailed information.)

After publication in the Virginia Register of Regulations, the department will hold at least one public hearing to provide opportunity for public comment on any regulation amendments drafted pursuant to this notice.

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until March 29, 2001.

Contact: Karen G. Sabasteanski, Policy Analyst, Department of Environmental Quality, Office of Air Regulatory Development, 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 ☎

VA.R. Doc. Nos. R01-112 and R01-113; Filed February 6, 2001, 9:03 a.m.

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled: **9 VAC 25-260-5 et seq. Water Quality Standards**. The intent of this rulemaking is to protect designated and beneficial uses of state waters by adopting regulations that are technically correct, necessary and reasonable. These standards will be used in setting Virginia Pollutant Discharge Elimination System Permit limits and for evaluating the waters of the Commonwealth for inclusion in the Clean Water Act § 305(b) report and on the § 303(d) list. Waters not meeting standards will require development of a Total Maximum Daily Load under the Clean Water Act at § 303(e).

This rulemaking is needed because the last triennial review was completed in December 1997 and new scientific

information is available to update the water quality standards. Changes to the regulation are also needed to improve permitting and monitoring programs as well as meet EPA priorities for this triennium. In addition, the agency has to fulfill the legal mandates for a three-year review under § 62.1-44.15(3a) of the Code of Virginia and federal regulations 40 CFR Part 131. (See 17:10 VA.R. 1442-1445 January 29, 2001, for more detailed information.)

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Public comments may be submitted until March 30, 2001.

Contact: Eleanore Daub, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111.

VA.R. Doc. No. R01-78; Filed January 5, 2001, 9:22 a.m.

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TITLE 12. HEALTH

STATE BOARD OF HEALTH

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider amending regulations entitled: **12 VAC 5-90-10 et seq. Regulations for Disease Reporting and Control**. The purpose of the proposed action is to provide for notification of persons included in the Virginia Cancer Registry. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-71.02 of the Code of Virginia.

Public comments may be submitted until March 14, 2001.

Contact: Diane Woolard, Ph.D., M.P.H., Director of Disease Surveillance, Department of Health, Office of Epidemiology, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-6261 or (804) 371-1076.

VA.R. Doc. No. R01-95; Filed January 17, 2001, 12:01 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider promulgating regulations entitled: **12 VAC 5-120-10 et seq. Regulations for Testing Children for Elevated Blood-Lead Levels**. The purpose of the proposed action is to establish a protocol for testing all children at risk for having elevated blood-lead levels. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-46.1 of the Code of Virginia.

NOTE: CORRECTION TO COMMENT DEADLINE.
Public comments may be submitted until March 14, 2001.

Notices of Intended Regulatory Action

Contact: Nancy Vanvoorhis, Department of Health, Office of Family Health Services, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-4568 or (804) 692-0184.

VA.R. Doc. No. R01-88; Filed January 12, 2001, 2:17 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider promulgating regulations entitled: **12 VAC 5-475-10 et seq. Regulations Implementing the Virginia Organ and Tissue Donor Registry.** The purpose of the proposed action is to implement a new registry to contain information about Virginians who have indicated a willingness to donate their organs, eyes and tissues. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-292.2 of the Code of Virginia.

Public comments may be submitted until March 14, 2001.

Contact: Eileen Guertler, Director, Virginia Transplant Council, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-5589 or (804) 786-0892.

VA.R. Doc. No. R01-93; Filed January 17, 2000, 12:01 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider promulgating regulations entitled: **12 VAC 5-507-10 et seq. Guidelines for General Assembly Nursing Scholarships and Loan Repayment Program Requiring Service in a Long-Term Care Facility and amending 12 VAC 5-510-10 et seq. Guidelines for General Assembly Nursing Scholarships.** The purpose of the proposed action is to implement the scholarship and loan repayment program for registered nurses, licensed practical nurses, and certified nurse aides who agree to work in a Commonwealth long-term care facility for a given period of time. The agency intends to hold a public hearing on the proposed regulations after publication.

Statutory Authority: §§ 32.1-122.6:01, 54.1-3011.1 and 54.1-3011.2 of the Code of Virginia.

Public comments may be submitted until March 14, 2001.

Contact: Norma Marrin, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-4891 or (804) 371-0116.

VA.R. Doc. No. R01-97; Filed January 19, 2001, 10:06 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider promulgating regulations entitled: **12 VAC 5-508-10 et seq. Regulations Governing the Virginia Physician Loan Repayment Program.** The purpose of the proposed action is to administer a new loan repayment program for physicians in accordance with an emergency provision of the 2000 Acts of Assembly. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-122.6:01 of the Code of Virginia.

Public comments may be submitted until March 14, 2001.

Contact: Norma Marrin, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-4891 or (804) 371-0116.

VA.R. Doc. No. R01-106; Filed January 23, 2001, 3:13 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to consider promulgating regulations entitled: **12 VAC 5-520-10 et seq. Regulations Governing the State Dental Scholarship Program.** The purpose of the proposed action is to take regulatory action pursuant to HB 1075 and SB 576 of the 2000 Acts of Assembly to provide dental health services where they are needed by amending these regulations to include a loan repayment program. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-122.9 of the Code of Virginia.

Public comments may be submitted until March 14, 2001.

Contact: Karen Day, DMD, Director, Division of Dental Health Services, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-3556 or (804) 692-0184.

VA.R. Doc. No. R01-87; Filed January 12, 2001, 2:17 p.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 repealing regulations entitled:

12 VAC 35-20-10 et seq. Mandatory Standards for the Certification of First Offender Drug Abuse Diversion and Education Programs.

12 VAC 35-140-10 et seq. Mandatory Standards for Community Mental Health Programs.

12 VAC 35-150-10 et seq. Mandatory Standards for Community Mental Retardation Programs.

12 VAC 35-160-10 et seq. Mandatory Standards for Community Substance Abuse Programs.

The purpose of the proposed action is to repeal regulations that are outdated and that duplicate the function and intent of the existing licensing regulations contained in 12 VAC 35-102-10 et seq. The agency does not intend to hold a public hearing on the proposed repeal after publication.

Statutory Authority: §§ 37.1-10, 37.1-179.1, 37.1-181, and 37.1-182 of the Code of Virginia.

Notices of Intended Regulatory Action

Public comments may be submitted until March 14, 2001.

Contact: Wendy V. Brown, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, Jefferson Bldg., 1220 Bank St., 12th Floor, Richmond, VA 23219, telephone (804) 225-2252 or FAX (804) 371-0092.

VA.R. Doc. Nos. R01-98; R01-99, R01-100, R01-101; Filed January 18, 2001, 8:59 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider repealing regulations entitled: **12 VAC 35-102-10 et seq. Rules and Regulations for the Licensure of Facilities and Providers of Mental Health, Mental Retardation and Substance Abuse Services.** The purpose of the proposed action is to repeal the regulation concurrently with the promulgation of a new regulation (12 VAC 35-105-10 et seq.) to provide standards for licensing facilities and providers of mental health, mental retardation and substance abuse services. The agency intends to hold a public hearing on the proposed repeal after publication.

Statutory Authority: §§ 37.1-179.1 and 37.1-182 of the Code of Virginia.

Public comments may be submitted until March 14, 2001.

Contact: William J. Lessard, Jr., Regional Manager, Office of Licensing, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3475 or FAX (804) 692-0066.

VA.R. Doc. No. R01-104; Filed January 22, 2001, 2:11 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider promulgating regulations entitled: **12 VAC 35-105-10 et seq. Rules and Regulations for the Licensure of Facilities and Providers of Mental Health, Mental Retardation and Substance Abuse Services.** The purpose of the proposed action is to promulgate a new, updated regulation to replace the current regulations for licensing facilities and providers 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: §§ 37.1-179.1 and 37.1-182 of the Code of Virginia.

Public comments may be submitted until March 14, 2001.

Contact: William J. Lessard, Jr., Regional Manager, Office of Licensing, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3475 or FAX (804) 692-0066.

VA.R. Doc. No. R01-103; Filed January 22, 2001, 2:11 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider amending regulations entitled: **12 VAC 35-200-10 et seq. Regulations for Respite and Emergency Care Admission to Mental Retardation Facilities.** The purpose of the proposed action is to amend the regulation to change certain definitions to conform to regulatory context or statutory language. Procedural guidance will be updated and clarified. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 37.1-10 and 37.1-65.2 of the Code of Virginia.

Public comments may be submitted until March 14, 2001.

Contact: Wendy V. Brown, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, Jefferson Bldg., 1220 Bank St., 12th Floor, Richmond, VA 23219, telephone (804) 225-2252 or FAX (804) 371-0092.

VA.R. Doc. No. R01-102; Filed January 18, 2001, 8:58 a.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD FOR HEARING AID SPECIALISTS

† Withdrawal of Notice of Intended Regulatory Action

The Board for Hearing Aid Specialists has WITHDRAWN the Notice of Intended Regulatory Action for amending regulations entitled: **18 VAC 80-20-10 et seq. Board for Hearing Aid Specialists Regulations** that was published in 16:21 VA.R. 2604 July 3, 2000. The board plans to take regulatory action at a later date; however, no further action will be taken on this particular notice.

Contact: Nancy T. Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230-4917, e-mail hearingaidspec@dpor.state.va.us, telephone (804) 367-8590, FAX (804) 367-6295 or (804) 367-9753/TTY ☎.

VA.R. Doc. No. R00-202; Filed February 12, 2001, 1:07 p.m.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

† 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 Professional and Occupational Regulation intends to consider amending regulations entitled: **18 VAC 120-40-10 et seq. Virginia**

Notices of Intended Regulatory Action

Professional Boxing and Wrestling Event Regulations.

The purpose of the proposed action is to incorporate changes to federal law, make clarifying changes and review fees for compliance with the Callahan Act. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-831 of the Code of Virginia.

Public comments may be submitted until April 11, 2001.

Contact: Karen O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552 or FAX (804) 367-2475.

VA.R. Doc. No. R01-119; Filed February 13, 2001, 3:22 p.m.

REAL ESTATE 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 Real Estate Board intends to consider amending regulations entitled: **18 VAC 135-40-10 et seq. Time-Share Regulations.** The purpose of the proposed action is to incorporate changes into the regulations required after amendments to the Virginia Time-Share Act (§ 55-360 et seq. of the Code of Virginia) and to ensure compliance with Executive Order 25 (98). The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 55-396 of the Code of Virginia.

Public comments may be submitted until April 11, 2001.

Contact: Eric L. 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 ☎

VA.R. Doc. No. R01-118; Filed February 14, 2001, 12:36 p.m.

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-41-10 et seq. Neighborhood Assistance Tax Credit Program.** The purpose of the proposed action is to reflect changes to the controlling statute. Changes include adding additional health professionals and building contractors to those able to donate services, and allowing individuals to make cash donations to approved projects. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 63.1-323 of the Code of Virginia.

Public comments may be submitted until April 11, 2001.

Contact: Phyl Parrish, Program Consultant, Department of Social Services, Office of Community Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1895 or FAX (804) 692-1869.

VA.R. Doc. No. R01-124; Filed February 21, 2001, 10:19 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-730-10 et seq. Investigation of Child Abuse and Neglect in Out of Family Complaints.** The purpose of the proposed action is to implement Chapter 854 of the 2000 Acts of Assembly providing that child protective services out of family investigations are to be conducted as joint investigations in cases involving an employee at a private or state-operated hospital, institution or other facility, or a school board employee. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 63.1-25, 63.1-248.6 and 63.1-248.7:1 of the Code of Virginia.

Public comments may be submitted until April 11, 2001.

Contact: Betty Jo Zarris, CPS Program Consultant, Department of Social Services, Office of Community Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1220 or FAX (804) 692-2215.

VA.R. Doc. No. R01-123; Filed February 21, 2001, 10:19 a.m.

FINAL REGULATIONS

For information concerning Final Regulations, see Information Page.

Symbol Key

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

TITLE 9. ENVIRONMENT

VIRGINIA WASTE MANAGEMENT BOARD

Suspension of Regulatory Process

Title of Regulation: 9 VAC 20-170-10 et seq. Transportation of Solid and Regulated Medical Waste on State Waters.

The Department of Environmental Quality, on behalf of the Virginia Waste Management Board, has suspended the effective date of the Transportation of Solid and Regulated Medical Waste on State Waters regulation, 9 VAC 20-170-10 et seq. The final regulation was published in the Virginia Register on January 15, 2001 (17:9 VA.R. 1297-1327). The suspension is in response to requests from at least 25 people for an additional comment period on the changes with substantial impact made to the regulation from the time it was published as a proposed regulation to the time it was published as a final regulation.

The Virginia Waste Management Board will receive comments on the changes made to the regulation until April 12, 2001. Comments may be submitted by mail, facsimile, e-mail or by personal appearance at the public meeting. The public meeting will be held at 1:30 p.m. on April 10, 2001, at the Accomack County Board Chambers, County Administration Building, 23296 Courthouse Avenue, Accomac, Virginia. All comments must include the name, address and phone number of the commenter.

Submit comments to John Ely, Office of Waste Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240, telephone (804) 698-4249, FAX (804) 698-4327 or e-mail jeely@deq.state.va.us.

VA.R. Doc. No. R98-255; Filed February 15, 2001, 2:15 p.m.

STATE WATER CONTROL BOARD

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

Due to its length, the final regulation filed by the State Water Control Board is not being published. However, in accordance with § 9-6.14:22 of the Code of Virginia, a summary is being published in lieu of the full text. The full text of the regulation is available for public inspection at the office of the Registrar of Regulations, General Assembly Building, 910 Capitol Street, Richmond, Virginia 23219, telephone (804) 786-3591 or copies may be obtained from the contact person listed below.

Title of Regulation: 9 VAC 25-31-10 et seq. Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation (amending 9 VAC 25-31-10, 9 VAC 25-31-30, 9 VAC 25-31-50, 9 VAC 25-31-100, 9 VAC 25-31-110, 9 VAC 25-31-120, 9 VAC 25-31-170, 9 VAC 25-31-220, 9 VAC 25-31-280, 9 VAC 25-31-370, 9 VAC 25-31-390, 9 VAC 25-31-410).

Statutory Authority: § 62.1-44.15 (10) of the Code of Virginia.

Effective Date: April 11, 2001.

Summary:

The U.S. Environmental Protection Agency repealed the federal effluent guideline regulation for the Builders Paper and Board Mills industrial category, 40 CFR Part 431, on March 21, 2000. EPA also amended its NPDES permitting regulations at 40 CFR Parts 122, 123, 124 and 125 on May 15, 2000. These amendments eliminate redundant or unnecessary regulatory language, clarify procedures, and correct typographical errors. In order to maintain its authority to administer the NPDES program in Virginia, the State Water Control Board must amend its VPDES Permit Regulation to reflect these changes to the federal regulations.

Agency Contact: Copies of the regulation may be obtained from Richard Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4075.

VA.R. Doc. No. R01-114; Filed February 6, 2001, 2:21 p.m.

TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE
SERVICES

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

Title of Regulation: **Mandatory Coverage: Categorically Needy and Other Required Special Groups.**

12 VAC 30-10-10 et seq. State Plan under Title XIX of the Social Security Act Medical Assistance Program; General Provisions (amending 12 VAC 30-10-160).

12 VAC 30-20-10 et seq. Administration of Medical Assistance Services (amending 12 VAC 30-20-80).

12 VAC 30-30-10 et seq. Groups Covered and Agencies Responsible for Eligibility Determination (amending 12 VAC 30-30-10).

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

Effective Date: April 11, 2001.

Summary:

The amendments move language providing for mandatory coverage for payment of Medicare Part B premiums to qualified individuals from its original location in the State Plan to a new location preferred by the Health Care Financing Administration.

Agency Contact: Copies of the regulations may be obtained from Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7959.

12 VAC 30-10-160. Amount, duration, and scope of services: Other required special groups.

A. Qualified Medicare beneficiaries. Medicare cost sharing for qualified Medicare beneficiaries described in § 1905(p) of the Act is provided only as indicated in 12 VAC 30-10-310 ~~of this plan.~~

B. Qualified disabled and working individuals. Medicare Part A premiums for qualified disabled and working individuals described in § 1902(a)(10)(E)(ii) of the Act are provided as indicated in 12 VAC 30-10-310 ~~of this plan.~~

C. Specified low-income Medicare beneficiaries. Medicare Part B premiums for specified low-income Medicare beneficiaries described in § 1902(a)(10)(E)(iii) of the Act are provided as indicated in 12 VAC 30-10-310 ~~of this plan.~~

D. *Qualifying Individuals-1. Medicare Part B premiums for qualifying individuals described in § 1902(a)(10)(E)(iv)(I) and subject to § 1933 of the Act are provided as indicated in 12 VAC 30-10-310.*

E. *Qualifying Individuals-2. The portion of the amount of increase to the Medicare Part B premium attributable to the home health provisions for qualifying individuals described in § 1902(a)(10)(E)(iv)(II) and subject to § 1933 of the Act are provided as indicated in 12 VAC 30-10-310.*

~~D. F. Families receiving extended Medicaid benefits. Extended Medicaid benefits for families described in § 1925 of the Act are provided as indicated in 12 VAC 30-10-300 of this plan.~~

12 VAC 30-20-80. Coordination of Title XIX with Part A and Part B of Title XVIII.

The following method is used to provide benefits under Part A and Part B of title XVIII to the groups of Medicare-eligible individuals indicated:

A. Part B buy-in agreements with the Secretary of HHS. This agreement covers:

1. All individuals eligible under the state's approved Title XIX plan except qualified disabled working individuals.

2. Qualified Medicare beneficiaries provided by § 301 of P.L. 100-360 as amended by § 8434 of P.L. 100-647.

3. *Specified low-income Medicare beneficiary (SLMB) provided by § 1905(p) of the Act.*

4. *Qualifying Individuals-1: The Medicaid agency pays Medicare Part B premiums under the State buy-in process for individuals described in § 1902(a)(10)(E)(iv)(I) and subject to § 1933 of the Act.*

5. *Qualifying Individuals-2: The Medicaid agency pays the portion of the amount of increase to the Medicare Part B premium attributable to the home health provision to the individuals described in § 1902(a)(10)(E)(iv)(II) and subject to § 1933 of the Act.*

B. Part A group premium payment arrangement entered into with the Social Security Administration. This arrangement covers the following groups: Qualified Disabled & Working Individuals provided by § 6408 of OBRA 1989 and Qualified Medicare beneficiaries provided by § 301 of P.L. 100-360 as amended by § 8434 of P.L. 100-647.

C. Payment of Part A and Part B deductible and coinsurance cost. Such payments are made in behalf of the following groups:

1. All individuals eligible for Title XVIII covered services.

2. Qualified Medicare beneficiaries provided by § 301 of P.L. 100-360 as amended by § 8434 of P.L. 100-647.

12 VAC 30-30-10. Mandatory coverage: Categorically needy and other required special groups.

The Title IV-A agency determines eligibility for Title XIX services.

1. Recipients of AFDC.

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- a. The approved state AFDC plan includes:
- (1) Families with an unemployed parent for the mandatory six-month period and an optional extension of 0 months.
 - (2) AFDC children age 18 who are full-time students in a secondary school or in the equivalent level of vocational or technical training.
- b. The standards for AFDC payments are listed in 12 VAC 30-40-220.
2. Deemed recipients of AFDC.
- a. Individuals denied a Title IV-A cash payment solely because the amount would be less than \$10.
- b. Effective October 1, 1990, participants in a work supplementation program under Title IV-A and any child or relative of such individual (or other individual living in the same household as such individuals) who would be eligible for AFDC if there were no work supplementation program, in accordance with § 482(e)(6) of the Act.
- c. Individuals whose AFDC payments are reduced to zero by reason of recovery of overpayment of AFDC funds.
- d. An assistance unit deemed to be receiving AFDC for a period of four calendar months because the family becomes ineligible for AFDC as a result of collection or increased collection of support and meets the requirements of § 406(h) of the Act.
- e. Individuals deemed to be receiving AFDC who meet the requirements of § 473(b)(1) or (2) for whom an adoption of assistance agreement is in effect or foster care maintenance payments are being made under Title IV-E of the Act.
3. Effective October 1, 1990, qualified family members who would be eligible to receive AFDC under § 407 of the Act because the principal wage earner is unemployed.
4. Families terminated from AFDC solely because of earnings, hours of employment, or loss of earned income disregards entitled up to 12 months of extended benefits in accordance with § 1925 of the Act.
5. Individuals who are ineligible for AFDC solely because of eligibility requirements that are specifically prohibited under Medicaid. Included are:
- a. Families denied AFDC solely because of income and resources deemed to be available from:
- (1) Stepparents who are not legally liable for support of stepchildren under a state law of general applicability;
 - (2) Grandparents;
 - (3) Legal guardians; and
 - (4) Individual alien sponsors (who are not spouses of the individual or the individual's parent);
- b. Families denied AFDC solely because of the involuntary inclusion of siblings who have income and resources of their own in the filing unit.
- c. Families denied AFDC because the family transferred a resource without receiving adequate compensation.
6. Individuals who would be eligible for AFDC except for the increases in OASDI benefits under P.L. 92-336 (July 1, 1972), who were entitled to OASDI in August 1972 and who were receiving cash assistance in August 1972.
- a. Includes persons who would have been eligible for cash assistance but had not applied in August 1972 (this group was included in the state's August 1972 plan).
- b. Includes persons who would have been eligible for cash assistance in August 1972 if not in a medical institution or intermediate care facility (this group was included in this state's August 1972 plan).
7. Qualified pregnant women and children.
- a. A pregnant woman whose pregnancy has been medically verified who:
- (1) Would be eligible for an AFDC cash payment if the child had been born and was living with her;
 - (2) Is a member of a family that would be eligible for aid to families with dependent children of unemployed parents if the state had an AFDC-unemployed parents program; or
 - (3) Would be eligible for an AFDC cash payment on the basis of the income and resource requirements of the state's approved AFDC plan.
- b. Children born after September 30, 1973 (specify optional earlier date), who are under age 19 and who would be eligible for an AFDC cash payment on the basis of the income and resource requirements of the state's approved AFDC plan.
- 12 VAC 30-40-280 and 12 VAC 30-40-290 describe the more liberal methods of treating income and resources under § 1902(r)(2) of the Act.
8. Pregnant women and infants under one year of age with family incomes up to 133% of the federal poverty level who are described in §§ 1902(a) (10)(A)(i)(IV) and 1902(l)(A) and (B) of the Act. The income level for this group is specified in 12 VAC 30-40-220.
9. Children:
- a. Who have attained one year of age but have not attained six years of age, with family incomes at or below 133% of the federal poverty levels.
- b. Born after September 30, 1983, who have attained six years of age but have not attained 19 years of age, with family incomes at or below 100% of the federal poverty levels.
- Income levels for these groups are specified in 12 VAC 30-40-220.

10. Individuals other than qualified pregnant women and children under subdivision 7 of this section who are members of a family that would be receiving AFDC under § 407 of the Act if the state had not exercised the option under § 407(b)(2)(B)(i) of the Act to limit the number of months for which a family may receive AFDC.

