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# CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 2004 VAC Supplement includes final regulations published through *Virginia Register* Volume 20, Issue 11, dated February 9, 2004). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 1. Administration</b>			
1 VAC 55-20-10	Repealed	20:20 VA.R. 2159	7/16/04
1 VAC 55-20-20	Amended	20:20 VA.R. 2159	7/16/04
1 VAC 55-20-30	Amended	20:20 VA.R. 2159	7/16/04
1 VAC 55-20-40	Amended	20:20 VA.R. 2159	7/16/04
1 VAC 55-20-50	Repealed	20:20 VA.R. 2159	7/16/04
1 VAC 55-20-60 through 1 VAC 55-20-90	Amended	20:20 VA.R. 2159-2161	7/16/04
1 VAC 55-20-110	Amended	20:20 VA.R. 2161	7/16/04
1 VAC 55-20-120	Repealed	20:20 VA.R. 2161	7/16/04
1 VAC 55-20-130	Amended	20:20 VA.R. 2161	7/16/04
1 VAC 55-20-160	Amended	20:20 VA.R. 2161	7/16/04
1 VAC 55-20-210	Amended	20:20 VA.R. 2161	7/16/04
1 VAC 55-20-230 through 1 VAC 55-20-260	Amended	20:20 VA.R. 2161-2162	7/16/04
1 VAC 55-20-280	Amended	20:20 VA.R. 2162	7/16/04
1 VAC 55-20-290	Amended	20:20 VA.R. 2162	7/16/04
1 VAC 55-20-300	Amended	20:20 VA.R. 2162	7/16/04
1 VAC 55-20-320 through 1 VAC 55-20-410	Amended	20:20 VA.R. 2162-2164	7/16/04
1 VAC 55-20-420	Repealed	20:20 VA.R. 2164	7/16/04
1 VAC 55-20-430	Amended	20:20 VA.R. 2164	7/16/04
1 VAC 55-20-450	Amended	20:20 VA.R. 2164	7/16/04
1 VAC 55-20-460	Amended	20:20 VA.R. 2164	7/16/04
1 VAC 55-20 (Forms)	Amended	20:20 VA.R. 2164	--
1 VAC 75-40-10 through 1 VAC 75-40-60	Added	20:25 VA.R. 3082	9/22/04
<b>Title 2. Agriculture</b>			
2 VAC 5-440-10 through 2 VAC 5-440-60	Amended	20:12 VA.R. 1471-1474	3/25/04
2 VAC 5-440-80	Repealed	20:12 VA.R. 1474	3/25/04
2 VAC 5-440-90	Repealed	20:12 VA.R. 1474	3/25/04
2 VAC 5-440 (Forms)	Amended	20:12 VA.R. 1474	--
2 VAC 20-30	Erratum	20:25 VA.R. 3111	--
2 VAC 20-30-20	Amended	20:23 VA.R. 2541	8/26/04
2 VAC 20-30-30	Amended	20:23 VA.R. 2541	8/26/04
2 VAC 20-30-40	Amended	20:23 VA.R. 2541	8/26/04
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 5-36-20	Amended	20:13 VA.R. 1604	4/7/04
4 VAC 5-36-50 through 4 VAC 5-36-150	Amended	20:13 VA.R. 1604-1621	4/7/04
4 VAC 5-36-170 through 4 VAC 5-36-210	Amended	20:13 VA.R. 1621-1632	4/7/04
4 VAC 5-36-220	Added	20:13 VA.R. 1632	4/7/04
4 VAC 15-50-81	Amended	20:23 VA.R. 2542	8/25/04
4 VAC 15-50-91	Amended	20:23 VA.R. 2543	8/25/04
4 VAC 15-90-231	Amended	20:23 VA.R. 2543	8/25/04
4 VAC 15-90-241	Amended	20:23 VA.R. 2544	8/25/04
4 VAC 15-240-81	Amended	20:23 VA.R. 2544	8/25/04
4 VAC 15-240-91	Amended	20:23 VA.R. 2545	8/25/04
4 VAC 15-260-10	Amended	20:25 VA.R. 3082	7/28/04

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-20-50	Amended	20:14 VA.R. 1709	3/1/04
4 VAC 20-270-20	Amended	20:19 VA.R. 2058	5/1/04
4 VAC 20-270-30	Amended	20:19 VA.R. 2058	5/1/04
4 VAC 20-270-30	Amended	20:26 VA.R. 3191	8/6/04
4 VAC 20-320-10	Amended	20:26 VA.R. 3191	8/6/04
4 VAC 20-320-70	Amended	20:26 VA.R. 3192	8/6/04
4 VAC 20-320-80	Amended	20:26 VA.R. 3192	8/6/04
4 VAC 20-490-10 emer	Amended	20:18 VA.R. 2024	5/1/04-5/30/04
4 VAC 20-490-20 emer	Amended	20:18 VA.R. 2024	5/1/04-5/30/04
4 VAC 20-490-35 emer	Repealed	20:18 VA.R. 2024	5/1/04-5/30/04
4 VAC 20-490-35	Repealed	20:21 VA.R. 2230	6/1/04
4 VAC 20-490-40 emer	Amended	20:18 VA.R. 2024	5/1/04-5/30/04
4 VAC 20-490-40	Amended	20:21 VA.R. 2230	6/1/04
4 VAC 20-490-45 emer	Repealed	20:18 VA.R. 2025	5/1/04-5/30/04
4 VAC 20-490-45	Repealed	20:21 VA.R. 2230	6/1/04
4 VAC 20-564-10 through 4 VAC 20-564-50 emer	Added	20:25 VA.R. 3096	8/16/04-9/3/04
4 VAC 20-620-50	Amended	20:16 VA.R. 1863	3/26/04
4 VAC 20-620-60	Amended	20:16 VA.R. 1863	3/26/04
4 VAC 20-720-20	Amended	20:14 VA.R. 1710	3/1/04
4 VAC 20-720-40	Amended	20:14 VA.R. 1710	3/1/04
4 VAC 20-720-48 emer	Added	20:14 VA.R. 1714	3/1/04-3/31/04
4 VAC 20-720-50	Amended	20:14 VA.R. 1711	3/1/04
4 VAC 20-720-60	Amended	20:14 VA.R. 1711	3/1/04
4 VAC 20-720-80	Amended	20:14 VA.R. 1712	3/1/04
4 VAC 20-750-10	Amended	20:19 VA.R. 2058	5/1/04
4 VAC 20-750-20	Repealed	20:19 VA.R. 2059	5/1/04
4 VAC 20-750-30	Amended	20:19 VA.R. 2059	5/1/04
4 VAC 20-750-40	Amended	20:19 VA.R. 2059	5/1/04
4 VAC 20-910-45	Amended	20:16 VA.R. 1864	4/1/04
4 VAC 20-920-20	Amended	20:15 VA.R. 1778	3/5/04
4 VAC 20-920-40	Amended	20:15 VA.R. 1778	3/5/04
4 VAC 20-950-45	Amended	20:16 VA.R. 1864	4/1/04
4 VAC 20-1040-20	Amended	20:19 VA.R. 2060	5/1/04
4 VAC 25-20-20	Amended	20:23 VA.R. 2547	8/25/04
4 VAC 25-20-30	Amended	20:23 VA.R. 2547	8/25/04
4 VAC 25-20-40	Amended	20:23 VA.R. 2547	8/25/04
4 VAC 25-20-50	Amended	20:23 VA.R. 2547	8/25/04
4 VAC 25-20-70	Amended	20:23 VA.R. 2547	8/25/04
4 VAC 25-20-90	Amended	20:23 VA.R. 2547	8/25/04
4 VAC 25-20-100	Amended	20:23 VA.R. 2547	8/25/04
4 VAC 25-20-110	Amended	20:23 VA.R. 2548	8/25/04
4 VAC 25-20-140	Amended	20:23 VA.R. 2548	8/25/04
4 VAC 25-20-190	Amended	20:23 VA.R. 2548	8/25/04
4 VAC 25-20-200	Amended	20:23 VA.R. 2548	8/25/04
4 VAC 25-20-210	Amended	20:23 VA.R. 2548	8/25/04
4 VAC 25-20-220	Amended	20:23 VA.R. 2549	8/25/04
4 VAC 25-20-250	Amended	20:23 VA.R. 2549	8/25/04
4 VAC 25-20-255	Amended	20:23 VA.R. 2549	8/25/04
4 VAC 25-20-259	Amended	20:23 VA.R. 2549	8/25/04
4 VAC 25-20-390	Amended	20:23 VA.R. 2549	8/25/04
4 VAC 25-20-410	Amended	20:23 VA.R. 2549	8/25/04