11. a. A woman who, while pregnant, was eligible for, applied for, and receives Medicaid under the approved state plan on the day her pregnancy ends. The woman continues to be eligible, as though she were pregnant, for all pregnancy-related and postpartum medical assistance under the plan for a 60-day period (beginning on the last day of her pregnancy) and for any remaining days in the month in which the 60th day falls.

b. A pregnant women who would otherwise lose eligibility because of an increase in income (of the family in which she is a member) during the pregnancy or the postpartum period which extends through the end of the month in which the 60-day period (beginning on the last day of pregnancy) ends.

12. A child born to a woman who is eligible for and receiving Medicaid as categorically needy on the date of the child's birth. The child is deemed eligible for one year from birth as long as the mother remains eligible or would remain eligible if still pregnant and the child remains in the same household as the mother.

13. Aged, blind and disabled individuals receiving cash assistance.

a. Individuals who meet more restrictive requirements for Medicaid than the SSI requirements. (This includes persons who qualify for benefits under § 1619(a) of the Act or who meet the eligibility requirements for SSI status under § 1619(b)(1) of the Act and who met the state's more restrictive requirements for Medicaid in the month before the month they qualified for SSI under § 1619(a) or met the requirements under § 1619(b)(1) of the Act. Medicaid eligibility for these individuals continues as long as they continue to meet the § 1619(a) eligibility standard or the requirements of § 1619(b) of the Act.)

b. These persons include the aged, the blind, and the disabled.

c. The more restrictive categorical eligibility criteria are described below:

(1) See 12 VAC 30-30-40.

(2) Financial criteria are described in 12 VAC 30-40-10.

14. Qualified severely impaired blind and disabled individuals under age 65 who:

a. For the month preceding the first month of eligibility under the requirements of § 1905(q)(2) of the Act, received SSI, a state supplemental payment under § 1616 of the Act or under § 212 of P.L. 93-66 or benefits under § 1619(a) of the Act and were eligible for Medicaid; or

b. For the month of June 1987, were considered to be receiving SSI under § 1619(b) of the Act and were eligible for Medicaid. These individuals must:

(1) Continue to meet the criteria for blindness or have the disabling physical or mental impairment under which the individual was found to be disabled;

(2) Except for earnings, continue to meet all nondisability-related requirements for eligibility for SSI benefits;

(3) Have unearned income in amounts that would not cause them to be ineligible for a payment under § 1611(b) of the Act;

(4) Be seriously inhibited by the lack of Medicaid coverage in their ability to continue to work or obtain employment; and

(5) Have earnings that are not sufficient to provide for himself or herself a reasonable equivalent of the Medicaid, SSI (including any federally administered SSP), or public funded attendant care services that would be available if he or she did have such earnings.

The state applies more restrictive eligibility requirements for Medicaid than under SSI and under 42 CFR 435.121. Individuals who qualify for benefits under § 1619(a) of the Act or individuals described above who meet the eligibility requirements for SSI benefits under § 1619(b)(1) of the Act and who met the state's more restrictive requirements in the month before the month they qualified for SSI under § 1619(a) or met the requirements of § 1619(b)(1) of the Act are covered. Eligibility for these individuals continues as long as they continue to qualify for benefits under § 1619(a) of the Act or meet the SSI requirements under § 1619(b)(1) of the Act.

15. Except in states that apply more restrictive requirements for Medicaid than under SSI, blind or disabled individuals who:

a. Are at least 18 years of age;

b. Lose SSI eligibility because they become entitled to OASDI child's benefits under § 202(d) of the Act or an increase in these benefits based on their disability. Medicaid eligibility for these individuals continues for as long as they would be eligible for SSI, absent their OASDI eligibility.

c. The state does not apply more restrictive income eligibility requirements than those under SSI.

16. Except in states that apply more restrictive eligibility requirements for Medicaid than under SSI, individuals who are ineligible for SSI or optional state supplements (if the agency provides Medicaid under § 435.230 of the Act), because of requirements that do not apply under Title XIX of the Act.

17. Individuals receiving mandatory state supplements.

18. Individuals who in December 1973 were eligible for Medicaid as an essential spouse and who have continued, as spouse, to live with and be essential to the well-being of

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a recipient of cash assistance. The recipient with whom the essential spouse is living continues to meet the December 1973 eligibility requirements of the state's approved plan for OAA, AB, APTD, or AABD and the spouse continues to meet the December 1973 requirements for have his or her needs included in computing the cash payment.

In December 1973, Medicaid coverage of the essential spouse was limited to: the aged; the blind; and the disabled.

19. Institutionalized individuals who were eligible for Medicaid in December 1973 as inpatients of Title XIX medical institutions or residents of Title XIX intermediate care facilities, if, for each consecutive month after December 1973, they:

- a. Continue to meet the December 1973 Medicaid State Plan eligibility requirements;
- b. Remain institutionalized; and
- c. Continue to need institutional care.

20. Blind and disabled individuals who:

- a. Meet all current requirements for Medicaid eligibility except the blindness or disability criteria; and
- b. Were eligible for Medicaid in December 1973 as blind or disabled; and
- c. For each consecutive month after December 1973 continue to meet December 1973 eligibility criteria.

21. Individuals who would be SSI/SSP eligible except for the increase in OASDI benefits under P.L. 92-336 (July 1, 1972), who were entitled to OASDI in August 1972, and who were receiving cash assistance in August 1972.

This includes persons who would have been eligible for cash assistance but had not applied in August 1972 (this group was included in this state's August 1972 plan), and persons who would have been eligible for cash assistance in August 1972 if not in a medical institution or intermediate care facility (this group was included in this state's August 1972 plan).

22. Individuals who:

- a. Are receiving OASDI and were receiving SSI/SSP but became ineligible for SSI/SSP after April 1977; and
- b. Would still be eligible for SSI or SSP if cost-of-living increases in OASDI paid under § 215(i) of the Act received after the last month for which the individual was eligible for and received SSI/SSP and OASDI, concurrently, were deducted from income.

The state applies more restrictive eligibility requirements than those under SSI and the amount of increase that caused SSI/SSP ineligibility and subsequent increases are deducted when determining the amount of countable income for categorically needy eligibility.

23. Disabled widows and widowers who would be eligible for SSI or SSP except for the increase in their OASDI benefits as a result of the elimination of the reduction factor

required by § 134 of P.L. 98-21 and who are deemed, for purposes of Title XIX, to be SSI beneficiaries or SSP beneficiaries for individuals who would be eligible for SSP only, under § 1634(b) of the Act.

The state does not apply more restrictive income eligibility standards than those under SSI.

24. Disabled widows, disabled widowers, and disabled unmarried divorced spouses who had been married to the insured individual for a period of at least 10 years before the divorce became effective, who have attained the age of 50, who are receiving Title II payments, and who because of the receipt of Title II income lost eligibility for SSI or SSP which they received in the month prior to the month in which they began to receive Title II payments, who would be eligible for SSI or SSP if the amount of the Title II benefit were not counted as income, and who are not entitled to Medicare Part A.

The state applies more restrictive eligibility requirements for its blind or disabled than those of the SSI program.

25. Qualified Medicare beneficiaries:

- a. Who are entitled to hospital insurance benefits under Medicare Part A (but not pursuant to an enrollment under § 1818 of the Act);
- b. Whose income does not exceed 100% of the federal level; and
- c. Whose resources do not exceed twice the maximum standard under SSI.

(Medical assistance for this group is limited to Medicare cost sharing as defined in item 3.2 of this plan.)

26. Qualified disabled and working individuals:

- a. Who are entitled to hospital insurance benefits under Medicare Part A under § 1818A of the Act;
- b. Whose income does not exceed 200% of the federal poverty level; and
- c. Whose resources do not exceed twice the maximum standard under SSI.
- d. Who are not otherwise eligible for medical assistance under Title XIX of the Act.

(Medical assistance for this group is limited to Medicare Part A premiums under §§ 1818 and 1818A of the Act.)

27. Specified low-income Medicare beneficiaries:

- a. Who are entitled to hospital insurance benefits under Medicare Part A (but not pursuant to an enrollment under § 1818A of the Act);
- b. Whose income for calendar years 1993 and 1994 exceeds the income level in *subdivision 25 b of this section*, but is less than 110% of the federal poverty level, and whose income for calendar years beginning 1995 is less than 120% of the federal poverty level; and
- c. Whose resources do not exceed twice the maximum standard under SSI.

(Medical assistance for this group is limited to Medicare Part B premiums under § 1839 of the Act.)

* * * * *

~~28. Qualified individuals (pursuant to P.L. 105-33):~~

- ~~a. Who are entitled to hospital insurance benefits under Medicare Part A (but not pursuant to an enrollment under § 1818A of the Act);~~
- ~~b. Whose income is at least 120% of the federal poverty level but is less than 135% of the federal poverty level;~~
- ~~c. Whose resources do not exceed twice the maximum standard under SSI.~~

~~(Medical assistance for this group is limited to the portion of the Medicare Part B increase that is attributable to § 4614 of the Balanced Budget Act of 1997 and will become effective with the next increase in the Medicare Part B premium. Coverage will be provided on a first come, first served basis up to the capped federal entitlement, and waiting lists will be established as necessary.)~~

~~29. Qualified individuals-2:~~

- ~~a. Who are entitled to hospital insurance benefits under Medicare Part A (but not pursuant to an enrollment under § 1818A of the Act);~~
- ~~b. Whose income is at least 135% of the federal poverty level but is less than 175% of the federal poverty level; and~~
- ~~c. Whose resources do not exceed twice the maximum standard under SSI.~~

~~(Medical assistance for this group is limited to the portion of the Medicare Part B increase that is attributable to § 4614 of the Balanced Budget Act of 1997 and will become effective with the next increase in the Medicare Part B premium. Coverage will be provided on a first come, first served basis up to the capped federal entitlement, and waiting lists will be established as necessary.)~~

~~30. 28. a. Each person to whom SSI benefits by reason of disability are not payable for any month solely by reason of clause (i) or (v) of § 1611(e)(3)(A) shall be treated, for purposes of Title XIX, as receiving SSI benefits for the month.~~

~~b. The state applies more restrictive eligibility standards than those under SSI.~~

Individuals whose eligibility for SSI benefits are based solely on disability who are not payable for any months solely by reason of clause (i) or (v) of § 1611(e)(3)(A) and who continue to meet the more restrictive requirements for Medicaid eligibility under the state plan, are eligible for Medicaid as categorically needy.

VA.R. Doc. No. R01-116; Filed February 9, 2001, 3:36 p.m.

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act in accordance with (i) § 9-6.14:4.1 C 3 of the Code of Virginia, which excludes regulations that consist only of changes in style or form or corrections of technical errors and (ii) § 9-6.14:4.1 C 4 (a) of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. The Department of Medical Assistance Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 12 VAC 30-30-10 et seq. **Groups Covered and Agencies Responsible for Eligibility Determination (amending 12 VAC 30-30-20, 12 VAC 30-30-40, and 12 VAC 30-30-50).**

12 VAC 30-40-10 et seq. Eligibility Conditions and Requirements (amending 12 VAC 30-40-100, 12 VAC 30-40-240, 12 VAC 30-40-250, 12 VAC 30-40-280, 12 VAC 30-40-290, and 12 VAC 30-40-350).

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

Effective Date: April 11, 2001.

Summary:

This final exempt action amends the plan for medical assistance concerning technical corrections to Groups Covered Under Medical Assistance and Eligibility Income Limits in order to bring the State Plan into compliance with federal regulations. DMAS conducted a review of these regulations in response to the Governor's Executive Order 15(94). These amendments are necessary to correct the technical language and resolve conflicts with the requirements found in the State Plan and state regulations.

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 1300, Richmond, VA 23219, telephone (804) 786-7959.

12 VAC 30-30-20. Optional groups other than the medically needy.

The Title IV A agency determines eligibility for Title XIX services.

1. ~~Individuals~~ Caretakers and pregnant women who meet the income and resource requirements of AFDC, SSI, or an optional state supplement as specified in 42 CFR 435.230, but who do not receive cash assistance.
2. Individuals who would be eligible for AFDC, SSI or an optional state supplement as specified in 42 CFR 435.230, if they were not in a medical institution.
3. A group or groups of individuals who would be eligible for Medicaid under the plan if they were in a NF or an ICF/MR, who but for the provision of home and community-based services under a waiver granted under 42 CFR Part 441, Subpart G would require institutionalization, and who will

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receive home and community-based services under the waiver. The group or groups covered are listed in the waiver request. This option is effective on the effective date of the state's § 1915(c) waiver under which this group(s) is covered. In the event an existing § 1915(c) waiver is amended to cover this group(s), this option is effective on the effective date of the amendment.

4. Individuals who would be eligible for Medicaid under the plan if they were in a medical institution, who are terminally ill, and who receive hospice care in accordance with a voluntary election described in § 1905(o) of the Act.

5. The state does not cover all individuals who are not described in § 1902(a)(10)(A)(i) of the Act, who meet the income and resource requirements of the AFDC state plan and who are under the age of 21. The state does cover reasonable classifications of these individuals as follows:

(1) Individuals for whom public agencies are assuming full or partial financial responsibility and who are:

(a) In foster homes (and are under the age of 21).

(b) In private institutions (and are under the age of 21).

(c) In addition to the group under ~~b.~~ 5 (1)(a) and (b), individuals placed in foster homes or private institutions by private nonprofit agencies (and are under the age of 21).

(2) Individuals in adoptions subsidized in full or part by a public agency (who are under the age of 21).

(3) Individuals in NFs (who are under the age of 21). NF services are provided under this plan.

(4) In addition to the group under (6)(3), individuals in ICFs/MR (who are under the age of 21).

6. A child for whom there is in effect a state adoption assistance agreement (other than under Title IV-E of the Act), who, as determined by the state adoption agency, cannot be placed for adoption without medical assistance because the child has special care needs for medical or rehabilitative care, and who before execution of the agreement:

a. Was eligible for Medicaid under the state's approved Medicaid plan; or

b. Would have been eligible for Medicaid if the standards and methodologies of the Title IV-E foster care program were applied rather than the AFDC standards and methodologies.

The state covers individuals under the age of 21.

7. Section 1902(f) states and SSI criteria states without agreements under §§ 1616 and 1634 of the Act.

The following groups of individuals who receive a state supplementary payment under an approved optional state supplementary payment program that meets the following conditions. The supplement is:

a. Based on need and paid in cash on a regular basis.

b. Equal to the difference between the individual's countable income and the income standard used to determine eligibility for the supplement.

c. Available to all individuals in each classification and available on a statewide basis.

d. Paid to one or more of the classifications of individuals listed below:

(1) Aged individuals in domiciliary facilities or other group living arrangements as defined under SSI.

(2) Blind individuals in domiciliary facilities or other group living arrangements as defined under SSI.

(3) Disabled individuals in domiciliary facilities or other group living arrangements as defined under SSI.

(4) Individuals receiving a state administered optional state supplement that meets the conditions specified in 42 CFR 435.230.

The supplement ~~does not vary~~ varies in income standard by political subdivisions according to cost-of-living differences.

The standards for optional state supplementary payments are listed in 12 VAC 30-40-250.

8. Individuals who are in institutions for at least 30 consecutive days and who are eligible under a special income level. Eligibility begins on the first day of the 30-day period. These individuals meet the income standards specified in 12 VAC 30-40-220.

The state covers all individuals as described above.

9. Reserved.

10. Individuals required to enroll in cost-effective employer-based group health plans remain eligible for a minimum enrollment period of one month.

~~11. Individuals entitled to elect COBRA continuation coverage and whose income as determined under § 1642 of the Act for purposes of the SSI program, is no more than 100 percent of the federal poverty level, whose resources are no more than twice the SSI resource limit for an individual, and for whom the state determines that the cost of COBRA premiums is likely to be less than the Medicaid expenditures for an equivalent set of services.~~

12 VAC 30-30-40. Reasonable classifications of individuals under the age of 21, 20, 19, and 18.

See subdivision 5 of 12 VAC 30-30-20.

See subdivision 5 of 12 VAC 30-30-30 5.

12 VAC 30-30-50. More restrictive categorical eligibility criteria.

More restrictive categorical eligibility criteria:

1. Presumptively eligible SSI recipients are *not* covered.

2. Presumptively disabled or blind SSI recipients are not covered.

3. Conditionally eligible SSI recipients are not covered.

(See 12 VAC 30-40-10 through 12 VAC 30-40-30 for the more restrictive financial eligibility criteria)

12 VAC 30-40-100. Methods of determining income.

a. AFDC-related individuals (except for poverty level related pregnant women, infants, and children).

(1) In determining countable income for AFDC-related individuals, ~~only the method~~ *methods* under the state's approved AFDC plan ~~is~~ *and any more liberal methods described in 12 VAC 30-40-280* are used.

(2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to children living with parents until the children become 21.

(3) Agency continues to treat women eligible under the provisions of § 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls.

b. Aged individuals. In determining countable income for aged individuals, including aged individuals with incomes up to the federal poverty level described in section 1902(m)(1) of the Act, the following methods are used.

For optional state supplement recipients in § 1902(f) states and SSI criteria states without § 1616 or 1634 agreements SSI methods only apply.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses.

c. Blind individuals. In determining countable income for blind individuals, only the methods of the SSI program apply.

For optional state supplement recipients in § 1902(f) states and SSI criteria states without § 1616 or 1634 agreements, only SSI methods apply.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

d. Disabled individuals. In determining countable income of disabled individuals, including disabled individuals with incomes up to the federal poverty level described in § 1902(m) of the Act, only the methods of the SSI program only.

For optional state supplement recipients in § 1902(f) states and SSI criteria states without § 1616 or 1634 agreements, only SSI methods apply.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

e. Poverty level pregnant women, infants, and children. For pregnant women and infants or children covered under the provisions of § 1902(a)(10)(A)(i)(IV), (VI), and (VII), and 1902(a)(10)(A)(ii)(IX) of the Act:

(1) The methods of the state's approved AFDC plan are used in determining countable income.

(2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

(3) The agency continues to treat women eligible under the provisions of § 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls.

f. Qualified Medicare beneficiaries. In determining countable income for qualified Medicare beneficiaries covered under § 1902(a)(10)(E)(i) of the Act, only the methods of the SSI program are used.

If an individual receives a Title II benefit, any amounts attributable to the most recent increase in the monthly insurance benefit as a result of a Title II COLA is not counted as income during a "transition period" beginning with January, when the Title II benefit for December is received, and ending with the last day of the month following the month of publication of the revised annual federal poverty level.

For individuals with Title II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.

For individuals not receiving Title II income, the revised poverty levels are effective no later than the date of publication.

g. Qualified disabled and working individuals. In determining countable income for qualified disabled and working individuals covered under § 1902(a)(10)(E)(ii) of the Act, the methods of the SSI program are used.

h. COBRA continuation beneficiaries. For COBRA continuation beneficiaries specified at § 1902(u)(4), costs incurred from medical care or for any other type of remedial care shall not be taken into account in determining income, except as provided in § 1612(b)(4)(B)(ii).

12 VAC 30-40-240. More restrictive methods of treating resources than those of the SSI program; § 1902(f) states only.

A. The following limitations apply to resources in addition to the resource requirements of the Supplemental Security Income (SSI) program for the aged, blind and disabled.

1. For income-producing property and other nonresidential property, appropriate equity and profit is to be determined by the prorata share owned by an individual in relation to his proportionate share of the equity and profit.

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2. Property in the form of an interest in an undivided estate is to be regarded as an asset when the value of the interest plus all other resources exceeds the applicable resource limit unless it is considered unsaleable for reasons other than being an undivided estate. An heir can initiate a court action to partition. If a partition suit is necessary (because at least one other owner of or heir to the property will not agree to sell the property) in order for the individual to liquidate the interest, estimated partition costs may be deducted from the property's value. However, if a partition would not result in the applicant/recipient securing title to property having value substantially in excess of the cost of the court action, the property would not be regarded as an asset.

B. Real property.

1. The current market value of real property is determined by ascertaining the tax assessed value of the property and applying to it the local assessment rate. The equity value is the current market value less the amount due on any recorded liens against the property. "Recorded" means written evidence that can be substantiated, such as deeds of trust, liens, promissory notes, etc.

2. Real property contiguous to an individual's residence which does not meet the home property definitions in subdivision 3 of this subsection, the SSI income-producing requirement or the exceptions listed in subdivision 6 of this subsection and which is saleable according to the provisions in 12 VAC 30-40-290 C, shall be counted as an available resource. The equity value of the contiguous property shall be added to the value of all other countable resources.

3. Ownership of a dwelling occupied by the applicant as his home does not affect eligibility. A home shall mean the house and lot used as the principal residence and all contiguous property as long as the value of the land, exclusive of the lot occupied by the house, does not exceed \$5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the State Plan for Medical Assistance in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value.

The lot occupied by the house shall be a measure of land as designated on a plat or survey or whatever the locality sets as a minimum size for a building lot, whichever is less. In localities where no minimum building lot requirement exists, a lot shall be a measure of land designated on a plat or survey or one acre, whichever is less.

Contiguous property essential to the operation of the home means:

a. Land used for the regular production of any food or goods for the household's consumption only, including:

- (1) Vegetable gardens;
- (2) Pasture land which supports livestock raised for milk or meat, and land used to raise chickens, pigs, etc. (the amount of land necessary to support such

animals is established by the local extension service; however, in no case shall more land be allowed than that actually being used to support the livestock.);

(3) Outbuildings used to process and/or store any of the above;

b. Driveways which connect the homesite to public roadways;

c. Land necessary to the home site to meet local zoning requirements (e.g. building sites, mobile home sites, road frontage, distance from road, etc.);

d. Land necessary for compliance with state or local health requirements (e.g., distance between home and septic tank, distance between septic tanks, etc.);

e. Water supply for the household;

f. Existing burial plots;

g. Outbuilding used in connection with the dwelling, such as garages or tool sheds.

All of the above facts must be fully reevaluated and documented in the case record before the home site determination is made.

4. An institutionalized individual's former residence is counted as an available resource if the recipient is institutionalized longer than six months after the date he was admitted. The former residence is disregarded if it is occupied by the recipient's:

a. Spouse ~~or~~;

b. Minor dependent child under age 18, ~~or~~;

c. *Dependent child under age 19 and is if still in school or vocational training;* or

~~the former residence is occupied by the recipient's~~ d. Parent or adult child who is disabled according to the Medicaid disability definition, and who was living in the home with the recipient for at least one year prior to the recipient's institutionalization, and who is dependent upon the recipient for his shelter needs.

5. An applicant or recipient's proportional share of the value of property owned jointly with another person to whom the applicant or recipient is not married as tenants in common or joint tenants with the right of survivorship at common law is counted as a resource unless it is exempt property or is unsaleable.

6. Ownership of other real property generally precludes eligibility. Exceptions to this provision are: (i) when the equity value of the property, plus all other resources, does not exceed the appropriate resource limitation; (ii) the property is smaller than the county or city zoning ordinances allow for home sites or building purposes, or the property has less than the amount of road frontage required by the county or city for building purposes and adjoining land owners will not buy the property; or (iii) the property has no access, or the only access is through the exempted home site; or (iv) the property is contiguous to the recipient's home site and the survey expenses required for

its sale reduce the value of such property, plus all other resources, below applicable resource limitations; or (v) the property cannot be sold after a reasonable effort to sell it has been made, as defined in 12 VAC 30-40-290. ~~Ownership of real property other than the home will not affect eligibility when the property cannot be sold after a reasonable effort to sell has been made, as defined in 12 VAC 30-40-290.~~

C. Personal property.

1. Prepaid burial plans are counted as resource since the money is refundable to the individual upon his request. Cemetery plots are not counted as resources. See 12 VAC 30-40-290.
2. Assets which can be liquidated such as cash, bank accounts, stocks, bonds, securities and deeds of trusts are considered resources.

12 VAC 30-40-250. Standards for optional state supplementary payments.

Payment Category (Reasonable Classification) (1)	Administered by		Income Level		Income Disregards Employed (5)
	Federal (2)	State	Gross	Net	
			1 person/Couple (3)	2 person/Couple (4)	
a) Aged, blind, disabled in domiciliary facilities		X	300% of SSI payment limit	Rate of home up to specified maximum of \$623 \$815 per month for allowance for an individual (effective 11/1/00). Maximum for homes in Planning District 8 Increased by 15%.	Disregards of SSI Program
b) Aged, blind, disabled in approved adult foster care homes		X	300% of SSI payment limit	Approved rate for home up to a maximum of \$461 \$508. Maximum for homes in Planning District 8 increased by 15%.	Disregards of SSI Program

12 VAC 30-40-280. More liberal income disregards.

A. For children covered under §§ 1902(a)(10)(A)(i)(III) and 1905(n) of the Social Security Act, the Commonwealth of Virginia will disregard one dollar plus an amount equal to the difference between 100% of the AFDC payment standard for the same family size and 100% of the Federal Poverty Level for the same family size as updated annually in the Federal Register.

B. For ADC-related cases, both categorically and medically needy, any individual or family applying for or receiving assistance shall be granted an income exemption consistent with the Act (§§ 1902(a)(10)(A)(i)(III), (IV), (VI), (VII); §§ 1902(a)(10)(A)(ii)(VIII), (IX); § 1902(a)(10)(C)(i)(III)). Any interest earned on one interest-bearing savings account per assistance unit not to exceed \$5,000 at a financial institution, if the applicant, applicants, recipient or recipients designate that the account is reserved for the purpose of paying for tuition, books, and incidental expenses at any elementary, secondary or vocational school or any college or university, or for making down payment on a primary residence or for business incubation, shall be exempt when determining eligibility for medical assistance for so long as the funds and interest remain on deposit in the account. For purposes of this section, "business incubation" means the initial establishment of a commercial operation owned by a member of the Medicaid assistance unit (§ 63.1-110 of the Code of Virginia).

12 VAC 30-40-290. More liberal methods of treating resources under § 1902(r)(2) of the Act.

§ 1902(f) State

A. Resources to meet burial expenses. Resources set aside to meet the burial expenses of an applicant/recipient or that individual's spouse are excluded from countable assets. In determining eligibility for benefits for medically needy individuals, disregarded from countable resources is an amount not in excess of \$3,500 for the individual and an amount not in excess of \$3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by:

1. The face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources; and
2. The amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses.

B. Life rights. Life rights to real property are not counted as a resource.

C. Reasonable effort to sell.

1. For purposes of this section, "current market value" is defined as the current tax assessed value. If the property is listed by a realtor, then the realtor may list it at an amount higher than the tax assessed value. In no event, however,

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shall the realtor's list price exceed 150% of the assessed value.

2. A reasonable effort to sell is considered to have been made:

a. As of the date the property becomes subject to a realtor's listing agreement if:

- (1) It is listed at a price at current market value; and
- (2) The listing realtor verifies that it is unlikely to sell within 90 days of listing given the particular circumstances involved (e.g., owner's fractional interest; zoning restrictions; poor topography; absence of road frontage or access; absence of improvements; clouds on title, right of way or easement; local market conditions); or

b. When at least two realtors refuse to list the property. The reason for refusal must be that the property is unsaleable at current market value. Other reasons for refusal are not sufficient; or

c. When the applicant has personally advertised his property at or below current market value for 90 days by use of a "Sale By Owner" sign located on the property and by other reasonable efforts, such as newspaper advertisements, or reasonable inquiries with all adjoining landowners or other potential interested purchasers.

3. Notwithstanding the fact that the recipient made a reasonable effort to sell the property and failed to sell it, and although the recipient has become eligible, the recipient must make a continuing reasonable effort to sell by:

a. Repeatedly renewing any initial listing agreement until the property is sold. If the list price was initially higher than the tax-assessed value, the listed sales price must be reduced after 12 months to no more than 100% of the tax-assessed value.

b. In the case where at least two realtors have refused to list the property, the recipient must personally try to sell the property by efforts described in subdivision 2 c of this subsection for 12 months.

c. In the case of a recipient who has personally advertised his property for a year without success (the newspaper advertisements and "for sale" sign do not have to be continuous; these efforts must be done for at least 90 days within a 12-month period), the recipient must then:

- (1) Subject his property to a realtor's listing agreement at price or below current market value; or
- (2) Meet the requirements of subdivision 2 b of this subsection which are that the recipient must try to list the property and at least two realtors refuse to list it because it is unsaleable at current market value; other reasons for refusal to list are not sufficient.

4. If the recipient has made a continuing effort to sell the property for 12 months, then the recipient may sell the property between 75% and 100% of its tax assessed value

and such sale shall not result in disqualification under the transfer of property rules. If the recipient requests to sell his property at less than 75% of assessed value, he must submit documentation from the listing realtor, or knowledgeable source if the property is not listed with a realtor, that the requested sale price is the best price the recipient can expect to receive for the property at this time. Sale at such a documented price shall not result in disqualification under the transfer of property rules. The proceeds of the sale will be counted as a resource in determining continuing eligibility.

5. Once the applicant has demonstrated that his property is unsaleable by following the procedures in subdivision 2 of this subsection, the property is disregarded in determining eligibility starting the first day of the month in which the most recent application was filed, or up to three months prior to this month of application if retroactive coverage is requested and the applicant met all other eligibility requirements in the period. A recipient must continue his reasonable efforts to sell the property as required in subdivision 3 of this subsection.

D. Automobiles. Ownership of one motor vehicle does not affect eligibility. If more than one vehicle is owned, the individual's equity in the least valuable vehicle or vehicles must be counted. The value of the vehicles is the wholesale value listed in the National Automobile Dealers Official Used Car Guide (NADA) Book, Eastern Edition (update monthly). In the event the vehicle is not listed, the value assessed by the locality for tax purposes may be used. The value of the additional motor vehicles is to be counted in relation to the amount of assets that could be liquidated that may be retained.

E. Life, retirement, and other related types of insurance policies. Life, retirement, and other related types of insurance policies with face values totaling \$1,500 or less on any one person 21 years old and over are not considered resources. When the face values of such policies of any one person exceeds \$1,500, the cash surrender value of the policies is counted as a resource.

F. Resource exemption for Aid to Dependent Children categorically and medically needy (the Act §§ 1902(a)(10)(A)(i)(III), (IV), (VI), (VII); §§ 1902(a)(10)(A)(ii)(VIII), (IX); § 1902(a)(10)(C)(i)(III)). For ADC-related cases, both categorically and medically needy, any individual or family applying for or receiving assistance may have or establish one interest-bearing savings account per assistance unit not to exceed \$5,000 at a financial institution if the applicant, applicants, recipient or recipients designate that the account is reserved for one of the following purposes: (i) paying for tuition, books, and incidental expenses at any elementary, secondary or vocational school or any college or university; (ii) making down payment on a primary residence; or (iii) business incubation. Any funds deposited in the account, ~~and any interest earned thereon,~~ shall be exempt when determining eligibility for medical assistance for so long as the funds and interest remain on deposit in the account. Any amounts withdrawn and used for any of the purposes stated in this section shall be exempt. For purposes of this section, "business incubation" shall mean the

initial establishment of a commercial operation which is owned by a member of the Medicaid assistance unit. The net worth of any business owned by a member of the assistance unit shall be exempt from consideration so long as the net worth of the business is less than \$5,000.

G. Disregard of resources. The Commonwealth of Virginia will disregard all resources for qualified children covered under §§ 1902(a)(10)(A)(i)(III) and 1905(n) of the Social Security Act.

12 VAC 30-40-350. Standards for optional state supplementary payments.

~~4.~~ A. Aged, blind, and disabled recipients of optional state supplementary payments are eligible for medical assistance as categorically needy under this plan. The payments meet the four conditions specified in 45 CFR 248.2(d), that is, they are:

- ~~A.~~ 1. Regular, in cash, and based on need;
- ~~B.~~ 2. Available on a statewide basis;
- ~~C.~~ 3. Made to reasonable classifications of individuals who, except for the level of their income, would be eligible for an SSI payment; and
- ~~D.~~ 4. Equal to the difference between income and financial standards used to determine eligibility for the supplement.

~~2. There are no variations in the payment levels by political subdivision.~~ B. A 15% differential above the maximum rate set forth in the appropriation act each year is established for residents in Planning District 8.

VA.R. Doc. No. R01-117; Filed February 9, 2001, 3:37 p.m.

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act pursuant to § 9-6.14:4.1 C 3, which excludes regulations that consist only of changes in style or form or corrections of technical errors, and § 9-6.14:4.1 C 4 (c) of the Code of Virginia, which excludes regulations that are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The Department of Medical Assistance Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: Married Institutionalized Individuals Eligibility and Patient Pay.

12 VAC 30-40-10 et seq. Eligibility Conditions and Requirements (amending 12 VAC 30-40-80).

12 VAC 30-110-10 et seq. Eligibility and Appeals (amending 12 VAC 30-110-720, 12 VAC 30-110-730, 12 VAC 30-110-760, 12 VAC 30-110-780, 12 VAC 30-110-790, 12 VAC 30-110-800, 12 VAC 30-110-810, 12 VAC 30-110-830, 12 VAC 30-110-840, 12 VAC 30-110-850, 12 VAC 30-110-860, 12 VAC 30-110-870, 12 VAC 30-110-880, 12 VAC 30-110-900, 12 VAC 30-110-910, 12 VAC 30-110-920, 12 VAC 30-110-930, 12 VAC 30-110-940, 12 VAC 30-

110-950, 12 VAC 30-110-960, 12 VAC 30-110-970, 12 VAC 30-110-980, 12 VAC 30-110-990, and 12 VAC 30-110-1010; adding 12 VAC 30-110-741, 12 VAC 30-110-744, 12 VAC 30-110-747, 12 VAC 30-110-751, 12 VAC 30-110-813, 12 VAC 30-110-815, 12 VAC 30-110-853, 12 VAC 30-110-856, 12 VAC 30-110-921, and 12 VAC 30-110-1011; repealing 12 VAC 30-110-740, 12 VAC 30-110-820, and 12 VAC 30-110-890).

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

Effective Date: April 11, 2001.

Summary:

The amendments conform the State Plan with § 1924 of the Social Security Act concerning the determination of Medicaid eligibility for married institutionalized individuals who have a community spouse. The current regulations were promulgated in 1989 and reflected the understanding of the Social Security Act that existed at that time. Since 1989, a number of court cases and careful reviews of the statute have clarified a number of issues requiring modification. The amendments improve definitions, clarify, reorganize and add language, and correct internal citations and terminology.

Agency Contact: Copies of the regulations may be obtained from Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7959.

12 VAC 30-40-80. Maintenance standards.

Maintenance standard for community spouse and other dependent family members under § 1924 of the Act.

- ~~a.~~ 1. Community spouses: Standard based on formula contained in § 1924(d) is used.
- ~~b.~~ 2. Other family members who are dependent: Standard based on the formula contained in § 1924(d)(1)(c) is used.
- ~~c.~~ 3. The standards described above are used for individuals receiving home and community based services in lieu of services provided in medical or remedial institutions.
- ~~d.~~ 4. The definition of dependency below is used to define dependent children, parents and siblings for purposes of deducting allowances under § 1924.

~~4. a. Dependent children -- A couples' children child under age 21 and a child age 21 years old and older of either spouse who live lives with a community spouse and who may be claimed as dependents a dependent by either member of a couple for tax purposes under the Internal Revenue Services Code. This also includes minor children under age 21 who live with a community spouse.~~

~~2. b. Dependent parents -- Parents of either member of a couple who reside with the community spouse and who may be claimed as dependents by either spouse for tax purposes under the Internal Revenue Services Code.~~

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3. c. Dependent siblings -- A brother or sister of either member of a couple (including half-brothers and half-sisters and siblings gained through adoption) who reside with the community spouse and who may be claimed by either member of the married couple for tax purposes under the Internal Revenue Services Code.

PART V.
SPOUSAL IMPOVERISHMENT, MARRIED
INSTITUTIONALIZED INDIVIDUALS' ELIGIBILITY AND
PATIENT PAY.

SUBPART I.
DEFINITIONS.

12 VAC 30-110-720. Definitions.

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

"Acceptable medical evidence" means either (i) certification by a nursing home preadmission screening committee; or (ii) certification by the individual's attending physician.

"Actual monthly expenses" means the total of:

1. Rent or mortgage, including interest and principal;
2. Taxes and insurance;
3. Any maintenance charge for a condominium or cooperative; and
4. The utility standard deduction under the Food Stamp Program that would be appropriate to the number of persons living in the community spouse's household, if utilities are not included in the rent or maintenance charge.

"Applicable percent" means that percentage as defined in § 1924 (d)(3)(B) of the Social Security Act.

"As soon as practicable" (as it relates to transfer of resources from the institutionalized spouse to the community spouse for the purpose of the community spouse resource allowance) means within 90 days from the date an institutional the local agency takes action to approve the institutionalized spouse's initial eligibility for medical assistance long-term care services when the institutionalized spouse agrees to transfer resources to the community spouse, unless the department determines that a longer period is necessary.

"At the beginning of the first continuous period of institutionalization" means the first calendar month of a continuous period of institutionalization in a medical institution or of receipt of a Medicaid community-based care waiver services service or hospice.

"Community spouse" means a person who is married to an institutionalized spouse and is not himself an inpatient at a medical institution or nursing facility and who is married to an institutionalized spouse.

~~"Community spouse maintenance needs allowance" is an amount by which the applicable percentage of 1/12 of the Federal Poverty Level for a family of two, in effect on July 1 of each year, plus an excess shelter allowance exceeds the amount of monthly income otherwise available to the~~

~~community spouse. The community spouse maintenance allowance cannot exceed \$1,500 adjusted annually in accordance with § 1924(g) except pursuant to a court order or an amount designated by a DMAS hearing officer.~~

~~"Community spouse monthly income allowance" means an amount by which the minimum monthly maintenance needs allowance exceeds the amount of monthly income otherwise available to the community spouse.~~

~~"Community spouse resource allowance" means the difference between a couple's countable resources and the greatest of (i) the spousal share, not to exceed \$60,000; or (ii) the spousal resource standard, \$12,000; or (iii) an amount transferred to the community spouse by the institutionalized spouse pursuant to a court support order; or (iv) an amount designated by a department hearing officer. For services furnished during a calendar year after 1989, the dollar amounts specified in this section shall be increased by the same percentage as the percentage increase in the consumer price index for all urban consumers (all items; U.S. city average) between September 1988 and the September before the calendar year involved amount of the resources in the institutionalized spouse's name that can be transferred to the community spouse to bring the resources in the community spouse's name up to the protected resource amount.~~

~~"Continuous period of institutionalization" means 30 consecutive days of institutional care in a medical institution or nursing facility, or 30 consecutive days of receipt of Medicaid waiver or hospice services, or 30 consecutive days of a combination of institutional care and waiver and hospice services. Continuity is broken only by 30 or more days absence from institutionalization a medical institution or 30 or more days of nonreceipt of waiver services.~~

~~"Couple's countable resources" means all nonexempt of the couple's nonexcluded resources, except for a couple's home, contiguous property, household goods, and one automobile. These items are exempt for purposes of determining the combined and separate resources of institutionalized and community spouses only regardless of state laws relating to community property or division of marital property. For purposes of determining the combined and separate resources of the institutionalized and community spouses when determining the institutionalized spouse's eligibility, the couple's home, contiguous property, household goods and one automobile are excluded.~~

~~"Department" means the Department of Medical Assistance Services.~~

~~"Dependent child" means a child under age 21 and a child age 21 years old or older, of either spouse, who lives with the community spouse and who may be claimed as a dependent by either member of the couple for tax purposes pursuant to the Internal Revenue Code.~~

~~"Dependent family member" means a parent, minor child, dependent child, or dependent sibling, including half brothers and half sisters and siblings gained through adoption, of either member of a couple who resides with the community spouse and who may be claimed as a dependent by either~~

member of the couple for tax purposes pursuant to the Internal Revenue Code.

"Exceptional circumstances resulting in significant financial duress" means circumstances other than those taken into account in establishing the spousal maintenance allowance for which the community spouse incurs expenses in amounts that he cannot be expected to pay from the spousal maintenance allowance or from amounts held in the community spouse resource allowance.

"Excess shelter allowance" means the amount by which the actual monthly expense of maintaining the community spouse's residence that plus the standard utility allowance exceeds 30% of the community spouse maintenance needs allowance, but limited to the total of (i) rent or mortgage, including interest and principal; (ii) taxes and insurance; (iii) any maintenance charge for a condominium or cooperative; and (iv) utilities, if not included in the rent or maintenance charge, except that utility expenses will not be included to the extent that they exceed the standard deduction under the Food Stamp program that would be appropriate to the number of persons living in the community spouse's household the excess shelter standard.

"Excess shelter standard" means 30% of the monthly maintenance needs standard.

"Family member's income allowance" means an allowance for each dependent family member residing with the community spouse. The family member's income allowance is equal to 1/3 of the amount by which the monthly maintenance needs standard exceeds the family member's income.

"Federal Poverty Level" or "FPL" means the annual Federal Poverty Level as computed by the Office of Management and Budget and published in the Federal Register.

"First continuous period of institutionalization" means the first day of the first month of the first continuous period of institutionalization, which began on or after September 30, 1989.

"Initial eligibility determination" means:

1. An eligibility ~~determinations~~ determination made in conjunction with ~~Medicaid applications~~ a medical assistance application filed during an individual's most recent continuous period of institutionalization; or
2. The ~~first initial~~ redetermination of eligibility for a ~~Medicaid~~ medical assistance eligible institutionalized spouse after being admitted to an institution or receiving *medical assistance community-based care waiver services*.

"Initial ~~redeterminations~~ redetermination" means ~~these redeterminations~~ the first redetermination of eligibility for a ~~Medicaid~~ medical assistance eligible spouse which ~~are~~ is regularly scheduled, or which ~~are~~ is made necessary by a change in the individual's circumstances.

"Institutionalized spouse" means a ~~married person~~ an individual who is an inpatient at a medical institution or nursing facility or, who is receiving *medical assistance community-based care waiver services*, or who has elected *hospice services*, and who is likely to remain in such facility or

~~under such care~~ to receive waiver or hospice services for at least 30 consecutive days, and ~~whose~~ who has a spouse who is not an inpatient at in a medical institution or nursing facility.

"Likely to remain in an institution" means a reasonable expectation based on acceptable medical evidence that an individual will be in a medical institution or will receive medical assistance waiver or hospice services for 30 consecutive days, even if receipt of institutional care or waiver or hospice services actually terminates in less than 30 days. Individuals who have been screened and approved for medical assistance community-based waiver services or who have elected hospice services shall be considered likely to remain in an institution.

"Maintenance needs standard" means an income standard to which a community spouse's or other family member's income is compared in order to determine the community spouse's and other family members' maintenance allowance.

"Maximum monthly maintenance needs standard" is the upper limit, i.e., cap established under § 1924(d)(3)(C) of the Social Security Act.

"Maximum spousal resource standard" means the maximum amount of the couple's combined countable resources established for a community spouse to maintain himself in the community calculated in accordance with § 1924(f)(2)(A)(ii)(II) of the Social Security Act. This amount increases annually by the same percentage as the percentage increase in the Consumer Price Index for all urban consumers between September 1988 and the September before the calendar year involved as required in § 1924(g) of the Social Security Act.

"Medical institution" or "nursing facility" means hospitals and nursing facilities (including ICF/MR), consistent with the definitions of such institutions found in the Code of Federal Regulations at 42 CFR 435.1009, 440.40 and 440.150 and which are authorized under Virginia law to provide medical care.

"Minimum monthly maintenance needs allowance" means the monthly maintenance needs standard, plus an excess shelter allowance, if applicable, not to exceed the maximum monthly maintenance needs standard. The minimum monthly maintenance needs allowance is the amount to which a community spouse's income is compared in order to determine the community spouse's monthly income allowance.

"Minor" means a child under age 21, of either spouse, who lives with the community spouse.

"Monthly maintenance needs standard" means an amount no less than 150% of 1/12 of the Federal Poverty Level for a family of two in effect on July 1 of each year.

"Other family members" means dependent children ~~who are minors or dependent~~, and dependent parents and siblings of either member of a couple who reside with the community spouse.

"Other family member's maintenance needs allowance" means an amount for each family member, equal to 1/3 of the applicable percentage of 1/12 of the FPL for a family of two in

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~~effect on July 1 of each year, reduced by the amount of the monthly income of that family member.~~

"*Otherwise available income or resources*" means income and resources which are legally available to the community spouse and to which the community spouse has access and control.

"*Promptly assess resources*" means within 45 days of the request for resource assessment unless the delay is due to nonreceipt of documentation or verification, if required, from the applicant or from a third party.

"*Protected period*" means a period of time, not to exceed 90 days after an initial determination of medical assistance eligibility. During the protected period, the amount of the community spouse resource allowance will be excluded from the institutionalized spouse's countable resources if the institutionalized spouse expressly indicates his intention to transfer resources to the community spouse.

~~"Resource assessment" means an appraisal a computation, completed by request or upon medical assistance application, of a couple's combined countable resources at the beginning of the first continuous period of institutionalization of the institutionalized spouse beginning on or after September 30, 1989.~~

"*Resources*" means real and personal property owned by a medical assistance applicant or his spouse. Resources do not include resources excluded under subsection (a) or (d) of § 1613 of the Social Security Act and resources that would be excluded under § 1613(a)(2)(A) but for the limitation on total value described in such section.

"*Significant financial duress*" means, but is not limited to, threatened loss of basic shelter, food or medically necessary health care or the financial burden of caring for a disabled child, sibling or other immediate relative.

"*Spousal protected resource amount*" means (at the time of medical assistance application as an institutionalized spouse) the greater of: (i) the spousal resource standard in effect at the time of application; (ii) the spousal share, not to exceed the maximum spousal resource standard in effect at the time of application; (iii) the amount actually transferred to the community spouse by the institutionalized spouse pursuant to a court spousal support order; or (iv) the amount of resources designated by a department hearing officer.

"*Spousal resource standard*" means the minimum amount of a couple's combined countable resources ~~(\$42,000 in 1989 and as increased each year beginning in 1990 by the same percentage increase as in the Consumer Price Index), calculated in accordance with § 1924(f)(2)(A)(i) of the Social Security Act necessary for the community spouse to maintain himself in the community. The amount increases each calendar year after 1989 by the same percentage increase as in the Consumer Price Index as required by § 1924(g) of the Social Security Act.~~

"*Spousal share*" means 1/2 of the couple's total countable resources at the beginning of the first continuous period of institutionalization, ~~or at the beginning of the first continuous period of receipt of waiver services, as determined by a resource assessment.~~

"*Spouse*" means a person who is legally married to another person under Virginia law.

"*State Plan*" means the State Plan for Medical Assistance.