4 VAC 25-20-430	Amended	20:23 VA.R. 2549	8/25/04
4 VAC 25-31 (Forms)	Amended	20:15 VA.R. 1784-1792	--
4 VAC 25-35-10 through 4 VAC 25-35-40	Amended	20:23 VA.R. 2549-2550	8/25/04
4 VAC 25-35-75	Added	20:23 VA.R. 2550	8/25/04
4 VAC 25-35-80	Amended	20:23 VA.R. 2550	8/25/04

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 25-35-100	Amended	20:23 VA.R. 2551	8/25/04
4 VAC 25-35-110	Amended	20:23 VA.R. 2551	8/25/04
4 VAC 25-35-120	Amended	20:23 VA.R. 2551	8/25/04
4 VAC 25-125-10 through 4 VAC 25-125-40	Added	20:23 VA.R. 2552-2553	8/25/04
4 VAC 25-130-801.17	Amended	20:23 VA.R. 2625	10/12/04
4 VAC 25-130-801.18	Amended	20:23 VA.R. 2626	10/12/04
4 VAC 25-130 (Forms)	Amended	20:19 VA.R. 2081-2083	--
<b>Title 6. Criminal Justice and Corrections</b>			
6 VAC 20-210-10 through 6 VAC 20-210-110	Added	20:23 VA.R. 2554-2555	8/26/04
6 VAC 20-240-10 through 6 VAC 20-240-140 emer	Added	20:25 VA.R. 3097-3102	8/23/04-8/22/05
6 VAC 35-160-10 through 6 VAC 35-160-390	Added	20:23 VA.R. 2555-2562	8/25/04
<b>Title 8. Education</b>			
8 VAC 20-340-10	Amended	20:23 VA.R. 2562	8/25/04
8 VAC 20-340-20	Added	20:23 VA.R. 2562	8/25/04
8 VAC 20-340-30	Added	20:23 VA.R. 2562	8/25/04
8 VAC 20-670-10 through 8 VAC 20-670-440	Added	20:24 VA.R. 2892-2898	9/10/04
8 VAC 40-130-10	Amended	20:23 VA.R. 2562	7/26/04
8 VAC 40-130-25	Amended	20:23 VA.R. 2563	7/26/04
<b>Title 9. Environment</b>			
9 VAC 5-20-21	Amended	20:12 VA.R. 1476	3/24/04
9 VAC 5-20-204	Amended	20:23 VA.R. 2564	8/25/04
9 VAC 5-20-204	Erratum	20:26 VA.R. 3210-3211	--
9 VAC 5-20-205	Amended	20:23 VA.R. 2564	8/25/04
9 VAC 5-20-205	Erratum	20:26 VA.R. 3210-3211	--
9 VAC 5-20-206 (Rev. G02)	Amended	20:12 VA.R. 1498	3/24/04
9 VAC 5-20-206 (Rev. C03)	Amended	20:12 VA.R. 1498	3/24/04
9 VAC 5-30-10	Amended	20:24 VA.R. 2898	9/8/04
9 VAC 5-30-30 through 9 VAC 5-30-50	Amended	20:24 VA.R. 2898-2900	9/8/04
9 VAC 5-30-55	Added	20:24 VA.R. 2899	9/8/04
9 VAC 5-30-60	Amended	20:24 VA.R. 2899	9/8/04
9 VAC 5-30-65	Added	20:24 VA.R. 2899	9/8/04
9 VAC 5-30-70	Amended	20:24 VA.R. 2900	9/8/04
9 VAC 5-30-80	Amended	20:24 VA.R. 2900	9/8/04
9 VAC 5-40-240	Amended	20:12 VA.R. 1499	3/24/04
9 VAC 5-40-310	Erratum	20:15 VA.R. 1809	--
9 VAC 5-40-310	Amended	20:12 VA.R. 1499	3/24/04
9 VAC 5-40-3260	Amended	20:12 VA.R. 1479	3/24/04
9 VAC 5-40-5200	Amended	20:12 VA.R. 1500	3/24/04
9 VAC 5-40-5220	Amended	20:12 VA.R. 1501	3/24/04
9 VAC 5-40-5700 through 9 VAC 5-40-5770	Added	20:12 VA.R. 1480	3/24/04
9 VAC 5-40-6820 through 9 VAC 5-40-7230	Added	20:12 VA.R. 1480-1497	3/24/04
9 VAC 5-40-6840	Erratum	20:18 VA.R. 2027	--