"*Undue hardship*" means denial of ~~Medicaid~~ medical assistance eligibility due to excess resources would result in the institutionalized spouse being removed from the institution and unable to purchase life sustaining medical care when the applicant has exhausted all legal avenues to access the resources.

"*Waiver services*" means ~~Medicaid~~ medical assistance reimbursed home or community-based services covered under a § 1915(c) waiver approved by the Secretary of the United States Department of Health and Human Services.

SUBPART II. RESOURCE ASSESSMENTS AND ELIGIBILITY.

Article 1. General.

12 VAC 30-110-730. Applicability.

~~Resource assessment and resource eligibility rules contained in this subpart shall apply to:~~

- ~~1. Persons whose first continuous period of institutionalization began on or after September 30, 1989; and~~
- ~~2. Institutionalized persons who leave the institution, or cease receiving waiver services, for at least 30 consecutive days and who are readmitted to the institution for a continuous period, or begin receiving waiver services for a continuous period, on or after September 30, 1989.~~

A. These income and resource regulations shall apply to a married institutionalized individual who:

1. Was admitted to a medical institution, medical assistance community-based waiver service or hospice service on or after September 30, 1989, and has been continuously institutionalized since admission; and
2. Has a community spouse.

B. In determining the income and resources of an institutionalized spouse as defined in 12 VAC 30-110-720, the provisions of 12 VAC 30-110-720 through 12 VAC 30-110-1010 supercede any other provision of medical assistance regulations that is inconsistent with them.

C. Except as this section specifically provides, this section does not apply to:

1. The determination of what constitutes income or resources; or
2. The methodology and standards for determining and evaluating income and resources.

D. These rules shall cease to apply to determinations of medical assistance eligibility or to post-eligibility determinations of patient pay in the first calendar month following changes in circumstances resulting in an institutionalized spouse no longer being institutionalized or no longer having a community spouse.

Article 2.
Assessments of Couple's Resources.

12 VAC 30-110-740. Resource assessment initiated. (Repealed.)

~~A resource assessment shall be initiated:~~

- ~~1. Upon payment of a fee, if any, the amount of which is determined by the Department of Social Services, by either member of a couple, or a representative acting on behalf of either spouse, if the institutionalized spouse has not applied for Medicaid; or~~
- ~~2. Upon application for Medicaid by an institutionalized spouse who has a community spouse.~~

12 VAC 30-110-741. Resource assessment required.

A resource assessment shall be completed by the entity determining medical assistance eligibility on all medical assistance applications for married institutionalized individuals who have a community spouse. If an applicant alleges that his marital status is unknown, it shall be his responsibility to establish his marital status. It shall be the applicant's responsibility to locate his community spouse. If attempts to locate the separated spouse are unsuccessful or the community spouse does not provide the required information necessary to complete the resource assessment, the medical assistance eligibility application will be denied due to inability to complete the required resource assessment.

12 VAC 30-110-744. Resource assessment initiated.

A resource assessment shall be initiated by an entity determining medical assistance eligibility:

- 1. Upon request by either spouse of a couple, or a representative acting on behalf of either spouse, at the beginning of the first continuous period of institutionalization when (i) all relevant documentation of resources has been received and (ii) upon payment of a fee, if any, the amount of which is determined by the entity determining medical assistance eligibility, if the institutionalized spouse has not applied for medical assistance; or*
- 2. Upon application for medical assistance by or on behalf of a married institutionalized individual who has a community spouse.*

12 VAC 30-110-747. Total resources.

There shall be computed as of the beginning of the first continuous period of institutionalization of the institutional spouse, the total value of the couple's resources to the extent either the institutionalized spouse or the community spouse has an ownership interest.

12VAC30-110-751. Spousal share.

The total value of the couple's combined resources shall be divided by two to determine the spousal share.

12 VAC 30-110-760. Failure to provide documentation.

If an applicant fails to provide requested documentation necessary to complete the required resource assessment

within 45 days of receipt of notification sent pursuant to 12 VAC 30-110-750, the department shall notify him that the assessment cannot be completed.

12 VAC 30-110-780. Appeal of resource assessment.

A. Not accompanied by a Medicaid medical assistance application. If the resource assessment was conducted without a concurrent Medicaid medical assistance application, it an ineligible spouse may not be appealed appeal the assessment pursuant to the existing Client Appeals regulations (Part I (12 VAC 30-110-10 et seq.) of this chapter) by an ineligible spouse, but; however, an ineligible spouses spouse will have an opportunity to appeal assessment findings if and when their his institutionalized spouses apply spouse applies for Medicaid medical assistance.

B. Medicaid Medical assistance application. A resource assessment which was conducted pursuant to a Medicaid medical assistance application submitted by the institutionalized spouse may be appealed by either spouse pursuant to existing Client Appeals regulations (Part I (12 VAC 30-110-10 et seq.) of this chapter).

Article 3.
Resource Eligibility Determinations for Institutionalized Spouses.

12 VAC 30-110-790. Applicability.

This article shall be used to determine a a married institutionalized spouse's individual's initial and continuing medical assistance eligibility for his current continuous period of institutionalization.

12 VAC 30-110-800. Initial eligibility determinations.

~~Except as provided in 12 VAC 30-110-820 and 12 VAC 30-110-830, An institutionalized spouse is resource eligible for Medicaid meets the medical assistance resource eligibility requirements if the difference between the couple's combined total countable resources at the time of application and the community spouse resource allowance spousal protected resource amount, as defined in 12 VAC 30-110-720, is equal to or less than the appropriate Medicaid medical assistance resource limit for one person.~~

12 VAC 30-110-810. Initial determinations of ineligibility.

~~A. If the difference between a couple's current combined countable resources and the community spouse resource allowance is greater than the appropriate Medicaid resource limit for one person, the institutionalized spouse shall be ineligible for Medicaid until the couple's combined countable resources are reduced to the greatest of:~~

- ~~1. The state's spousal resource standard (\$12,000 or higher amount determined in accordance with subsection B of this section) plus the appropriate Medicaid resource limit for one person;~~
- ~~2. The spousal share (not to exceed \$60,000 or higher amount determined in accordance with subsection B of this section) plus the appropriate Medicaid resource limit for one person;~~

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~~3. The amount transferred by an institutionalized spouse to the community spouse under a court order for spousal support plus the appropriate Medicaid resource limit for one person; or~~

~~4. A spousal allowance determined necessary by a department hearing officer plus the appropriate Medicaid resource limit for one person.~~

~~B. For services furnished during a calendar year after 1989, the dollar amounts specified in this section shall be increased by the same percentage increase in the consumer price index for all urban consumers (all items; U.S. city average) between September 1988 and the September before the calendar year involved.~~

When the institutionalized spouse has countable resources in excess of the medical assistance resource limit for one person, the application for medical assistance shall be denied.

12 VAC 30-110-813. Attribution of resources at the time of initial eligibility determination.

In determining the countable resources of an institutionalized spouse at the time of application, regardless of any state laws relating to community property or division of marital property, all resources held by either the institutionalized spouse, community spouse, or both, shall be considered available to the institutionalized spouse but only to the extent that the amount of such resources exceeds the spousal protected resource amount calculated in accordance with § 1924(f)(2)(A) of the Act.

12 VAC 30-110-815. Spousal protected resource amounts.

In the initial determination of eligibility, there shall be deducted from the couple's total combined countable resources in the application month a spousal protected resource amount.

12 VAC 30-110-820. Revisions to the community spouse resource allowance. (Repealed.)

~~For the purposes of this article, a community spouse resource allowance may be revised if:~~

~~1. A department hearing officer determines on appeal that the income generated from the community spouse resource allowance as originally calculated as described in 12 VAC 30-110-840 of this article is inadequate to raise the community spouse's income to the minimum amount to be deducted as a maintenance allowance in the post-eligibility determination made pursuant to Subpart III (12 VAC 30-110-920 et seq.);~~

~~2. A department hearing officer determines on appeal that the original calculation was incorrect;~~

~~3. The department determines that the original information with which the spousal share was calculated was incorrect; or~~

~~4. An institutionalized spouse transfers resources to a community spouse pursuant to a court order for spousal support.~~

12 VAC 30-110-830. Additional resource exclusions.

If an institutionalized spouse has resources exceeding the appropriate Medicaid *medical assistance* resource limit for one person, the following are deducted from his resources for the purpose of establishing eligibility, as appropriate:

1. The amount of resources which the institutionalized spouse has transferred to the community spouse or to other dependents pursuant to a court support order;

~~2. Any support rights the institutionalized spouse has assigned to the Commonwealth;~~

~~3. Any support rights which cannot be assigned due to the institutionalized spouse's legal incompetency and upon which the Commonwealth would have a legal right to recover against the community spouse;~~

4. 2. An amount necessary to make the individual eligible if the department determines that the denial of Medicaid *medical assistance* would create undue hardship as defined in 12 VAC 30-110-720.

12 VAC 30-110-840. Redetermination of eligibility of institutionalized spouses. Separate treatment of resources after eligibility for benefits established.

Beginning with the first calendar month following the date of the initial determination of eligibility, unless 12 VAC 30-110-900 or ~~12 VAC 30-110-940~~ applies, the institutional spouse's continuing eligibility shall be determined based solely on resources held in his name. The ~~community spouse's~~ resources *owned by the community spouse* shall not be deemed available to the institutional spouse in the month following the initial month of ongoing eligibility.

12 VAC 30-110-850. Post-eligibility resource transfers.

After an initial determination of eligibility and during the protected period specified in 12 VAC 30-110-860, an institutionalized spouse may transfer to his community spouse ~~any of resources equal to~~ the community spouse resource allowance which ~~is~~ *are* not already titled to the community spouse. Any amount of the community spouse resource allowance *resource owned by the institutionalized spouse* which is not transferred pursuant to this section and which ~~is~~ *the institutionalized spouse does not actually make* available to meet the community spouse's needs, shall be deemed available to the institutional spouse for the purpose of determining continuing eligibility.

12 VAC 30-110-853. Community spouse resource allowance.

The community spouse resource allowance shall be calculated by determining the amount by which the greatest of:

1. *The spousal resource standard;*

2. *The spousal share not to exceed the maximum spousal resource standard;*

3. *An amount established by a department hearing officer;* or

4. An amount actually transferred from the institutionalized spouse to the community spouse under a court spousal support order

exceeds the amount of resources otherwise available to the community spouse (determined without regard to such an allowance). If the community spouse has title to resources equal to or exceeding his spousal protected resource amount, he shall not be entitled to a community spouse resource allowance.

12 VAC 30-110-856. Revisions to the community spouse resource allowance.

For the purposes of this article, a community spouse resource allowance may be revised if:

1. A department hearing officer determines on appeal that the income generated from the community spouse resource allowance as originally calculated pursuant to 12 VAC 30-110-853 is inadequate to raise the community spouse's income to the minimum amount to be deducted as a maintenance allowance in the post-eligibility determination made pursuant to Article 3 (12 VAC 30-110-920 et seq.) of this subpart;
2. A department hearing officer determines on appeal that the original calculation was incorrect;
3. The department determines that the original information with which the spousal share was calculated was incorrect; or
4. An institutionalized spouse transfers resources to a community spouse pursuant to a court order for spousal support.

12 VAC 30-110-860. Protected periods of eligibility.

Subject to 12 VAC 30-110-870, for 90 days after an initial determination of eligibility, resources in the institutionalized spouse's name necessary to meet the community spouse resource allowance shall be disregarded in determining continued eligibility of the institutionalized spouse. An institutionalized spouse's eligibility shall be protected (i.e., the resources in the community spouse resource allowance shall not be attributed to the institutionalized spouse) to allow him time to legally transfer resources pursuant to 12 VAC 30-110-850 if the institutionalized spouse expressly indicates in writing his intention to effect such a transfer. Absent such an expression of intent, the protected period will not extend beyond the end of the month in which eligibility is being determined. The department may extend the protected period if it finds an extension is necessary. The 90-day protected period shall begin with the date the agency takes action to approve the institutionalized spouse's initial eligibility for medical assistance for institutional, waiver, or hospice services. No extension of the protected period shall be permitted.

12 VAC 30-110-870. Exception to protected period of eligibility.

If, at the time of an initial determination of eligibility, a community spouse has title to resources equal to or exceeding his community spouse resource allowance spousal

protected resource amount, no protected period of eligibility shall exist. In this circumstance, an institutionalized spouse may transfer resources in any amount to the community spouse, pursuant to § 1917 of the Social Security Act, but there shall be no protected period of eligibility for doing so.

12 VAC 30-110-880. Additional resources acquired during protected period of eligibility.

If a couple an institutionalized spouse obtains additional resources during a protected period of eligibility, the additional resources shall be exempt during the protected period if:

1. The new resources combined with other resources that the institutionalized spouse intends to retain do not exceed the appropriate Medicaid-medical assistance resource limit for one person, or
2. The institutionalized spouse intends to transfer the new resources to the community spouse during the protected period of eligibility to the community spouse, and the community spouse's resources are less than total resources to be transferred do not exceed the community spouse resource allowance.

12 VAC 30-110-890. Resources transferred pursuant to § 1917 of the Act. (Repealed.)

~~Provided transfers are made within one month of the initial determination of eligibility or within the protected period specified in 12 VAC 30-110-860, resources held by an institutionalized spouse shall not be counted in determining continuing eligibility when § 1917 transfers are made to parties for which there is no penalty for failure to receive equitable value, or transfer for which equitable value is received.~~

12 VAC 30-110-900. Resource eligibility determinations in retroactive periods months.

A. First application for Medicaid medical assistance. In each of the three months preceding an institutionalized spouse's first application for Medicaid medical assistance in the current continuous period of institutionalization for which resource eligibility is to be determined, the community spouse protected resource allowance amount shall be deducted from the couple's combined countable resources held on the first moment of the first day of each retroactive month.

B. Later applications for Medicaid. In later applications for the same period of institutionalization, including retroactive months, the community spouse resource allowance shall not be deducted from the couple's combined countable resources except in the first month in the retroactive period for which eligibility is being determined medical assistance when medical assistance eligibility was established previously. If an individual established medical assistance eligibility as an institutionalized spouse during a period of institutionalization that began on or after September 30, 1989, regardless of whether the period of institutionalization is the same continuous period covered by the previous application, resources owned by the community spouse are not considered in determining the institutionalized spouse's medical assistance eligibility.

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C. *Later applications for medical assistance when Virginia medical assistance eligibility was not previously established. Regardless of whether previous medical assistance applications have been submitted, if an individual has never established medical assistance eligibility as an institutionalized spouse, the application shall be treated in the same manner as the first application.*

12 VAC 30-110-910. Eligibility for community spouses and other family members.

~~Resources are considered under the eligibility rules which would apply to the community spouse and other family members, regardless of the rules governing the institutionalized spouse. If a community spouse or other family member applies for medical assistance eligibility on his own behalf, these eligibility regulations will not be used to determine his eligibility for medical assistance.~~

~~SUBPART III. POST-ELIGIBILITY PROCESS.~~

~~Article 1. General.~~

~~Article 3. Income.~~

12 VAC 30-110-920. Applicability.

~~The post-eligibility process contained in this subpart shall apply to persons living in a nursing facility and to persons receiving services under home and community-based waivers. This process determines how much such persons contribute to the cost of their institutional care or waiver services.—This article shall apply only to the institutional spouse's eligibility for medical assistance.~~

~~Article 2. Income.~~

12 VAC 30-110-921. Treatment of income.

During any month in which an institutionalized spouse is an inpatient in a medical institution, is receiving medical assistance community-based waiver services or has elected hospice services, no income of the community spouse shall be deemed available to the institutionalized spouse except as provided in 12 VAC 30-110-930.

12 VAC 30-110-930. Determining income.

A couple's income shall be determined as follows, without regard to state laws governing community property or division of marital property:

1. Income from nontrust property. Unless a department hearing officer determines that the institutionalized spouse has proven to the contrary by a preponderance of the evidence:
 - a. Income paid to one spouse belongs to that spouse;
 - b. Each spouse owns one-half of all income paid to both spouses jointly;
 - c. Each spouse owns one-half of any income which has no instrument establishing ownership;

- d. Income paid in the name of either spouse, or both spouses and at least one other party, shall be considered available to each spouse in a proportionate share. When income is paid to both spouses and each spouse's individual interest is not specified, ~~consider~~ one-half of their joint interest in the income *shall be considered* as available to each spouse.

2. Income from trust property. Ownership of trust property shall be determined pursuant to the State Plan, except as follows:

- a. Each member of a couple owns the income from trust property in accordance with the trust's specific terms.
- b. If a trust instrument is not specific as to the ownership interest in income, ownership shall be determined as follows:

- (1) Income paid to one spouse belongs to that spouse;
- (2) One-half income paid to both spouses shall be considered available to each spouse;
- (3) Income from a trust paid in the name of either spouse, or both spouses and at least one other party, shall be considered available to each spouse in a proportionate share. When income from a trust is paid to both spouses and each spouse's individual interest is not specified, consider one-half of their joint interest in the income as available to each spouse.

~~Article 3. Patient Pay.~~

~~SUBPART III. POST-ELIGIBILITY PROCESS.~~

12 VAC 30-110-940. Applicability.

*After an institutionalized spouse is determined or redetermined to be eligible for medical assistance, and after all appropriate deductions pursuant to 12 VAC 30-110-950 through 12 VAC 30-110-970 have been made from an institutionalized spouse's gross monthly income pursuant to this ~~article~~ subpart, the balance shall constitute the *maximum* amount the institutionalized spouse shall pay for *medical assistance-covered* institutional or waiver services.*

12 VAC 30-110-950. Mandatory deductions from institutionalized spouse's income.

The following amounts shall be deducted from the institutionalized spouse's gross monthly income:

1. A personal needs allowance of \$30;
2. The community spouse ~~maintenance~~ *monthly income* allowance as calculated pursuant to 12 VAC 30-110-960;
3. The family maintenance allowance, if any, as calculated pursuant to 12 VAC 30-110-970; and
4. Incurred medical and remedial care expenses recognized under state law, not covered under the State Plan and not subject to third party payment.

12 VAC 30-110-960. Community spouse maintenance income allowance.

A. ~~Unless the exceptions in subsections B and C of this section apply, a community spouse monthly income allowance shall be deducted from the monthly income of the institutionalized spouse. The community spouse maintenance monthly income allowance shall be the amount by which the greatest greater of the following amounts:~~

- ~~1. The total of the community spouse monthly maintenance needs standard and plus the excess shelter allowance, if any; or~~
- ~~2. An amount set in a spousal support court order; or~~
- ~~3. 2. An amount determined necessary by a department hearing officer because of exceptional circumstances resulting in extreme financial duress;;~~

~~exceeds the amount of monthly income otherwise available to the community spouse (determined without regard to such an allowance).~~

~~B. Deductions are not made A community spouse monthly income allowance shall not be deducted from the income of the institutionalized spouse income when the allowances are not actually made institutionalized spouse does not actually make an income allowance available to the community spouse.~~

~~C. If a court has entered an order against an institutionalized spouse for monthly income for the support of the community spouse, the community spouse monthly income allowance for the spouse shall be not less than the amount of the monthly income so ordered.~~

12 VAC 30-110-970. Family members maintenance needs allowance.

A. There shall be deducted from the institutionalized spouse's income an allowance for each dependent family member.

~~A. B. The amount deducted shall be an amount equal to 1/3 of the minimum community spouse monthly maintenance needs standard for the community spouse, without regard to excess shelter allowances, minus each family member's income, shall be deducted for the maintenance of each family member.~~

~~B. C. This allowance is to be deducted regardless of whether the institutionalized spouse actually makes the allowance available to the family member.~~

SUBPART IV.
APPEALS.

~~Article 1-
General.~~

12 VAC 30-110-980. Applicability.

The appeals process contained in this subpart shall apply to appeals of resource assessments, initial determinations and redeterminations of resources, and income amounts and allowances made in connection with applications for Medicaid medical assistance benefits by spouses institutionalized for a continuous period on or after September 30, 1989, or

receiving ~~waivered waiver or hospice services for a continuous period on or after September 30, 1989, pursuant to existing Client Appeals regulations (Part I (12 VAC 30-110-10 et seq.) of this chapter).~~

~~Article 2-
Notification.~~

12 VAC 30-110-990. Notices.

Written notices are to be provided to the institutionalized spouse and the community spouse advising them of:

- ~~1. Resource assessments;~~
- ~~4. 2. The amounts deducted for spousal and family allowances used in the post-eligibility calculation; and~~
- ~~2. 3. Their rights to appeal the amounts deducted in the calculations for determining the spousal and family allowances used in the post-eligibility calculation.~~

12 VAC 30-110-1010. Hearing officer authority.

Through the appeals process applicable as described in 12 VAC 30-110-980, hearing officers shall prescribe appropriate increases in ~~spousal maintenance income or resource allowances in the event they determine that exceptional circumstances exist which cause significant financial duress to the community spouse.~~

12 VAC 30-110-1011. Appealable issues.

Only the following issues shall be appealable under this section:

- 1. Spousal share determinations;
- 2. Initial resource eligibility determinations and redeterminations;
- 3. Spousal protected resource amounts;
- 4. Community spouse resource allowance;
- 5. Income eligibility determinations and redeterminations; and
- 6. Patient pay and income allowance calculations.

VA.R. Doc. No. R01-115; Filed February 9, 2001, 3:36 p.m.

* * * * *

REGISTRAR'S NOTICE: The following regulatory action is exempt from the Administrative Process Act pursuant to § 9-6.14:4.1 C 3, which excludes regulations that consist only of changes in style or form or corrections of technical errors, and § 9-6.14:4.1 C 4 (c) of the Code of Virginia, which excludes regulations that are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The Department of Medical Assistance Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

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Title of Regulation: **Related Cash Assistance Property Rules.**

12 VAC 30-110-10 et seq. Eligibility and Appeals (amending 12 VAC 30-110-630, 12 VAC 30-110-650, 12 VAC 30-110-660, 12 VAC 30-110-670, 12 VAC 30-110-700, and 12 VAC 30-110-710).

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

Effective Date: April 11, 2001.

Summary:

This action amends the Plan for Medical Assistance concerning real and personal property and transfer of assets. In response to the Governor's Executive Orders 15 (94) and 25 (98), the department reviewed the eligibility regulations for Medicaid. During this review, the department found technical inaccuracies in the regulations needing correction. Therefore, these amendments are necessary to resolve conflicts with the requirements found in the federal and state law and regulations.

These regulations specify how local eligibility workers must evaluate the income and resources owned by applicants and recipients of Medicaid. Failure to correctly determine eligibility could result in inability to access care to meet basic health needs.

Agency Contact: Copies of the regulations may be obtained from Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7959.

12 VAC 30-110-630. Income-producing real property other than the home for aged, blind and disabled individuals.

A. Income-producing real property other than the home does not affect eligibility if:

1. It is used in a trade or business or is otherwise income producing;
2. The equity value (current market value less the balance of any recorded liens against the property) of the property does not exceed \$6,000; and
3. The property produces a net annual income to the individual of at least 6.0% of the property's equity value.

B. If the property produces less than the 6.0% net annual income, it may be excluded if its equity value does not exceed \$6,000 and it is used in a business or nonbusiness income-producing activity, and the following conditions are met:

1. Unusual or adverse circumstances, such as a fire, street repair in front of a store, or natural disaster, cause a temporary reduction in the rate of return;
2. The property usually produces net annual income of at least 6.0% of the equity value; and
3. The individual expects the property to again produce income at the 6.0% rate of return within 18 months of the end of the calendar year in which the unusual incident

caused the reduction in the rate of return. When the property must be counted because the equity exceeds \$6,000 or because the net annual return to the individual is less than 6.0% or equity, the individual's equity over \$6,000 in the property is a countable resource.

12 VAC 30-110-650. Deeming of income and resources; responsibility of spouses.

A. If an individual and the spouse apply or are eligible for Medicaid as aged, blind, or disabled, and they cease to live together (separate), their income and resources are considered available (deemed) to each other for the time periods specified in this section. After the appropriate time period, income or resources actually contributed by the separated spouse to the individual are counted in determining the individual's eligibility.

B. [Reserved.]

C. If spouses separate for any reason other than institutionalization, their income and resources are deemed to each other during the month in which they cease to live together and during the six months following that month. ~~However, if the deeming of their income or resources ceases them to be ineligible as a couple, each spouse's eligibility will be determined individually using the procedure in subsection D of this section.~~ When spouses cease to live together, their income and resources cease to be deemed to each other beginning the first month following the month the couple ceases to live together.

D. If only one spouse in a couple applies for Medicaid or only one meets the aged, blind, or disabled requirement, or if both spouses apply and are not eligible as a couple and they separate, only the income and resources of the separated spouse that are actually contributed to the individual are counted as available to the individual beginning with the month after the month in which they cease to live together.

12 VAC 30-110-660. Deeming of income and resources; responsibility of parents for blind or disabled children.

A. If the blind or disabled child is ~~under age 18, or under age 21 and regularly attending a school, college, university or is receiving technical training designed to prepare him for gainful employment,~~ and living in the same household with a parent and is (i) under age 18 or (ii) under age 21 and regularly attending a school, college, university or is receiving technical training designed to prepare him for gainful employment, the parents' income and resources are deemed available to the child.

B. Only the parent's income and resources which remain, after deducting appropriate disregards and amounts for the maintenance needs of the parents and other dependents in the household, are deemed as resources and unearned income available to the blind or disabled child.

12 VAC 30-110-670. Aid to Dependent Children (ADC) Related Medically Needy Individuals.

A. [Reserved.]

B. Personal property.

1. Automobiles. The policy in § 4 of Supplement 8b (was Supplement 12) to Attachment

2.6-A (12 VAC 30-40-290) applies.

2. Life Insurance. The policy in § 5 of Supplement 8b (was Supplement 12) to Attachment 2.6-A (12 VAC 30-40-290) applies.

3. Burial Plots. The market value of burial plots owned by any member of the family unit are not counted toward the medical resource limit for the family.

4. Prepaid burial plans are counted as resources, except for the amounts of such funeral agreements that are disregarded under the Virginia ADC cash assistance program.

5. Assets which can be liquidated such as cash, bank accounts, stocks, bonds, and securities, are counted as resources.

C. The income eligibility determination methodology of the Virginia ADC cash assistance program applies.

12 VAC 30-110-700. Transfer of assets.

A. Certain term life insurance policies purchased after April 7, 1993. When making eligibility determinations for institutional or community-based care to be paid for by the department, the department shall consider as an uncompensated transfer all resources that are used by an applicant to purchase any term life insurance policy that does not have a benefit payable at death that will equal or exceed twice the sum of all premiums paid for such policy if the policy was purchased within 30 months prior to the date of application for medical assistance unless the policy was purchased to fund a funeral in accordance with § 54.1-2820 of the Code of Virginia.

The purpose of the policy shall be determined by reviewing the policy. If the policy language specifies that the death benefits shall be used to purchase burial space items or funeral services then the purchase of such policy shall not be considered a transfer of assets; however, the Department of Medical Assistance Services shall initiate action to recover from the beneficiary the amount of any benefit paid under the provisions of the policy which exceed the actual expense of the funeral and burial of the insured.

B. Inter vivos trusts.

1. *Assets of inter vivos trusts available.* When determining eligibility for medical assistance, the assets of any inter vivos trust, both principal and interest, shall be considered available to the grantor who is an applicant for or recipient of medical assistance without regard to any provision of the trust which provides directly or indirectly for the suspension, termination, or diversion of the principal, income or other beneficial interest of the grantor if he should apply for medical assistance or if he should require medical, hospital or nursing care or long-term custodial, nursing or medical care. The amount of principal or interest to be considered available shall be that amount of income or principal of the trust to which the grantor is entitled if no application for assistance had been made except that up to \$25,000 of the

~~corpus of the trust shall not be a countable asset for trusts created prior to August 11, 1993.~~

2. *Trusts created prior to August 11, 1993.* Up to \$25,000 of the corpus of an inter vivos trust created prior to August 11, 1993, shall not be a countable asset. If the grantor created more than one such trust, the corpora of the trusts shall be added together. If the sum of the corpora is less than \$25,000, no assets from any of the trusts shall be considered available. If the sum of the corpora exceeds \$25,000, then the total amount of the corpora less \$25,000 is a countable asset. In determining the amount of each trust to exempt, the \$25,000 exemption shall be prorated among the trusts.

In applying this section, if, prior to August 11, 1993, the grantor has made uncompensated transfers as defined in § 20-88.02 of the Code of Virginia within 30 months of applying for Medicaid and no payments were ordered pursuant to subsection D of that section, then no \$25,000 exemption shall be granted.

12 VAC 30-110-710. Transfer of resources.

When determining the eligibility of an applicant, in cases where the state determines that denial of eligibility would work an undue hardship:

1. The individual must provide written documentation to substantiate the circumstances of the transfer and the claim of undue hardship.

2. The individual must provide written documentation that the resources transferred without adequate compensation cannot be recovered.

3. The individual must provide written documentation to clearly substantiate the immediate adverse impact of the denial of Medicaid coverage of nursing facility services due to the uncompensated transfer.

4. *Undue hardship means denial of Medicaid eligibility would result in the individual being removed from the institution and unable to purchase life sustaining medical care.*

VA.R. Doc. No. R01-125; Filed February 21, 2001, 11:06 a.m.



TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF MEDICINE

Title of Regulation: 18 VAC 85-40-10 et seq. **Regulations Governing the Practice of Respiratory Care Practitioners (adding 18 VAC 85-40-61).**

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

Effective Date: April 11, 2001.

Summary of Public Comment and Agency Response: No public comment was received by the agency.

Final Regulations

Agency Contact: Copies of the regulation may be obtained from William L. Harp, M.D., Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908.

Summary:

The amendments establish inactive licensure for respiratory care practitioners pursuant to the specific authority granted in the Code of Virginia by Chapter 469 of the 1998 Acts of the Assembly. The amended regulations set forth the conditions for inactive licensure and requirements for reactivation of an inactive license, which include evidence of competency to return to active practice.

REGISTRAR'S NOTICE: The proposed regulation was adopted as published in 17:4 VA.R. 560-563 November 6, 2000 without change. Therefore, pursuant to § 9-6.14:22 A of the Code of Virginia, the text of the final regulation is not set out.

VA.R. Doc. No. R99-8; Filed February 21, 2001, 11:20 a.m.

* * * * *

Title of Regulation: **18 VAC 85-50-10 et seq. Regulations Governing the Practice of Physician Assistants (adding 18 VAC 85-50-58).**

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

Effective Date: April 11, 2001.

Summary of Public Comment and Agency Response: No public comment was received by the agency.

Agency Contact: Copies of the regulation may be obtained from William L. Harp, M.D., Board of Medicine, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908.

Summary:

The amendments establish inactive licensure for physician assistants pursuant to the specific authority granted in the Code of Virginia by Chapter 469 of the 1998 Acts of the Assembly. The amended regulations set forth the conditions for inactive licensure, the renewal fee and requirements for reactivation of an inactive license, which include recertification by the National Commission on Certification of Physician Assistants as evidence of competency to return to active practice.

REGISTRAR'S NOTICE: The proposed regulation was adopted as published in 17:4 VA.R. 564-567 November 6, 2000 without change. Therefore, pursuant to § 9-6.14:22 A of the Code of Virginia, the text of the final regulation is not set out.

VA.R. Doc. No. R99-9; Filed February 21, 2001, 11:20 a.m.

JOINT BOARDS OF NURSING AND MEDICINE

Title of Regulation: **18 VAC 90-30-10 et seq. Regulations Governing the Licensure of Nurse Practitioners (amending 18 VAC 90-30-50 and 18 VAC 90-30-110).**

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

Effective Date: April 11, 2001.

Summary of Public Comment and Agency Response: No public comment was received by the agency.

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

Summary:

The amendments will increase certain fees pursuant to statutory mandate to levy fees as necessary to cover expenses of the board. Biennial renewal fees for nurse practitioners will increase from \$30 to \$50 and the application fee will increase from \$50 to \$85 will include the first renewal cycle. While other fees will also increase, the fee for a late renewal of a nurse practitioner license within one biennium will decrease from \$25 to \$20.

REGISTRAR'S NOTICE: The proposed regulation was adopted as published in 17:2 VA.R. 190-197 October 9, 2000 without change; however, the Renewal Notice and Application form was reissued with a revised date of February 2001. Pursuant to § 9-6.14:22 A of the Code of Virginia, the final regulation is not set out.

VA.R. Doc. No. R00-45; Filed February 14, 2001, 1:39 p.m.

* * * * *

Title of Regulation: **18 VAC 90-40-10 et seq. Regulations for Prescriptive Authority for Nurse Practitioners (amending 18 VAC 90-40-60 and 18 VAC 90-40-70).**

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

Effective Date: April 11, 2001.

Summary of Public Comment and Agency Response: No public comment was received by the agency.

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

Summary:

The amendments increase the fee for reinstatement of a lapsed authorization and reinstatement of a suspended or revoked authorization, and increase the charge for a returned check. A penalty for late renewal is added and the cost of obtaining a duplicate authorization is decreased.

REGISTRAR'S NOTICE: The proposed regulation was adopted as published in 17:2 VA.R. 198-202 October 9, 2000 without change. Therefore, pursuant to § 9-6.14:22 A of the Code of Virginia, the text of the final regulation is not set out.

VA.R. Doc. No. R00-43; Filed February 14, 2001, 1:39 p.m.

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TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

COMMONWEALTH TRANSPORTATION BOARD

REGISTRAR'S NOTICE: The Department of Transportation is claiming an exemption from the Administrative Process Act in accordance with § 9-6.14:4.1 B 4 of the Code of Virginia, which exempts regulations relating to grants of state or federal funds or property.

Title of Regulation: **24 VAC 30-280-10 et seq. Guide to the Revenue Sharing Program (amending 24 VAC 30-280-10; adding 24 VAC 30-280-20 through 24 VAC 30-280-70).**

Statutory Authority: §§ 33.1-12 and 33.1-75.1 of the Code of Virginia.

Effective Date: February 15, 2001.

Summary:

This regulation establishes the policies and procedures VDOT uses to assist the Commonwealth Transportation Board in determining the allocation of funds for the maintenance or improvement of the primary and secondary highway systems and eligible additions in the counties of the Commonwealth, including the former Nansemond County portion of the City of Suffolk.

The amendments provide additional information concerning format for internal VDOT identification numbers, such as project and budget item numbers. References to the program were standardized, as were references to the Code of Virginia. Other references to the appropriate field personnel were amended to allow for changes in titles at specific offices. Minor grammatical changes were made.

Agency Contact: Copies of the regulation may be obtained from Robert Hofrichter, Secondary Roads Division, Department of Transportation, 1401 E. Broad Street, Richmond, VA 23219, telephone (804) 786-6663.

CHAPTER 280.
REVENUE SHARING PROGRAM GUIDE TO THE
REVENUE SHARING PROGRAM.

24 VAC 30-280-10. I. Purpose.

A. The "Revenue Sharing Program" provides additional funding for the maintenance or improvement of the primary and secondary ~~highways~~ highway systems and eligible additions in the counties of the Commonwealth, including the former Nansemond County portion of the City of Suffolk.

B. The program is administered by the Department of Transportation, in cooperation with the participating localities, under the authority of § 33.1-75.1 of the Code of Virginia. An annual ~~appropriation~~ allocation of funds for this program is designated by the Commonwealth Transportation Board, with statutory limitations on the amount authorized per locality.

C. Application for program funding must be made by resolution of the governing body of the jurisdiction in which the road is located. Project funding is allocated by resolution of the Commonwealth Transportation Board. Construction may be accomplished by the Department of Transportation or, where appropriate, by the locality under an agreement with the department.

II. 24 VAC 30-280-20. Definitions.

The following ~~terms are important in understanding the Revenue Sharing Program.~~ words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

~~A.~~ "Budget item number," means a multi-digit code ~~which that~~ identifies work to be completed; it is used for minor activities ~~which that~~ are usually done in one year. (See term "incidental improvements"). *The usual format for a budget item number is rrr-ccc-BI yy, where rrr is the four-digit route code, ccc is the three-digit locality code, and yy represents the last two digits of the fiscal year in which an allocation to the improvement is made.*

~~B.~~ "Construction improvements," means operations which usually require more than one fiscal year to complete, and which change or add to the characteristics of a road, facility, or structure.

~~C.~~ "County Primary and Secondary Road Fund"; means the designation given to the fund used to finance the specially funded program developed by the county government and the Department of Transportation subject to approval by the Commonwealth Transportation Board. This is more commonly referred to as the Revenue Sharing Program.

~~D.~~ "Incidental improvements," means any operation, usually constructed within one year, which changes the type, width, length, location, or gradient of a road, facility, or structure; or the addition of features not originally provided for such road, facility, or structure.

~~E.~~ "Maintenance," means activities involved in preserving or restoring the roadway, facility, or structure to its original condition, as nearly as possible.

~~F.~~ "Matching funds," means funds provided by the Commonwealth which are allocated to eligible items of work in participating counties and the City of Suffolk to supplement, on a dollar-for-dollar basis, the locality's contribution for eligible projects.

~~G.~~ "New hardsurfacing (paving)," means the first-time paving of a previously unpaved roadway; usually composed of a multiple course asphalt surface treatment. In order for a road to be eligible for paving, it must meet the minimum traffic volume criteria of 50 vehicles per day (VPD).

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"New roadway" means the establishment of a new facility to be a part of the primary or secondary system of state highways. In order for a new roadway to be eligible for Revenue Sharing funding, it must be a part of a locally adopted plan such as the County Comprehensive Plan or must be expected to divert sufficient traffic from existing public roads so that those roads will not need to be improved in the foreseeable future.

H. "Plant mix," means an asphalt-based compound used in highway construction and maintenance. For a road to be eligible for plant mix, it should:

- ± 1. Have an Average Daily Traffic (ADT) of 500 or greater;
- ± 2. Be a major secondary and serve as a major transportation facility in the locality; and
- ± 3. Be classified as "tolerable" in accordance with established standards for such determination; and.

* ~~Consist of an overlay necessary to restore the typical section and/or riding surface of the roadway.~~

I. "Project (eligible)," means work including construction, improvement, maintenance, and additions costs.

J. "Project number," means a multi-digit alphanumeric code which identifies work to be completed; it is used in conjunction with construction. The usual format for a project number is rrrr-ccc-sss, Jnnn, where rrrr is the four-digit route code, ccc is the three-digit locality code, sss is a three-digit section code, J is a phase identifier, and nnn is the job number.

K. "Secondary Six-Year Plan," means either the Secondary Six-Year Plan, the official listing of projects improvements to be constructed, which is developed jointly by the Virginia Department of Transportation (VDOT) and the county governments (§ 33.1-70.01, of the Code of Virginia), or the Virginia Transportation Development Plan, formerly known as the Six-Year Improvement Program for Interstate, Primary, Urban, and Secondary Highway Systems, developed by VDOT and the Commonwealth Transportation Board.

III. 24 VAC 30-280-30. Eligible work.

The Revenue Sharing funds Program may be used to finance eligible work on a county's primary or secondary system. Below is a list of work which that could be considered eligible for Revenue Sharing funds financing, and examples of each.

A. 1. Deficits on completed construction or improvements. When the appropriate resident engineer or local preliminary engineering manager has a completed project with a deficit, the county may request that the deficit be financed with by the Revenue Sharing funds Program provided the county is willing to contribute one-half of the deficit as its portion.

Example:	Actual Cost	=	\$120,000
	Available project funding	=	\$100,000
	Actual Deficit	=	\$ 20,000
	County participation	=	\$ 10,000
	State match	=	\$ 10,000
	Revenue Sharing Funding	=	\$ 20,000

B. 2. Supplemental funding for ongoing construction or improvements. When the appropriate resident engineer or local preliminary engineering manager anticipates the cost to complete the construction or improvement a project will exceed the financing currently committed to this work, the county may request that the anticipated deficit be financed with by the Revenue Sharing funds Program provided the county is willing to contribute one half of the anticipated deficit as its portion.

Example:	Available project funding	=	\$100,000
	Estimated cost	=	\$150,000
	Estimated Deficit	=	\$ 50,000

	County participation	=	\$ 25,000
	State match	=	\$ 25,000
	Revenue Sharing Funding	=	\$ 50,000

C. 3. Supplemental funding for future construction or improvements listed in the adopted Six-Year Plan. When the appropriate resident engineer or local preliminary engineering manager anticipates allocations (in addition to those proposed in the adopted Six-Year Plan) will be required to completely finance a project, the county may request permission to provide one half of such additional financing with the remaining one half provided by state matching funds. This includes, but is not limited to, such things as signalization, additional preliminary engineering, or acquisition of additional right-of-way. This procedure may be utilized to accelerate the funding of a project and thereby permit its completion earlier than otherwise would have been possible.

D. 4. Construction or improvements not included in the adopted Six-Year Plan. When the appropriate resident engineer or local preliminary engineering manager believes that the necessary work may be completed within the fiscal year eligible for program funding, the county may request one half the funds to construct a project not currently in the Six-Year Plan. However, in such cases, the county funds, together with the state matching funds, must should finance the entire estimated cost of the project within the fiscal year involved. The Revenue Sharing Program was initially intended to provide funding for relatively small, immediately needed improvements. Over time, use of the funding from the program has grown to include larger improvements that require funding over several years. When the department is administering a project, no improvement receiving funding over several years and not included in the Six-Year Plan should be advertised until the final expected year of funding because of the discretionary nature of county participation in the program.

E. ~~Construction or~~ 5. Improvements necessary for the acceptance of specific subdivision streets otherwise eligible for acceptance into the system for maintenance. The construction or improvements (widening, surface treating, etc.) necessary for the acceptance of certain subdivision streets otherwise eligible under § 33.1-72.1, of the Code of Virginia, for acceptance into the secondary system of state highways may be funded by the Revenue Sharing Program. ~~The work should be completed within the fiscal year involved.~~

~~F.~~ 6. Unprogrammed maintenance whose accomplishment is consistent with the department's operating policies. Examples of this type of work include normal maintenance replacement activities such as guardrail replacement, plant mix overlays, sidewalks and curb and gutter repair.

~~IV.~~ 24 VAC 30-280-40. Application process.

Application for revenue sharing ~~Funds~~ *funding* may be made only by the governing body of the county or the City of Suffolk in which the road is located. The following process describes the steps which occur in determining the funding available for each participating locality to finance eligible projects.

1. VDOT's state secondary roads engineer sends a letter inviting all county governments to participate in the Revenue Sharing Program for the coming fiscal year.
2. The county government determines its intent to participate in the program, and the amount of county funds to be provided. The county government and *appropriate resident engineer or local preliminary engineering manager* jointly prepare a prioritized plan to recommend assignment of requested funds to eligible projects. This prioritized plan should:
 - ∗ a. List what is to be included for each project (example: length of road, width of road, estimated cost, etc.);
 - ∗ b. Identify who will administer each *phase of each* project (see § 33.1-75.1 B of the Code of Virginia, regarding when a project may be administered by a county).

While there is no limit on the amount of funds the county may contribute, the amount of funds eligible for state matching funds may not exceed the statutory limitation.

3. The *appropriate resident engineer or local preliminary engineering manager* submits the detailed prioritized plan developed in Step 2 of the process with recommendations to the Secondary Roads Division, with a copy to the appropriate District Administrator. This prioritized plan must be received by the date specified in the invitation letter.
4. VDOT's Secondary Roads Division *reviews the submitted prioritized plans and* notifies the ~~county governments~~ *appropriate resident engineer or local preliminary engineering manager* of the amount of state matching funds available for use in their counties, subject to the approval of the Commonwealth Transportation Board. If the total requests exceed the amount available according to statute, each participating county will receive state matching funds on a pro rata basis, and the prioritized plan will be adjusted accordingly.

~~V.~~ 24 VAC 30-280-50. Approval process.

The following process describes the steps ~~which~~ *that* occur in securing approval of the Statewide Revenue Sharing Program from the Commonwealth Transportation Board.

1. VDOT's Secondary Roads Division reviews the individual plans, and if found to be acceptable, develops the statewide plan and recommends it be submitted to the Commonwealth Transportation Board for approval. The Maintenance and Programming and Scheduling Divisions

will also review the plans as appropriate for their areas of responsibility.

2. The Commonwealth Transportation Board approves the statewide program, including allocations to specific projects in each county's plan. Upon approval of the plan, it constitutes the "county primary and secondary road fund." Any modification of the approved program must be agreed upon by the county government and VDOT and approved by the Commonwealth Transportation Board.

~~VI.~~ 24 VAC 30-280-60. Implementation process.

A. VDOT administered work. The following process describes the steps which occur in the implementation of the Revenue Sharing Program, beginning with the approval by the Commonwealth Transportation Board and ending with the payment by the county and subsequent state match.

1. VDOT's Secondary Roads Division authorizes the Fiscal Division to reserve the State Matching funds for the approved specific projects. These monies are placed in a special VDOT account for this purpose.
2. If applicable, the Secondary Roads Division prepares county/state agreements ~~which~~ *that* govern the performance of work administered by VDOT. The agreement must be executed prior to incurring any cost to be financed from the Revenue Sharing Program.
3. *Either* the Fiscal Division bills the county *or the appropriate resident engineer or local preliminary engineering manager requests payment from the county* for its share of the estimated cost of work to be performed; the money is collected prior to the beginning of work in accordance with current billing procedures.
4. After the project is completed, the Fiscal Division makes final billing to the county for its share of the actual costs incurred, in excess of those provided in Step 3. If the county's share of the actual cost is less than the estimated cost, the difference may, *if desired by the county*, be refunded to the county or reassigned to another Revenue Sharing project.

If a county government wishes to cancel a project begun under the Revenue Sharing Program during Preliminary Engineering (PE) or Right of Way (R/W) phases but prior to the Construction phase, it may do so by Board of Supervisors' resolution. The department retains the sole option to require reimbursement by the county of all state matching funds spent from the time the project was begun until it is canceled.

If construction does not begin before the end of the fiscal year involved, the county must pay the department its share, or certify that the money is held in a special fund account specifically earmarked for the project~~s~~ *or projects*. This must occur by June 30 of the fiscal year or it may result in loss of state matching funds.

B. County administered work. The following process describes the steps which occur in the implementation of the Revenue Sharing Program, beginning with the approval by the Commonwealth Transportation Board and ending with the payment by the county and subsequent state match.

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1. VDOT's Secondary Roads Division authorizes the Fiscal Division to reserve the state matching funds for the approved specific projects. These monies are placed in a special VDOT account for this purpose.

2. The Secondary Roads Division prepares county/state agreements ~~which~~ *that* govern the performance of work administered by the county. The agreement must be executed prior to incurring any cost to be financed from the Revenue Sharing Program.

3. After all work is completed, the county makes a final billing to VDOT for its share of the actual costs incurred. If actual cost is less than that provided by the agreement, the difference may be reassigned to another Revenue Sharing project in the county, or, *if the county desires*, refunded to the VDOT Revenue Sharing account.

If a county government wishes to cancel a project begun under the Revenue Sharing Program before it is completed, it may do so by Board of Supervisors' resolution. The department retains the sole option to require reimbursement by the county of all state matching funds spent from the time the project was begun until it is canceled.

VII. 24 VAC 30-280-70. Additional allocations.

One month prior to the end of any fiscal year in which less than ~~\$10 million~~ *the total provided appropriation* has been allocated from state funds under § 33.1-75.1 D of the Code of Virginia, those counties requesting \$500,000 may be allowed an additional allocation. The difference between the amount allocated and the ~~\$10 million~~ *amount appropriated* shall be allocated at the discretion of the Commonwealth Transportation Board among the counties receiving the maximum allocation.

VA.R. Doc. No. R01-121; Filed February 15, 2001, 10:20 a.m.



EMERGENCY REGULATIONS

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

Title of Regulation: 22 VAC 40-730-10 et seq. Investigation of Child Abuse and Neglect in Out of Family Complaints (amending 22 VAC 40-730-10 and 22 VAC 40-730-40 through 22 VAC 40-730-100).

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

Effective Dates: April 1, 2001 through March 31, 2002.

Preamble:

Chapter 854 of the 2000 Acts of Assembly made changes to Title 63.1 of the Code of Virginia to amend and reenact § 63.1-248.6 of the Code. It further required that the State Board of Social Services should promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment. This regulation is not otherwise exempt under the provisions of § 9-6.14:4.1(c)(4).

The major change to the Code emphasizes that child protective services out of family investigations are to be conducted as joint investigations in cases involving an employee at a private or state-operated hospital, institution or other facility, or an employee of a school board. It also requires that regulations for conducting these investigations be approved by the State Board in consultation with the Departments of Education, Health, Medical Assistance Services, Mental Health, Mental Retardation and Substance Abuse Services, Juvenile Justice and Corrections. The input of these agencies has been solicited in the development process.

Agency Contact: L. Richard Martin, Jr., Division of Policy and Research, Department of Social Services, 730 E. Broad Street, Richmond, VA 23219, telephone (804) 692-1825.

22 VAC 40-730-10. Definitions.

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

"Caretaker," for the purpose of this chapter, means any individual determined to have the responsibility of caring for a child.

"Central Registry" means a subset of the child abuse and neglect information system and is the name index of individuals involved in named as abuser and/or neglector in founded, as defined in 22 VAC 40-700-10, child abuse and neglect reports not currently under administrative appeal maintained by the Virginia department of Social Services.

"Child Protective Services" means the identification, receipt and immediate investigation of complaints and reports of child abuse and neglect for children under 18 years of age. It also includes documenting, arranging for, and providing social casework and other services for the child, his family, and the alleged abuser.

"Complaint" means a valid report of suspected child abuse or neglect which must be investigated by the local department of social services.

"Child day center" means a child day program operated in other than the residence of the provider or any of the children in care, responsible for the supervision, protection, and well-being of children during absence of a parent or guardian, as defined in § 63.1-195 of the Code of Virginia. For the purpose of this chapter, the term shall be limited to include only state licensed child day centers and religiously exempted child day centers.

"Department" means the Department of Social Services.

"Disposition" means the determination of whether abuse or neglect occurred.

"Facility" means the generic term used to describe the setting in out of family abuse or neglect and for the purposes of this regulation includes schools (public and private), private or state-operated hospitals or institutions, child day centers, state regulated family day homes, and residential facilities.

"Facility administrator" means the on-site individual responsible for the day-to-day operation of the facility.

"Family day home," for the purpose of this chapter, means a child day program as defined in § 63.1-195 of the Code of Virginia where the care is provided in the provider's home and is state regulated; locally approved or regulated homes are not included in this definition.

"Identifying information" means name, race, sex, and date of birth of the subject.

"Local agency" means the local department of social services responsible for conducting investigations of child abuse or neglect complaints as per § 63.1-248.6 of the Code of Virginia.

"Participate" means to take part in the activities of the joint investigation as per a plan for investigation developed by the CPS worker with the facility administrator and/or regulatory authority.

"Physical plant" means the physical structure/premises of the facility.

"Regulatory authority" means the department or state board that is responsible under the Code of Virginia for the licensure or certification of a facility for children.

"Residential facility" means a publicly or privately owned facility, other than a private family home, where 24-hour care is provided to children separated from their legal guardians, that is subject to licensure or certification pursuant to the provisions of the Code of Virginia and includes, but is not limited to, group homes, group residences, secure custody facilities, self-contained residential facilities, temporary care facilities, and respite care facilities.

22 VAC 40-730-40. Involvement of regulatory agencies.

The authority of the local agency to investigate complaints of alleged child abuse or neglect in regulated facilities overlaps with the authority of the public agencies which have

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regulatory responsibilities for these facilities to investigate alleged violations of standards.

1. For complaints in state regulated facilities and religiously exempted child day centers, the local agency shall contact the regulatory authority and share the complaint information. The regulatory authority will appoint a staff person to participate in the *joint* investigation to determine if there are regulatory concerns.

2. The CPS worker assigned to investigate and the appointed regulatory staff person will discuss their preliminary *joint* investigation plan.

a. The CPS worker and the regulatory staff person shall review their respective needs for information and plan the investigation based on when these needs coincide and can be met with joint interviews or with information sharing.

b. The investigation plan must keep in focus the policy requirements to be met by each party as well as the impact the investigation will have on the facility's staff, the victim child or children, and the other children at the facility.

22 VAC 40-730-50. Involvement of other parties.

A. In a facility for which there is not a state regulatory authority, such as in schools, the CPS worker ~~may~~ shall ask the facility administrator or school superintendent to designate a staff person to participate in the *joint* investigative process.

B. When CPS and law enforcement will be conducting a joint investigation, the CPS worker shall attempt to facilitate a coordinated approach among CPS, law enforcement and the regulatory authority or facility designee.

22 VAC 40-730-60. Contact with CPS regional coordinator.

A. The local agency shall contact the department's regional CPS coordinator as soon as is practical after the receipt of the complaint. The regional coordinator will review the procedures to be used in investigating the complaint and provide any case planning assistance the local worker may need.

B. The regional coordinator shall be responsible for monitoring the investigative process and shall be kept informed of developments which substantially change the original case plan.

C. At the conclusion of the investigation the local agency shall contact the department's regional CPS coordinator to review the case prior to notifying anyone of the disposition. The regional coordinator shall review the facts gathered and policy requirements for determining whether or not abuse or neglect occurred. However, the statutory authority for the disposition rests with the local agency. This review ~~should~~ shall not interfere with the requirement to complete the investigation in the legislatively mandated time frame.

22 VAC 40-730-70. Contact with the facility administrator.

A. The CPS worker shall initiate contact with the facility administrator at the onset of the investigation.

B. The CPS worker shall inform the facility administrator or his designee of the details of the complaint. *When the*

administrator or designee chooses to participate in the joint investigation, he will be invited to participate in developing the plan for investigation, including decisions about who is to be present in interviews. If the administrator or designee is the alleged abuser or neglector, this contact should be initiated with the individual's superior, which may be the board of directors, etc. If there is no superior, the CPS worker may use discretion in sharing information with the administrator.

C. Arrangements are to be made for:

1. Necessary interviews;
2. Observations including the physical plant; and
3. Access to information, including review of pertinent policies and procedures.

D. The CPS worker shall keep the facility administrator apprised of the progress of the investigation. In a joint investigation with a regulatory staff person, either party may fulfill this requirement.

22 VAC 40-730-80. Contact with the alleged victim child.

The CPS worker shall interview the alleged victim child and shall determine *along with a regulatory staff person or facility administrator or designee* who may be present in the interview. *Where there is an apparent conflict of interest, the CPS agency shall use discretion regarding who is to be included in the interview.*

22 VAC 40-730-90. Contact with the alleged abuser or neglector.

A. The CPS worker shall interview the alleged abuser or neglector *according to a plan developed with the regulatory staff person, facility administrator, or designee.* *Where there is an apparent conflict of interest, the CPS agency shall use discretion regarding who is to be included in the interview.* At the onset of the initial interview with the alleged abuser or neglector, the CPS worker shall notify him in writing of the general nature of the complaint and the identity of the alleged victim child to avoid any confusion regarding the purpose of the contacts.

B. The alleged abuser or neglector has the right to involve a representative of his choice to be present during his interviews.

22 VAC 40-730-100. Contact with collateral children.

~~The CPS worker shall interview~~ Nonvictim children *shall be interviewed* as collaterals if it is determined that they may have information which would help in determining the finding in the complaint. Such contact should be made with prior consent of the child's parent, guardian or agency holding custody. If the situation warrants contact with the child prior to such consent being obtained, the parent, guardian or agency holding custody should be informed as soon as possible after the interview takes place.

/s/ James S. Gilmore III
Governor

Date: December 27, 2000

VA.R. Doc. No. R01-122; Filed February 21, 2001, 10:20 a.m.



GENERAL NOTICES/ERRATA

STATE CORPORATION COMMISSION

Bureau of Insurance

REGISTRAR'S NOTICE: The instructions and forms and the CPT and ICD-9-CM Codes referenced in Administrative Letter 2001-2 are not being published due to the number of pages; however, these documents may be obtained from Mary Ann Mason, State Corporation Commission, Bureau of Insurance, Life and Health Division, 5th Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, telephone (804) 371-9348, or viewed at the Office of the Registrar of Regulations, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, during normal business hours.

February 15, 2001

Administrative Letter 2001-2

TO: ALL INSURERS LICENSED TO WRITE ACCIDENT AND SICKNESS INSURANCE IN VIRGINIA, AND ALL HEALTH SERVICES PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS LICENSED IN VIRGINIA

RE: 14 VAC 5-190-10 et seq.: Rules Governing the Reporting of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers - 2000 Reporting Period

The attached instructions and forms are provided to assist companies in the preparation of the Annual Report of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers for the 2000 reporting period, pursuant to 14 VAC 5-190-10 et seq. and § 38.2-3419.1 of the Code of Virginia. The report must be in the format contained in Form MB-1, a copy of which is also attached to this letter. Form MB-1 has been updated to reflect several new mandates applicable to the 2000 reporting period. The completed Form MB-1 is due on or before **May 1, 2001**. **Lack of notice, lack of information, lack of means of producing the required data, or other such reasons will not be accepted for not filing a complete and accurate report in a timely manner.**

Companies should refer to 14 VAC 5-190-40 for an explanation of the circumstances under which a full and complete or an abbreviated report must be filed. This section also describes the circumstances under which a company may be exempt from filing a report. The total Virginia annual written premium for all accident and sickness policies or contracts referred to in this section of the administrative code is the amount reported to the Commission on the company's **Annual Statement for the year ended December 31, 2000**, and that amount must be used to determine the type of report required.

Each licensed company is required to submit a separate Form MB-1. It is not acceptable to submit more than one Form MB-1 for a single company or consolidate information from different companies on one form.

The attached instructions explain the type of information required to complete Form MB-1 and serve to highlight frequent errors and omissions. All sources of information, including 14 VAC 5-190-10 et seq., §§ 38.2-3408 through 38.2-3418.11, as applicable, § 38.2-4221, and CPT and ICD-9-CM Codes should be consulted in the preparation of this report. It should be noted that the attached CPT and ICD-9-CM Codes are not intended to exhaust all medical codes that may be used in collecting data for Form MB-1, but are representative of some of the codes used.

Correspondence regarding this reporting requirement, including Form MB-1 filings, should be directed to Mary Ann Mason, Senior Insurance Market Examiner, State Corporation Commission, Bureau of Insurance, Life and Health Division, P.O. Box 1157, Richmond, Virginia 23218, telephone (804) 371-9348, FAX (804) 371-9944.

Companies are reminded that failure to submit a substantially complete and accurate report pursuant to the provisions of 14 VAC 5-190 et seq. by **May 1, 2001**, may be considered a violation subject to a penalty as set forth in § 38.2-218 of the Code of Virginia.

/s/ Alfred W. Gross
Commissioner of Insurance

REAL ESTATE BOARD

Notice of Periodic Review

The Real Estate Board invites public comment on 18 VAC 135-30-10 et seq., Condominium Rules and Regulations. This review is being conducted under Executive Order 25 (98). The board welcomes written comments on the performance and effectiveness of this regulation in regulating the registration of condominium projects and ensuring compliance of such projects with the Condominium Act (§ 55-79.39 et seq. of the Code of Virginia).

Copies of the regulation may be obtained from the board. Written or faxed comments may be submitted through 5 p.m. on April 11, 2001. Comments or questions should be sent to Eric L. Olson, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia 23230, telephone (804) 367-8510, FAX (804) 367-2475.

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.

General Notices/Errata

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

ERRATA

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Title of Regulation: **12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care Services.**

Publication: 17:12 VA.R. 2026 February 26, 2001.



Correction to Final Regulation:

The proposed publication date was published incorrectly. The notice should read as follows:

<p>REGISTRAR'S NOTICE: The proposed regulation was adopted as published in 16:24 VA.R. 3070-3073 August 14, 2000, without change. Therefore, pursuant to § 9-6.14:22 A of the Code of Virginia, the text of the final regulation is not set out.</p>


CALENDAR OF EVENTS

Symbol Key

-  Location accessible to persons with disabilities
 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. If you are unable to find a meeting notice for an organization in which you are interested, please check the Commonwealth Calendar at www.vipnet.org or contact the organization directly.


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

† **April 24, 2001 - 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, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2648, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail accountancy@dpor.state.va.us.


VIRGINIA AGRICULTURAL COUNCIL

March 26, 2001 - 9 a.m. -- Open Meeting

March 27, 2001 - 9 a.m. -- Open Meeting

Holiday Inn Monticello, 1200 Fifth Street, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A two-day meeting to hear and act upon agricultural project proposals for financial assistance through the Virginia Agricultural Council. The council will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Thomas Yates at least five days before the meeting date so that suitable arrangements can be made.

Contact: Thomas R. Yates, Assistant Secretary, Department of Agriculture and Consumer Services, 1100 Bank Street, 5th Floor, Room 509, Richmond, VA, telephone (804) 786-6060, FAX (804) 371-8372, (800) 828-1120/TTY 

STATE BOARD OF AGRICULTURE AND CONSUMER SERVICES

March 15, 2001 - 9 a.m. -- Open Meeting

Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia. 


A meeting to discuss issues related to Virginia agriculture and consumer services. The board may discuss any regulation under its authority. 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 board's secretary at least five days before the meeting date so that suitable arrangements can be made.

Contact: Roy Seward, Board Secretary, Board of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Richmond, VA 23219, telephone (804) 786-3538, FAX (804) 371-2945, e-mail jknight@vdacs.state.va.us.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Virginia State Apple Board

March 13, 2001 - 9 a.m. -- Open Meeting


Rowe's Restaurant, Route 4, Staunton, Virginia. 

The board will review finances. The board will also consider grants from the industry for fiscal year 2002. Other issues to be discussed are approval of board minutes and a financial review. The board will hear 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 Nancy Israel at least five days before the meeting date so that suitable arrangements can be made.

Contact: Nancy L. Israel, Executive Director, Virginia State Apple Board, 1100 Bank St., Suite 1012, Richmond, VA 23219, telephone (804) 371-6104, FAX (804) 371-7786.

Calendar of Events


Virginia Charity Food Assistance Advisory Board

† **April 12, 2001 - 10:30 a.m.** -- Open Meeting
Department of Agriculture and Consumer Services,
Washington Building, 1100 Bank Street, Richmond, 2nd
Floor, Board Room, Richmond, Virginia. 

A routine meeting to discuss issues related to food insecurity. The board will hear 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.

Contact: Steven W. Thomas, Executive Director,
Department of Agriculture and Consumer Services, 1100
Bank Street, Room 809, Richmond, VA, telephone (804) 786-
3936, FAX (804) 371-7788, homepage
<http://www.vdacs.state.va.us>.


Virginia Peanut Board

† **March 16, 2001 - 10 a.m.** -- Open Meeting
Tidewater Agricultural Research and Extension Center, 6231
Holland Road, Suffolk, Virginia. 


The board will convene in regular session to review peanut research projects for possible funding in 2001. The minutes of the last meeting will be heard and approved. The board's financial statement will be reviewed. The board will hear 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 three days before the meeting date so that suitable arrangements can be made.

Contact: Russell C. Schools, Program Director, Department
of Agriculture and Consumer Services, P O Box 356, Capron,
VA 23829, telephone (804) 658-4573, FAX (804) 658-4531,
homepage <http://www.vdacs.state.va.us>.

STATE AIR POLLUTION CONTROL BOARD

March 29, 2001 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street,
1st Floor, Richmond, Virginia. 

A public meeting to receive comments and discuss the notice of intended regulatory action to develop a regulation that controls emissions from commercial/industrial solid waste incinerators and small municipal waste combustors as required by §§ 111(d) and 129 of the federal Clean Air Act.

Contact: Karen G. Sabastanski, Department of
Environmental Quality, P.O. Box 10009, Richmond, VA
23240, telephone (804) 698-4426, FAX (804) 698-4510, (804)
698-4021/TTY , e-mail kgsabastea@deq.state.va.us.

* * * * *

May 3, 2001 - 10 a.m. -- Public Hearing
Main Street Centre, 600 East Main Street, Lower Level,
Conference Room, Richmond, Virginia.


June 12, 2001 - 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 State Air Pollution Control Board intends to amend regulations entitled: **9 VAC 5-40-10 et seq. Existing Stationary Sources (Rev. A99)**. Article 4 provides a legal mechanism whereby the board is required to make source specific Reasonable Available Control Technology (RACT) determinations for all currently known major sources subject to source specific NO_x RACT requirements under the federal Clean Air Act. Amendments are being proposed to delete the provisions that address seasonal applicability, certain exemptions and the emission allocation system.

Article 8 establishes emission limits along with compliance testing, monitoring, recordkeeping and reporting requirements for fuel burning equipment. Amendments are being proposed to establish an emissions rate limit for nitrogen oxides for electric generating units and nonelectric generating units and create a compliance averaging plan to provide flexibility for the sources subject to the regulation.

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until June 12, 2001, to Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 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 


ALCOHOLIC BEVERAGE CONTROL BOARD

March 13, 2001 - 9:30 a.m. -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage
Road, Richmond, Virginia. 

An executive staff meeting for receipt and discussion of reports and activities from staff members and other matters not yet determined.

Contact: W. Curtis Coleburn, Secretary to the Board,
Alcoholic Beverage Control Board, 2901 Hermitage Rd.,
Richmond, VA 23220, telephone (804) 213-4409, FAX (804)
213-4442.


ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

March 21, 2001 - 10 a.m. -- Open Meeting
Manor House Assisted Living Center, 491 Crestwood Drive, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting.

Contact: Janet L. Honeycutt, Director of Grant Operations, Department for the Aging, 1600 Forest Ave., Richmond, VA 23229, telephone (804) 662-9341, FAX (804) 662-9354, toll-free (800) 552-3402, e-mail jlhoneycutt@vdh.state.va.us.


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

March 16, 2001 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to discuss changes to the board's regulations regarding photogrammetrists and to conduct board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail apelsla@dpor.state.va.us.


ART AND ARCHITECTURAL REVIEW BOARD

April 6, 2001 - 10 a.m. -- Open Meeting
May 4, 2001 - 10 a.m. -- Open Meeting
† June 1, 2001 - 10 a.m. - Open Meeting
Science Museum of Virginia, 2500 West Broad Street, Forum Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A monthly meeting to review projects submitted by state agencies.


Contact: Richard L. Ford, AIA, Chairman, Art and Architectural Review Board, 1011 E. Main St., Room 221, Richmond, VA 23219, telephone (804) 643-1977, FAX (804) 643-1981, (804) 786-6152/TTY 

VIRGINIA BOARD FOR ASBESTOS AND LEAD


† March 14, 2001 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia. 

A subcommittee will meet to discuss suggested changes to the Uniform Statewide Building Code.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2648, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail asbestos@dpor.state.va.us.


† May 17, 2001 - 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, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, Virginia 23230, telephone (804) 367-2648, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail asbestos@dpor.state.va.us.

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND FAMILIES


State Executive Council

March 28, 2001 - 9 a.m. -- Open Meeting
April 25, 2001 - 9 a.m. -- Open Meeting
Department of Social Services, 730 East Broad Street, Lower Level, Training Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


An agenda will be posted on the web (<http://www.csa.state.va.us>) a week prior to the meeting.

Contact: Alan G. Saunders, Director, Comprehensive Services for At-Risk Youth and Families, 1604 Santa Rosa Rd., Suite 137, Richmond, VA 23229, telephone (804) 662-9815, FAX (804) 62-9831, e-mail AGS992@central.dss.state.va.us.

BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY


† March 24, 2001 - 8 a.m. -- Open Meeting
Holiday Inn Select, 2801 Plank Rd., Fredericksburg, Virginia 

The board will adopt final regulations for continuing competency and consider other business as may be presented on the agenda.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Audiology and Speech-Language Pathology, Southern States Bldg., 6606 W. Broad St., 4th Floor Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail etisdale@dhp.state.va.us.

Calendar of Events

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March 24, 2001 - 10:15 a.m. -- Public Hearing
Holiday Inn Select, 2801 Plank Road, Fredericksburg,
Virginia. 


April 27, 2001 - 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 Audiology and Speech-Language Pathology intends to amend regulations entitled: **18 VAC 30-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.


Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Audiology and Speech-Language Pathology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111.


VIRGINIA AVIATION BOARD

† **March 14, 2001 - 10 a.m.** -- Open Meeting
Ivor Massey Building, 5707 Huntsman Road, Richmond International Airport, Sandston, Virginia. 

A special meeting of the Virginia Aviation Board to discuss funding for the South Corporate Business Park at the Newport News/Williamsburg International Airport.

Contact: Carolyn Toth, Administrative Assistant, Virginia Aviation Board, 5702 Gulfstream Rd., Richmond, VA 23250, telephone (804) 236-3637, FAX (804) 236-3635, toll-free (800) 292-1034, (804) 236-3624/TTY , e-mail toth@doav.state.va.us.


BOARD FOR THE BLIND AND VISION IMPAIRED

April 17, 2001 - 1 p.m. -- Open Meeting
Department for the Blind and Vision Impaired, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to review 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 Staff Assistant, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond VA 23227-3600, telephone (804) 371-3145, FAX (804) 371-3157, toll-free (800) 622-2155, (804) 371-3140/TTY , e-mail proffikc@dbvi.state.va.us.


CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

March 19, 2001 - 10 a.m. -- Open Meeting
James Monroe Bldg., 101 North 14th Street, Conference Room C, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A meeting to conduct general business including review of local Chesapeake Bay Preservation Area programs. Public comment will be taken during the meeting. A tentative agenda will be available on March 1, 2001 from the Chesapeake Bay Local Assistance Department.


Contact: Carolyn J. Elliott, Administrative Assistant, 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.

STATE BOARD FOR COMMUNITY COLLEGES


† **March 21, 2001 - 2:30 p.m.** -- Open Meeting
Virginia Community College System, James Monroe Building, 101 North 14th Street, 15th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Meetings of the Academic and Student Affairs, Audit, and Budget and Finance Committees. The Facilities and Personnel Committees will meet at 3:30. Public comment will be received.

Contact: D. Susan Hayden, Public Relations Manager, State Board for Community Colleges, Virginia Community College System, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, (804) 371-8504/TTY 


† **March 22, 2001 - 9 a.m.** -- Open Meeting
Godwin-Hamel Board Room, James Monroe Building, 101 North 14th Street, 15th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Public comment will be received.

Contact: D. Susan Hayden, Public Relations Manager, State Board for Community Colleges, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, (804) 371-8504/TTY 

DEPARTMENT OF CONSERVATION AND RECREATION


Virginia Cave Board

March 24, 2001 - 1 p.m. -- Open Meeting
Department of Conservation and Recreation, Division of Natural Heritage, 217 Governor Street, Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Education Committee to discuss education issues.

Contact: Larry Smith, Natural Area Program Manager, Department of Conservation and Recreation, 203 Governor St., Richmond, VA 23219, telephone (804) 371-6205, e-mail lsmith@dcr.state.va.us.


Chippokes Plantation Farm Foundation

† **March 14, 2001 - 10 a.m.** -- Open Meeting
Surry Nuclear Power Information Center, Surry, Virginia. 
(Interpreter for the deaf provided upon request)

A general business meeting of the Board of Trustees.

Contact: Katherine R. Wright, Executive Secretary, Department of Conservation and Recreation, 101 N. 14th St., Richmond, VA 23219, telephone (804) 786-7950, FAX (804) 371-8500, e-mail kwright@dcr.state.va.us.


Board on Conservation and Development of Public Beaches

March 13, 2001 - 10 a.m. -- Open Meeting
Yorktown, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting.

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, e-mail leonapp@dcr.state.va.us.


Virginia Outdoors Plan Technical Advisory Committee

† **March 16, 2001 - 10 a.m.** -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

Discussion and comment on working draft of the 2001 Virginia Outdoors Plan.

Contact: Richard Gibbons, Environmental Program Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326 Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899, e-mail rgibbons@dcr.state.va.us.


Virginia Soil and Water Conservation Board

March 15, 2001 - 9 a.m. -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting.


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, e-mail leonapp@dcr.state.va.us.

BOARD OF CORRECTIONS

March 13, 2001 - 10 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia. 


A meeting of the Liaison Committee to discuss criminal justice matters that may be presented to the full board.

Contact: Barbara Reyes, Executive Secretary, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3288, FAX (804) 674-3509, e-mail reyesbb@vadoc.state.va.us.


March 13, 2001 - 1 p.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia. 


A meeting to discuss correctional services/policy and regulations matters for possible presentation to the full board.

Contact: Barbara Reyes, Executive Secretary, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3288, FAX (804) 674-3509, e-mail reyesbb@vadoc.state.va.us.


March 14, 2001 - 8:30 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Room 3065, Richmond, Virginia. 

A meeting to discuss administrative matters for possible presentation to the full board.

Contact: Barbara Reyes, Executive Secretary, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23227, telephone (804) 674-3288, (804) 674-3509/TTY , e-mail reyesbb@vadoc.state.va.us.

March 14, 2001 - 10 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia. 

A meeting to discuss matters that may be presented to the full board. Public comment will be received.

Contact: Barbara Reyes, Executive Secretary, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3288, (804) 674-3509/TTY , e-mail reyesbb@vadoc.state.va.us.

BOARD OF COUNSELING

April 27, 2001 - 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 Counseling intends to amend regulations entitled: **18 VAC 115-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Calendar of Events

Contact: Evelyn B. Brown, Executive Director, Board of Counseling, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9912.

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March 30, 2001 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 that the Board of Counseling intends to amend regulations entitled: **18 VAC 115-60-10 et seq. Regulations Governing the Licensure of Substance Abuse Treatment Practitioners.** The purpose of the proposed action is to amend fees in accordance with statutory requirements for the board to collect sufficient revenue to cover the expenditures of administering the regulatory program.

Statutory Authority: § 54.1-2400 and Chapter 35 (§ 54.1-3500 et seq.) of Title 54.1 of the Code of Virginia.

Contact: Evelyn Brown, Executive Director, Board of Counseling, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9967, FAX (804) 662-9943, or (804) 662-7197/TTY ☎

CRIMINAL JUSTICE SERVICES BOARD

March 20, 2001 - 10 a.m. -- Open Meeting
Hotel Roanoke, 110 Shenandoah Avenue, N.E., Roanoke, Virginia.

A meeting of the Private Security Services Advisory Board. Public comment will be accepted.

Contact: Judith Kirkendall, Regulatory Coordinator, Department of Criminal Justice Services, Eighth St. Office Bldg., 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 786-8003, FAX (804) 786-0410, e-mail jkirkendall@dcjs.state.va.us.

BOARD OF DENTISTRY

† **March 16, 2001 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A formal administrative hearing to hear possible violations of the regulations governing the practice of dentistry. No public comment will be heard.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, Va 23230, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail mjmill@dhcp.state.va.us.

† **March 16, 2001 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

An informal conference committee will convene to hear possible violations of the regulations governing the practice of dentistry. No public comment will be heard.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail mjmill@dhcp.state.va.us.

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April 27, 2001 - 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 Dentistry intends to amend regulations entitled: **18 VAC 60-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Contact: Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906.

DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

March 19, 2001 - 11 a.m. -- Open Meeting
April 16, 2001 - 11 a.m. -- Open Meeting
† **May 21, 2001 - 11 a.m.** -- Open Meeting
Virginia War Memorial, 621 Belvidere Street, Auditorium, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting to review requests submitted by localities to use design-build or construction management type contracts. Please contact the Division of Engineering and Buildings to confirm meeting.

Contact: Freddie M. Adcock, Administrative Assistant, Department of General Services, 805 E. Broad St., Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY ☎, e-mail fadcock@dgs.state.va.us.

DISABILITY SERVICES COUNCIL

† **March 26, 2001 - 1 p.m.** -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to review the FY 2002 Rehabilitative Services Incentive Fund (RSIF) proposals.

Contact: LaDonna Rogers, Administrative Staff Assistant, Disability Services Council, 8004 Franklin Farms Dr.,

Richmond, VA 23288, telephone (804) 662-7154, toll-free (800) 552-5019, (804) 464-9950/TTY ☎

BOARD OF EDUCATION

March 19, 2001 - 9:30 a.m. -- Open Meeting
Longwood College, Farmville, Virginia. ♿ (Interpreter for the deaf provided upon request)

April 23, 2001 - 9 a.m. -- Open Meeting
Location to be announced. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Advisory Board on Teacher Education and Licensure. Persons requesting services of an interpreter for the deaf should do so in advance. This is a working session, and public comment will not be received.

Contact: Dr. Margaret N. Roberts, Office of Policy, Board of Education, P. O. Box 2120, 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

March 21, 2001 - 9:30 a.m. -- Open Meeting

April 4, 2001 - 9:30 a.m. -- Open Meeting
Location to be announced. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Joint Task Force on the K-12 Teaching Profession in Virginia. Persons requesting services of an interpreter for the deaf should do so in advance. This is a working session, and public comment will not be received.

Contact: Dr. Margaret N. Roberts, Office of Policy, Board of Education, P. O. Box 2120, 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

March 22, 2001 - 9 a.m. -- Open Meeting

General Assembly Building, Capitol Square, 9th and Broad Streets, Senate Room B, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

† **April 26, 2001 - 9 a.m.** -- Open Meeting
Location to be announced. ♿ (Interpreter for the deaf provided upon request)

A regular monthly meeting. Persons may register to speak at the meeting by calling Margaret Roberts. Persons requesting services of an interpreter for the deaf should do so in advance.

Contact: Dr. Margaret N. Roberts, Office of Policy, Department of Education, P.O. Box 2120, 101 N. 14th St., 25th Floor, Richmond, VA 23218, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

March 30, 2001 - 9:30 a.m. -- Open Meeting
Henrico School Board Office, 3820 Nine Mile Road, Richmond, Virginia.

A meeting of the Accountability Advisory Committee. Unless otherwise notified in advance, sessions will be working sessions and public comment will not be received. Persons requesting the services of an interpreter for the deaf should do so in advance.

Contact: Ms. Cam Harris, Department of Education, 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2102, FAX (804) 225-2524.

April 18, 2001 - 9:30 a.m. -- Open Meeting
Crowne Plaza Hotel, Richmond ♿ (Interpreter for the deaf provided upon request)

A meeting of the Uniform Performance Standards Evaluation Committee. Persons requesting services of an interpreter for the deaf should do so in advance. This is a working session, and public comment will not be received.

Contact: Dr. Margaret N. Roberts, Office of Policy, Board of Education, P. O. Box 2120, 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

April 25, 2001 - 9:30 a.m. -- Open Meeting

April 26, 2001 - 9 a.m. -- Open Meeting

April 27, 2001 - 9 a.m. -- Open Meeting
TBA ♿ (Interpreter for the deaf provided upon request)

An annual planning session. Persons requesting services of an interpreter for the deaf should do so in advance. This is a working session, and public comment will not be received.

Contact: Dr. Margaret N. Roberts, Office of Policy, Board of Education, P.O. Box 2120, 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu, homepage <http://www.pen.k12.va.us>.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Ground Water Protection Steering Committee

March 20, 2001 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, 1st Floor, Conference Room, Richmond, Virginia ♿

A regular meeting of the ground water protection steering committee. Anyone interested in ground water protection issues is welcome to attend.

Contact: Mary Ann Massie, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4042, FAX (804) 698-4032, (804) 698-4021/TTY ☎, e-mail mamassie@deq.state.va.us.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

April 27, 2001 - 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 Funeral Directors and Embalmers intends to amend regulations entitled: **18 VAC 30-65-10 et seq. Public Participation Guidelines**. The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process

Calendar of Events

of the board, specifically to be consistent with electronic notifications and submissions.


Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907.

DEPARTMENT OF HEALTH

March 14, 2001 - 10 a.m. -- Open Meeting
Virginia Hospital and Healthcare Association, 4200 Innslake Drive, Glen Allen, Virginia. 

This will be a meeting of interested persons to discuss upcoming amendments to the Regulations for the Certification of Quality Assurance of Managed Care Health Insurance Plan (MCHIP) Licensees.

Contact: Rene Cabral-Daniels, Senior Policy Analyst, Department of Health, 3600 W. Broad St., Suite 216, Richmond, VA 23230, telephone (804) 367-2128, FAX (804) 367-2149, (800) 828-1120/TTY , e-mail rdaniels@vdh.state.va.us.

BOARD OF HEALTH PROFESSIONS

April 17, 2001 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

April 27, 2001 - 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 Health Professions intends to amend regulations entitled: **18 VAC 75-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Contact: Elizabeth A. Carter, Executive Director, Board of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910.

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

March 20, 2001 - 8:30 a.m. -- Open Meeting
Virginia Tech, Blacksburg, Virginia.


Agenda materials will be available on the Web site approximately one week prior to the meeting at www.schev.edu.

Contact: Lee Ann Rung, Assistant to the Executive Director, State Council of Higher Education for Virginia, James Monroe


Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911, e-mail lrung@schev.edu.

DEPARTMENT OF HISTORIC RESOURCES


State Review Board and Historic Resources Board


March 14, 2001 - 10 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia. 


A quarterly meeting to consider (i) nominations to the National Register of Historic Places and the Virginia Landmarks Register, (ii) preliminary information applications, and (iii) highway markers and easements.


Contact: Marc Wagner, Register Manager, Department of Historic Resources, 2801 Kensington Ave., Richmond, VA 23221, telephone (804) 367-2323, FAX (804) 367-2391, (804) 367-2386/TTY 


VIRGINIA HOUSING DEVELOPMENT AUTHORITY

March 13, 2001 - 1 p.m. -- Open Meeting
Martha Washington Inn, 150 West Main Street, Abingdon, Virginia. 

March 14, 2001 - 1 p.m. -- Open Meeting
Clarion Airport Hotel, 2727 Ferndale Drive, N.W., Roanoke, Virginia. 

March 22, 2001 - 1 p.m. -- Open Meeting
Best Western Hotel, 911 East Atlantic Street, U.S. Route 58 at I-85, South Hill, Virginia. 

March 28, 2001 - 1 p.m. -- Open Meeting
Crown Plaza Hotel, 555 East Canal Street, Richmond, Virginia. 

March 29, 2001 - 1 p.m. -- Open Meeting
Best Western Battlefield Inn, 10820 Balls Ford Road, I-66 and Sudley Road, Manassas, Virginia. 

April 3, 2001 - 1 p.m. -- Open Meeting
Marriott Waterside Hotel, 235 East Main Street, Norfolk, Virginia.

April 4, 2001 - 1 p.m. -- Open Meeting
ESO Center, 15293 King Street, Belle Haven, Virginia.

The Board of Commissioners and staff of the Virginia Housing Development Authority (VHDA) and the Virginia Department of Housing and Community Development (DHCD) will hold a series of nine regional forums in locations across the state. These forums will provide opportunities for broad public input into an assessment of housing needs in the Commonwealth and the variation in those needs in different regions. Public comments will be received throughout the scheduled times of the forums. The needs assessment is being undertaken by VHDA and DHCD at the direction of Virginia Secretary of Commerce and Trade. A needs assessment report is to be completed in late spring 2001.

Contact: J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 South Belvidere St., Richmond, VA 23220, telephone (804) 343-5540, FAX (804) 783-6701, toll-free (800) 968-7837, (804) 783-6705/TTY ☎

† **March 28, 2001 - 9 a.m.** -- Open Meeting
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia. ♿

A regular meeting of the Board of Commissioners to review and, if appropriate, (i) 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 they may deem appropriate. Various committees of the Board of Commissioners may also meet during the day preceding the regular meeting and before and after the regular meeting and may 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 23220, telephone (804) 343-5540, FAX (804) 783-6701, toll-free (800) 968-7837, (804) 783-6705/TTY ☎

DEPARTMENT OF LABOR AND INDUSTRY

Virginia Apprenticeship Council

March 15, 2001 - 10 a.m. -- Open Meeting
New Horizons Regional Education Center, 520 Butler Farm Road, Hampton, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting.

Contact: Beverly Donati, Assistant Program Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail bgd@doli.state.va.us.

Safety and Health Codes Board

April 23, 2001 - 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.

Contact: Regina P. Cobb, Agency Management Analyst Senior, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-0610, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail rpc@doli.state.va.us.

LIBRARY BOARD

March 19, 2001 - 8:15 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿

A meeting to discuss matters pertaining to The Library of Virginia and the Library Board. Committees of the board will meet as follows:

8:15 a.m. -- Public Library Development Committee, Orientation Room
Publications and Educational Services Committee, Conference Room B
Records Management Committee, Conference Room C

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

10:30 a.m. The full board will meet in the Conference Room on 2M.

Public comments will be received at approximately 11 a.m.

Contact: Jean H. Taylor, Executive Secretary to the Librarian of Virginia, The Library of Virginia, Richmond, VA 23219, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY ☎, e-mail jtaylor@lva.lib.va.us.

COMMISSION ON LOCAL GOVERNMENT

March 12, 2001 - 10 a.m. -- Open Meeting
Pocahontas Building, 900 East Main Street, Suite 103, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting to consider matters as presented.

Contact: Barbara Bingham, Administrative Assistant, Commission on Local Government, Pocahontas Bldg., 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.

LONGWOOD COLLEGE

March 23, 2001 - 7:30 a.m. -- Open Meeting
Longwood College, Dining Hall Tea Room, 201 High Street, Farmville, Virginia. ♿

A meeting of the Executive Committee to conduct committee business.

Contact: Jeanne Hayden, Administrative Staff Assistant, Longwood College, 201 High St., Farmville, VA 23909, telephone (804) 395-2004, e-mail jhayden@longwood.lwc.edu.

March 23, 2001 - 9 a.m. -- Open Meeting
Longwood College, Lancaster 215, 201 High Street, Farmville, Virginia. ♿

Calendar of Events

A meeting to conduct routine committee business of the following committees:

Academic and Student Affairs Committee - 9 a.m.

Administration, Finance and Facilities Committee - 1 p.m.

Audit Committee - 11:30 a.m.

Institutional Advancement Committee - 2:45 p.m.

Contact: Jeanne Hayden, Administrative Staff Assistant, Longwood College, 201 High St., Farmville, VA 23909, telephone (804) 395-2004, e-mail jhayden@longwood.lwc.edu.

March 24, 2001 - 9 a.m. -- Open Meeting
Longwood College, Lancaster 215, 201 High St., Farmville, Virginia. ☎

A meeting to conduct routine business of the Board of Visitors.

Contact: Jeanne Hayden, Administrative Staff Assistant, Longwood College, 201 High St., Farmville, VA 23909, telephone (804) 395-2004, e-mail jhayden@longwood.lwc.edu.

MARINE RESOURCES COMMISSION

March 20, 2001 - 9:30 a.m. -- Open Meeting
† **April 24, 2001 - 9:30 a.m.** -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia. ☎

A monthly meeting.

Contact: LaVerne Lewis, Commission Secretary, Marine Resources Commission, 2600 Washington Ave., Newport News, VA 23607, telephone (757) 247-2261, FAX (757) 247-2020, toll-free (800) 541-4646, (757) 247-2292/TTY ☎, e-mail llewis@mrc.state.va.us.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

March 30, 2001 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled: **12 VAC 30-50-10 et seq., Amount, Duration and Scope of Medical and Remedial Care Services, 12 VAC 30-80-10 et seq., Methods and Standards for Establishing Payment Rates--Other Types of Care, and 12 VAC 30-120-10 et seq. Waivered Services (Individual and Family Developmental Disability Support Waiver).** The purpose of the proposed amendments is to establish the program and provider requirements, service limitations and coverage, and recipient eligibility standards for the new DMAS program entitled Individual and Family Developmental Disability Support Waiver.

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

Public comments may be submitted until March 30, 2001, to Karen Lawson, Analyst, Division of Long-Term Care, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-1680.

March 30, 2001 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled: **12 VAC 30-90-10 et seq. Methods and Standards for Establishing Payment Rates--Long-Term Care (2000 Nursing Home Payment System).** The purpose of the proposed amendments is to implement increased payments for operating costs and implement a new capital payment methodology (Fair Rental Value), both of which are authorized by the 2000 Appropriation Act.

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

Public comments may be submitted until March 30, 2001, to Stan Fields, Director, Cost Settlement and Audit Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-1680.

April 27, 2001 -- Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to adopt and amend regulations entitled:

12 VAC 30-10-10 et seq. State Plan Under Title XIX of the Social Security Act Medical Assistance Program; General Provisions.

12 VAC 30-20-10 et seq. Administration of Medical Assistance Services.

12 VAC 30-70-10 et seq. Methods and Standards for Establishing Payment Rates; Inpatient Hospital Care.

12 VAC 30-90-10 et seq. Methods and Standards for Establishing Payment Rates for Long-Term Care.

These proposed amendments establish the time frames necessary for the implementation of the statutory deadlines for the completion of both informal and formal appeals as required by HB 892 (2000).

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

Public comments may be submitted until April 27, 2001, to Martha Smith, Director, Appeals Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854 or FAX (804) 371-4981.

BOARD OF MEDICINE


April 6, 2001 - 9 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

April 27, 2001 - 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 85-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908.

† **April 6, 2001 - 8 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia 

The Executive Committee will adopt proposed and final regulations and consider other business as may be presented on the agenda.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail wharp@dhp.state.va.us.

Informal Conference Committee

March 15, 2001 - 10 a.m. -- Open Meeting
Wyndham Hotel, 2801 Hershberger Road, Roanoke, Virginia.


April 5, 2001 - 9 a.m. -- Open Meeting
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia.

March 22, 2001 - 9 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.

April 6, 2001 - 1 p.m. -- Open Meeting

April 11, 2001 - 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 of the Code of Virginia. Public comment will not be received.


Contact: Peggy Sadler or Renee Dixson, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY 

† **April 25, 2001 - 10 a.m.** -- Open Meeting
Martha Washington Inn, 150 West Main Street, Abingdon, Virginia.

A formal administrative hearing will be held pursuant to §§ 9-6.14:12 and 54.1-2400 of the Code of the Virginia to inquire into allegations that a practitioner may have violated laws governing the practice of medicine. The panel 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: Peggy Sadler/Renee Dixson, Staff, Board of Medicine, 6606 West Broad Street, Richmond, VA, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY , e-mail PSadler@dhp.state.va.us.

MOTOR VEHICLE DEALER BOARD

March 12, 2001 - 9 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Committees will meet as follows:

Dealer Practices Committee - 9 a.m.

Franchise Law Committee - 10 a.m.

Licensing Committee - 10:45 a.m.


Transaction Recovery Fund Committee - 1:30 p.m.

Advertising Committee - 2:15 p.m.

Personnel Committee - 3 p.m.

Meetings may begin later, but not earlier than scheduled. Meeting end times are approximate. Any person who needs any accommodation in order to participate in the meeting should contact the board at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100, FAX (804) 367-1053, toll-free (877) 270-0203, e-mail dboard@mvb.state.va.us.

March 13, 2001 - 8:30 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Finance Committee will be held at 8:30 a.m. The full board will meet at 9:30 a.m. Meetings may begin later, but not earlier than scheduled. Meeting end times are approximate. Any person who needs any

Calendar of Events

accommodation in order to participate in the meeting should contact the board at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100, FAX (804) 367-1053, toll-free (877) 270-0203, e-mail dboard@mvb.state.va.us.

VIRGINIA MUSEUM OF FINE ARTS

† **April 3, 2001 - 8 a.m.** -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main Lobby Conference Room, Richmond, Virginia. ♿

A monthly meeting for staff to brief Executive Committee. Public comment will not be received.

Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, Virginia, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ♿, e-mail sbroyles@vmfa.state.va.us.

BOARD OF NURSING

March 19, 2001 - 8:30 a.m. -- Open Meeting
March 21, 2001 - 8:30 a.m. -- Open Meeting
March 22, 2001 - 8:30 a.m. -- Open Meeting
May 21, 2001 - 8:30 a.m. -- Open Meeting
May 23, 2001 - 8:30 a.m. -- Open Meeting
May 24, 2001 - 8:30 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A panel of the board will conduct formal hearings with licensees and/or certificate holders. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ♿, e-mail nursebd@dhp.state.va.us.

March 20, 2001 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

The board will conduct a general business meeting including items related to the regulation and discipline of nurses and massage therapists and other matters as may be presented on the agenda.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ♿, e-mail ndurrett@dhp.state.va.us.
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

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March 20, 2001 - 3 p.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

April 27, 2001 - 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 90-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 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.

Special Conference Committee

April 5, 2001 - 8:30 a.m. -- Open Meeting
April 17, 2001 - 8:30 a.m. -- Open Meeting
April 18, 2001 - 8:30 a.m. -- Open Meeting
April 19, 2001 - 8:30 a.m. -- Open Meeting
April 23, 2001 - 8:30 a.m. -- Open Meeting
April 24, 2001 - 8:30 a.m. -- Open Meeting
† **June 5, 2001 - 8:30 a.m.** -- Open Meeting
† **June 12, 2001 - 8:30 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Rooms 3 and 4, Richmond, Virginia. ♿

A Special Conference Committee, comprised of two or three members of the Virginia Board of Nursing, will conduct informal conferences with licensees or certificate holders. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ♿, e-mail nursebd@dhp.state.va.us.

BOARD OF NURSING HOME ADMINISTRATORS


April 11, 2001 - 10:30 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.

April 27, 2001 - 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 Home Administrators intends to amend regulations entitled: **18 VAC 95-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Contact: Marcia J. Miller, Executive Director, Board of Nursing Home Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-7457.

† **April 20, 2001 - 10:40 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. 


The board will conduct a general business meeting and will consider such items as may be presented on the agenda.

Contact: Marcia J. Miller, Executive Director, Board of Nursing Home Administrators, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-7457, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail mjmiller@dhp.state.va.us.

OLD DOMINION UNIVERSITY

March 19, 2001 - 3 p.m. -- Open Meeting


May 14, 2001 - 3 p.m. -- Open Meeting

Old Dominion University, Webb University Center, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting of the executive committee of the governing board of the institution to discuss business of the board and the institution as determined by the rector and the president.

Contact: Donna Meeks, Assistant to the Vice President for Administration and Finance, Old Dominion University, 225 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

April 12, 2001 - 2:30 p.m. -- Open Meeting

Old Dominion University, Webb University Center, Norfolk, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly meeting of the governing board of the institution to discuss business of the board and the institution as determined by the rector and the president.

Contact: Donna Meeks, Assistant to the Vice President for Administration and Finance, Old Dominion University, 225 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

BOARD OF OPTOMETRY

April 27, 2001 - 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 Optometry intends to amend regulations entitled: **18 VAC 105-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Contact: Elizabeth A. Carter, Executive Director, Board of Optometry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910.

BOARD OF PHARMACY

April 27, 2001 - 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 Pharmacy intends to amend regulations entitled: **18 VAC 110-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.


Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911.

BOARD OF PHYSICAL THERAPY


† **March 16, 2001 - 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/Regulatory Committee to consider regulatory actions resulting from legislation passed in the 2001 Session of the General Assembly and any other related issues as may be presented.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Physical Therapy, Southern States Bldg. 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail etisdale@dhp.state.va.us.

† **March 16, 2001 - 10 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 

A meeting to consider regulatory and disciplinary matters, including the adoption of proposed regulations for public participation and any other items as may be placed on the agenda.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Physical Therapy, Southern States Bldg. 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail etisdale@dhp.state.va.us.

Calendar of Events

POLYGRAPH EXAMINERS ADVISORY BOARD

March 14, 2001 - 9:30 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 any board business. Persons desiring
to participate in the meeting and requiring special
accommodations or interpretative services should contact
the department at least 10 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: 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, (804) 367-9753/TTY, e-mail
polygraph@dpor.state.va.us.

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

March 12, 2001 - 10 a.m. -- Open Meeting
Department of Profession and Occupational Regulation, 3600
West Broad Street, Richmond, Virginia.

A general board meeting.

Contact: Judith A. Spiller, Executive Secretary, Department
of Professional and Occupational Regulation, 3600 W. Broad
St., Richmond, VA 23230, telephone (804) 367-8519, FAX
(804) 367-9537.

BOARD OF PSYCHOLOGY

† **March 13, 2001 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 1, Richmond, Virginia.

The board will conduct a general business meeting
including items related to the regulation and discipline of
psychologists.

Contact: Evelyn B. Brown, Executive Director, Board of
Psychology, Southern States Bldg., 6606 W. Broad St., 4th
Floor, Richmond, VA 23230-1717, telephone (804) 662-9913,
FAX (804) 662-9943, (804) 662-7197/TTY, e-mail
ebrown@dhp.state.va.us.

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March 30, 2001 - Public comments may be submitted until
this date.

Notice is hereby given in accordance with § 9-6.14:7.1 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 establish continuing education
requirements for licensure renewal and an inactive status
for licensed individuals who are not actively practicing
psychology in Virginia.

Statutory Authority: §§ 54.1-2400 and 54.1-3606.1 of the
Code of Virginia.

Contact: Evelyn Brown, Executive Director, Board of
Psychology, 6606 W. Broad St., 4th Floor, Richmond, VA
23230, telephone (804) 662-9967, FAX (804) 662-9943, or
(804) 662-7197/TTY.

NOTE: CHANGE IN MEETING DATE

April 24, 2001 - 10 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 1, Richmond, Virginia.

The board will conduct a general business meeting
including items related to the regulation and discipline of
psychologists.

Contact: Evelyn B. Brown, Executive Director, Board of
Psychology, Southern States Bldg., 6606 W. Broad St., 4th
Floor, Richmond, VA 23230-1717, telephone (804) 662-9913,
FAX (804) 662-9943, (804) 662-7197/TTY, e-mail
ebrown@dhp.state.va.us.

VIRGINIA RESOURCES AUTHORITY

March 13, 2001 - 9 a.m. -- Open Meeting
Virginia Resources Authority, Eighth and Main Building, 707
East Main Street, Second Floor Conference Room,
Richmond, Virginia.

A regular meeting of the Board of Directors to (i) review
and, if appropriate, approve the minutes from the most
recent monthly meeting; (ii) review the authority's
operations for the prior month; (iii) review applications for
loans submitted to the authority for approval; (iv) consider
loan commitments for approval and ratification under its
various programs; (v) approve the issuance of any bonds;
(vi) review the results of any bond sales; and (vii) consider
such other matters and take such other actions as it may
deem appropriate. Various committees of the Board of
Directors may also meet immediately before or after the
regular meeting and consider matters within their purview.
The planned agenda of the meeting and any committee
meetings will be available at the offices of the authority one
week prior to the date of the meeting. Any person who
needs any accommodation in order to participate in the
meeting should contact the authority at least 10 days before
the meeting so that suitable arrangements can be made.

Contact: Benjamin M. Hoyle, Executive Assistant, Virginia
Resources Authority, 707 E. Main St., Suite 1350, Richmond,
VA 23219, telephone (804) 644-3100, FAX (804) 644-3109,
e-mail bhoyle@vra.state.va.us.


SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

April 11, 2001 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate
Room B, Richmond, Virginia.

A meeting to hear appeals of health department denials of
applications for permits to construct a septic system.

Contact: Susan Sherertz, Board Secretary, Department of Health, P.O. Box 2448, Room 115, Richmond, VA 23185, telephone (804) 371-4236, FAX (804) 225-4003, e-mail ssherertz@vdh.state.va.us.


VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† **March 27, 2001 - 10 a.m.** -- Open Meeting
Department of Business Assistance, 707 E. Main Street, 3rd Floor, Board Room, Richmond, Virginia. 


A meeting of the Board of Directors to review applications for loans submitted to the authority for approval and general business of the board. Meeting time is subject to change depending upon the agenda of the board.

Contact: Cathleen M. Surface, Executive Director, Department of Business Assistance, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8254, FAX (804) 225-3384, e-mail csurface@dba.state.va.us.

BOARD OF SOCIAL WORK

† **March 16, 2001 - 10 a.m.** -- Open Meeting
Department of Health Professions 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

The Discipline Committee will convene for an informal conference to hear possible violations of the regulations and laws governing the practice of social work. No public comment will be heard.

Contact: Rai Minor, Administrative Assistant, Board of Social Work, 6606 W. Broad St., 4th Floor Richmond, Virginia 23230-1717, telephone (804) 662-9914, FAX (804) 662-7250, (804) 662-7197/TTY , e-mail bsw@dhp.state.va.us, homepage <http://www.dhp.state.va.us>.

April 27, 2001 - 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 Social Work intends to amend regulations entitled: **18 VAC 140-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Contact: Evelyn B. Brown, Executive Director, Board of Social Work, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9914.


COUNCIL ON TECHNOLOGY SERVICES

May 17, 2001 - 9 a.m. -- Open Meeting
Mary Washington College, Fredericksburg, Virginia.


A regular meeting.

Contact: Janice Akers, Department of Technology Planning, 1100 Bank St., Room 901, Richmond, VA 23219, telephone (804) 786-1434, FAX (804) 371-7952, e-mail jakers@egov.state.va.us.

VIRGINIA TOURISM AUTHORITY

† **March 13, 2001 - 10 a.m.** -- Open Meeting
Department of Economic Development, Riverfront Plaza, 901 East Byrd Street, West Tower, 19th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss tourism goals, a report on the status of welcome centers and rest areas, and a prototype business plan. Public comment will be taken at the end of the meeting.

Contact: Winston Evans, Administrative Assistant, Virginia Tourism Authority, 901 E. Byrd St., Riverfront Plaza, West Tower, 19th Floor, Richmond, VA 23219, telephone (804) 371-8174, FAX (804) 786-1919, (804) 371-0327/TTY , e-mail wevans@virginia.org.

COMMONWEALTH TRANSPORTATION BOARD

March 14, 2001 - 2 p.m. -- Open Meeting
Department of Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. 

A work session of the Commonwealth Transportation Board and the Department of Transportation staff.

Contact: Cathy M. Ghidotti, Assistant Secretary to the Board, Commonwealth Transportation Board, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675, FAX (804) 786-6683, e-mail ghidotti_cm@vdot.state.va.us.

March 15, 2001 - 10 a.m. -- Open Meeting
Department of Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. 

A monthly meeting 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 public 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 VDOT Public Affairs at (804) 786-2715 for schedule.

Contact: Cathy M. Ghidotti, Assistant Secretary to the Board, Commonwealth Transportation Board, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675, FAX (804) 786-6683, e-mail ghidotti_cm@vdot.state.va.us.

Calendar of Events

BOARD OF VETERINARY MEDICINE

April 27, 2001 - 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 Veterinary Medicine intends to amend regulations entitled: **18 VAC 150-10-10 et seq. Public Participation Guidelines.** The purpose of the proposed amendments is to update the guidelines for public participation in the regulatory process of the board, specifically to be consistent with electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 of the Code of Virginia.

Contact: Elizabeth A. Carter, Executive Director, Board of Veterinary Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9915.

VIRGINIA WAR MEMORIAL FOUNDATION

† **April 3, 2001 - 12 p.m.** -- Open Meeting
Virginia War Memorial, 621 South Belvidere Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular quarterly meeting of the Board of Trustees. Comments from general public will be accepted at the conclusion of the meeting.

Contact: Sandra H. Williams, Associate Director, Department of General Services, 621 S. Belvidere St., Richmond, VA 23220, telephone (804) 786-2060, FAX (804) 786-6652, (804) 786-6152/TTY ☎, e-mail swilliams@vawarmemorial.state.va.us.

VIRGINIA WASTE MANAGEMENT BOARD

March 16, 2001 - 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 Waste Management Board intends to amend regulations entitled: **9 VAC 20-70-10 et seq. Financial Assurance Regulations for Solid Waste Facilities.** The proposed amendments will incorporate statutory changes, update provisions to maintain consistency with federal regulations and require submittal of documentation to verify that financial assurance mechanisms are funded to required amounts.

Statutory Authority: §§ 10.1-1402 and 10.1-1410 of the Code of Virginia.

Contact: Melissa Porterfield, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4238.

STATE WATER CONTROL BOARD

April 13, 2001 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled: **9 VAC 25-430-10 et seq. Roanoke River Basin Water Quality Management Plan.** The proposed amendments increase the BOD₅ allocations in the plan for the Chase City Municipal Sewage Treatment Plant.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Contact: Kyle Winter, Department of Environmental Quality, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5048, FAX (804) 527-5106 or (804) 698-4021/TTY ☎

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March 29, 2001 - 4 p.m. -- Public Hearing
Staunton City Council Chambers, 116 West Beverley Street, Staunton, Virginia.

April 2, 2001 - 6 p.m. -- Public Hearing
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.

April 3, 2001 - 6 p.m. -- Public Hearing
Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, Virginia.

April 5, 2001 - 6 p.m. -- Public Hearing
Chesapeake City Council Chambers, 306 Cedar Road, Chesapeake, Virginia.

April 27, 2001 -- Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled: **9 VAC 25-210-10 et seq. Virginia Water Protection Permit Program Regulation.** The proposed amendments incorporate changes to the Code of Virginia passed by the 2000 General Assembly relating to wetlands.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to adopt regulations entitled: **9 VAC 25-660-10 et seq. Virginia Water Protection General Permit for Impacts of Less than One-Half Acre of an Acre.** The proposed regulation establishes general permit requirements for activities resulting in impacts to wetlands of less than one-half of an acre.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to adopt regulations entitled: **9 VAC 25-670-10 et seq. Virginia Water Protection General Permit for Facilities and Activities of Utilities and Public Service Companies Regulated by the Federal Energy Regulatory Commission or the State Corporation Commission and Other Utility Line Activities.** The proposed regulation establishes general permit

requirements for impact to wetlands resulting from the activities of utility projects.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to adopt regulations entitled: **9 VAC 25-680-10 et seq. Virginia Water Protection General Permit for Linear Transportation Projects.** The proposed regulation establishes general permit requirements for impact to wetlands resulting from the construction and operation of linear transportation projects.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to adopt regulations entitled: **9 VAC 25-690-10 et seq. Virginia Water Protection General Permit for Impacts from Development Activities.** The proposed regulation establishes general permit requirements for impacts to wetlands from development activities.

Statutory Authority: §§ 62.1-44.15 and 62.1-44.15:5 of the Code of Virginia.

Contact: Ellen Gilinsky, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4375, FAX (804) 698-4032 or (804) 698-4021/TTY ☎

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

† **March 22, 2001 - 8:30 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, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, Virginia 23230, telephone (804) 367-2648, FAX (804) 367-6128, (804) 367-9753/TTY ☎, e-mail waterwasteoper@dpor.state.va.us.

VIRGINIA WORKFORCE COUNCIL

March 14, 2001 - 10 a.m. -- Open Meeting
Lewis Ginter Botanical Gardens, 1800 Lakeside Avenue, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the council to discuss the revised WIA five-year strategic state plan, the Governor's 30% discretionary youth/adult allocations, FY 2002 hold harmless allocation, the Workforce Training Access Program and Fund, and economic/social policy issues.

Contact: Gail Robinson, Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 225-2190.

INDEPENDENT

VIRGINIA RETIREMENT SYSTEM

March 14, 2001 - 3 p.m. -- Open Meeting
May 16, 2001 - 3 p.m. -- Open Meeting
Virginia Retirement System Headquarters, 1200 East Main Street, Richmond, Virginia. ♿

A regular meeting of the following committees:
Audit and Compliance Committee - 3 p.m.
Benefits and Actuarial Committee - 3 p.m.
Investment Advisory Committee - 3 p.m.

Contact: Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail dglazier@vrs.state.va.us.

March 15, 2001 - 9 a.m. -- Open Meeting
May 17, 2001 - 9 a.m. -- Open Meeting
Virginia Retirement System Headquarters, 1200 East Main Street, Richmond, Virginia. ♿

A regular meeting of the Board of Trustees.

Contact: Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail dglazier@vrs.state.va.us.

May 17, 2001 - 8 a.m. -- Open Meeting
Virginia Retirement System Headquarters, 1200 East Main Street, Richmond, Virginia. ♿

The regular meeting of the Virginia Retirement System's Administration and Personnel Committee.

Contact: Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail dkestner@vrs.state.va.us.

LEGISLATIVE

ADMINISTRATIVE LAW ADVISORY COMMITTEE

March 14, 2001 - 10:30 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, 6th Floor, Speaker's Conference Room, Richmond, Virginia. ♿

A meeting of the subcommittee studying the hearing officer system as it relates to appeals of special education decisions.

Contact: Bess Hodges, Program Coordinator, Division of Legislative Services, 910 Capitol Street, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625, e-mail bhodges@leg.state.va.us.

Calendar of Events

VIRGINIA CODE COMMISSION

† **March 26, 2001 - 12:30 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets,
Richmond, Virginia. ☎

A meeting to discuss publication of the Code of Virginia. Portions of the meeting may be held in executive session pursuant to § 9-77.8 B of the Code of Virginia. A period for public comment will not be scheduled at this meeting.

Contact: Jane Chaffin, Registrar of Regulations, General Assembly Bldg, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625, e-mail jchaffin@leg.state.va.us.

VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

March 14, 2001 - 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.

Contact: Maria J.K. Everett, Executive Director, Virginia Freedom of Information Advisory Council, General Assembly Building, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 225-3056, FAX (804) 371-0169, toll-free (866) 448-4100, e-mail meverett@leg.state.va.us.

CHRONOLOGICAL LIST

OPEN MEETINGS

March 12

Local Government, Commission on
Motor Vehicle Dealer Board
- Advertising Committee
- Dealer Practices Committee
- Franchise Law Committee
- Licensing Committee
- Personnel Committee
- Transaction Recovery Fund Committee
Professional and Occupational Regulation, Board for

March 13

Agriculture and Consumer Services, Department of
- Virginia State Apple Board
Alcoholic Beverage Control Board
† Asbestos and Lead, Virginia Board for
Conservation and Recreation, Department of
- Chippokes Plantation Farm Foundation Board of Trustees
- Board of Conservation and Development of Public Beaches
Corrections, Board of
- Correctional Services/Policy and Regulations Committee
- Liaison Committee
Housing Development Authority, Virginia

Motor Vehicle Dealer Board
- Finance Committee
Psychology, Board of
Resources Authority, Virginia
† Tourism Authority, Virginia
- Board of Directors

March 14

Administrative Law Advisory Committee
- Subcommittee Studying Hearing Officer System
† Asbestos and Lead, Virginia Board for
† Aviation Board, Virginia
† Conservation and Recreation, Department of
- Chippokes Plantation Farm Foundation Board of Trustees
Corrections, Board of
- Administration Committee
Freedom of Information Advisory Council, Virginia
Health, Department of
- MCHIP Advisory Board
Historic Resources, Department of
- State Review Board and Historic Resources Board
Housing Development Authority, Virginia
Polygraph Examiners Advisory Board
Retirement System, Virginia
Transportation Board, Commonwealth
Workforce Council, Virginia

March 15

Agriculture and Consumer Services, Department of
Conservation and Recreation, Department of
- Soil and Water Conservation Board
Labor and Industry, Department of
- Virginia Apprenticeship Council
Medicine, Board of
- Informal Conference Committee
Retirement System, Virginia
Transportation Board, Commonwealth

March 16

† Agriculture and Consumer Services, Department of
- Virginia Peanut Board
Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
† Conservation and Recreation, Department of
- Virginia Outdoors Plan Technical Advisory Committee
† Dentistry, Board of
- Informal Conference Committee
† Physical Therapy, Board of
- Legislative/Regulatory Committee
† Social Work, Board of
- Special Conference Committee

March 19

Chesapeake Bay Local Assistance Board
Design-Building/Construction Management Review Board
Education, Board of
- Advisory Board of Teacher Education and Licensure
Library Board
- Archival and Information Services Committee
- Collection Management Services Committee
- Legislative and Finance Committee
- Public Library Development Committee
- Publications and Educational Services Committee
- Records Management Committee

Nursing, Board of
Old Dominion University
- Board of Visitors Executive Committee

March 20

Criminal Justice Services Board
- Private Security Services Board
Environmental Quality, Department of
- Ground Water Protection Steering Committee
Higher Education for Virginia, State Council of
Marine Resources Commission
Nursing, Board of

March 21

Alzheimer's Disease and Related Disorders Commission
Education, Board of
- Joint Task Force on the K-12 Teaching Profession in Virginia
† Community Colleges, State Board for
- Academic and Student Affairs Committee
- Audit Committee
- Budget and Finance Committee
- Facilities and Personnel Committee
Nursing, Board of

March 22

† Community Colleges, State Board for
Education, Board of
Housing Development Authority, Virginia
Medicine, Board of
- Informal Conference Committee
Nursing, Board of
† Waterworks and Wastewater Works Operators, Board for

March 23

Longwood College
- Academic and Student Affairs Committee
- Administration, Finance and Facilities Committee
- Audit Committee
- Executive Committee
- Institutional Advancement Committee

March 24

† Audiology and Speech-Language Pathology, Board of
Conservation and Recreation, Department of
- Virginia Cave Board
Longwood College
- Board of Visitors

March 26

Agricultural Council, Virginia
† Code Commission, Virginia
† Disability Services Council

March 27

Agricultural Council, Virginia
† Small Business Financing Authority, Virginia
- Board of Directors

March 28

At-Risk Youth and Families, Comprehensive Services for
- State Executive Council
† Housing Development Authority, Virginia

March 29

Air Pollution Control Board, State
Department of Environmental Quality
Housing Development Authority, Virginia

March 30

Education, Board of
- Accountability Advisory Committee

April 3

Housing Development Authority, Virginia
† Museum of Fine Arts, Virginia
- Executive Committee
† War Memorial Foundation, Virginia
- Board of Trustees

April 4

Education, Board of
- Joint Task Force on the K-12 Teaching Profession in Virginia
Housing Development Authority, Virginia

April 5

Medicine, Board of
- Informal Conference Committee
Nursing, Board of
- Special Conference Committee

April 6

Art and Architectural Review Board
Medicine, Board of
- Executive Committee
- Informal Conference Committee

April 11

Medicine, Board of
- Informal Conference Committee
Sewage Handling and Disposal Appeal Review Board

April 12

† Agriculture and Consumer Services, Department of
- Virginia Charity Food Assistance Advisory Board
Old Dominion University

April 16

Design-Build/Construction Management Review Board

April 17

Blind and Vision Impaired, Department for the
Nursing, Board of
- Special Conference Committee

April 18

Education, Board of
- Uniform Performance Standards Evaluation Committee
Nursing, Board of
- Special Conference Committee

April 19

Nursing, Board of
- Special Conference Committee

April 20

† Nursing Home Administrators, Board of

April 23

Education, Board of
- Advisory Board on Teacher Education and Licensure
Labor and Industry, Department of
- Safety and Health Codes Board
Nursing, Board of
- Special Conference Committee

April 24

† Accountancy, Board of
† Marine Resources Commission
Nursing, Board of
- Special Conference Committee
Psychology, Board of

April 25

At-Risk Youth and Families, Comprehensive Services for
- State Executive Council

Calendar of Events

Education, Board of
Medicine, Board of
- Informal Conference Committee

April 26

Education, Board of

April 27

Education, Board of

May 4

Art and Architectural Review Board

May 14

Old Dominion University
- Executive Committee

May 16

Retirement System, Virginia
- Audit and Compliance Committee
- Benefits and Actuarial Committee
- Investment Advisory Committee

May 17

† Asbestos and Lead, Virginia Board for
Retirement System, Virginia
Technology Services, Council on

May 21

Nursing, Board of

May 23

Nursing, Board of

May 24

Nursing, Board of

June 1

† Art and Architectural Review Board

PUBLIC HEARINGS

March 20

Audiology and Speech-Language Pathology, Board of
Nursing, Board of

March 29

Water Control Board, State

April 2

Water Control Board, State

April 3

Water Control Board, State

April 5

Water Control Board, State

April 6

Medicine, Board of

April 11

Nursing Home Administrators, Board of

April 17

Health Professions, Board of

May 3

Air Pollution Control Board, State