9 VAC 5-50-400	Amended	20:16 VA.R. 1865	6/1/04
9 VAC 5-50-405	Added	20:16 VA.R. 1865	6/1/04
9 VAC 5-50-410	Amended	20:16 VA.R. 1865	6/1/04
9 VAC 5-60-60	Amended	20:16 VA.R. 1871	6/1/04
9 VAC 5-60-65	Added	20:16 VA.R. 1871	6/1/04
9 VAC 5-60-90	Amended	20:16 VA.R. 1871	6/1/04
9 VAC 5-60-91	Added	20:24 VA.R. 2900	9/8/04
9 VAC 5-60-95	Added	20:16 VA.R. 1871	6/1/04
9 VAC 5-60-100	Amended	20:16 VA.R. 1872	6/1/04
9 VAC 5-60-120 through 9 VAC 5-60-180	Amended	20:16 VA.R. 1877-1889	7/1/04
9 VAC 5-80-2250 through 9 VAC 5-80-2300	Added	20:23 VA.R. 2566-2567	7/1/04
9 VAC 5-91-20 emer	Amended	20:12 VA.R. 1507	1/28/04-1/27/05
9 VAC 5-91-160 emer	Amended	20:12 VA.R. 1513	1/28/04-1/27/05

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-91-180 emer	Amended	20:12 VA.R. 1513	1/28/04-1/27/05
9 VAC 5-91-750 emer	Amended	20:12 VA.R. 1515	1/28/04-1/27/05
9 VAC 5-91-760 emer	Amended	20:12 VA.R. 1515	1/28/04-1/27/05
9 VAC 5-140-550	Amended	20:12 VA.R. 1504	3/24/04
9 VAC 20-60-18	Amended	20:23 VA.R. 2568	7/1/04
9 VAC 20-60-18	Amended	20:24 VA.R. 2901	9/8/04
9 VAC 20-60-262	Amended	20:23 VA.R. 2568	7/1/04
9 VAC 20-60-270	Amended	20:23 VA.R. 2568	7/1/04
9 VAC 20-60-315	Amended	20:23 VA.R. 2570	7/1/04
9 VAC 20-60-1260	Amended	20:23 VA.R. 2571	7/1/04
9 VAC 20-60-1270	Amended	20:23 VA.R. 2571	7/1/04
9 VAC 20-60-1280	Amended	20:23 VA.R. 2573	7/1/04
9 VAC 20-60-1283	Added	20:23 VA.R. 2573	7/1/04
9 VAC 20-60-1284	Added	20:23 VA.R. 2573	7/1/04
9 VAC 20-60-1285	Amended	20:23 VA.R. 2574	7/1/04
9 VAC 20-60-1286	Added	20:23 VA.R. 2575	7/1/04
9 VAC 20-90-10	Amended	20:23 VA.R. 2576	7/1/04
9 VAC 20-90-30	Amended	20:23 VA.R. 2576	7/1/04
9 VAC 20-90-50	Amended	20:23 VA.R. 2576	7/1/04
9 VAC 20-90-60	Amended	20:23 VA.R. 2577	7/1/04
9 VAC 20-90-65	Added	20:23 VA.R. 2577	7/1/04
9 VAC 20-90-70	Amended	20:23 VA.R. 2578	7/1/04
9 VAC 20-90-90	Amended	20:23 VA.R. 2579	7/1/04
9 VAC 20-90-100	Amended	20:23 VA.R. 2579	7/1/04
9 VAC 20-90-110	Amended	20:23 VA.R. 2580	7/1/04
9 VAC 20-90-115	Added	20:23 VA.R. 2580	7/1/04
9 VAC 20-90-117	Added	20:23 VA.R. 2581	7/1/04
9 VAC 20-90-120	Amended	20:23 VA.R. 2581	7/1/04
9 VAC 20-90-130	Added	20:23 VA.R. 2583	7/1/04
9 VAC 20-110-90	Amended	20:24 VA.R. 2901	9/8/04
9 VAC 20-110-110	Amended	20:24 VA.R. 2901	9/8/04
9 VAC 25-20-10 through 9 VAC 25-20-80	Amended	20:23 VA.R. 2584-2586	7/1/04
9 VAC 25-20-100 through 9 VAC 25-20-130	Amended	20:23 VA.R. 2586-2591	7/1/04
9 VAC 25-20-140	Repealed	20:23 VA.R. 2591	7/1/04
9 VAC 25-20-142	Added	20:23 VA.R. 2591	7/1/04
9 VAC 25-20-145	Added	20:23 VA.R. 2592	7/1/04
9 VAC 25-151-10	Amended	20:16 VA.R. 1889	7/1/04
9 VAC 25-151-40 through 9 VAC 25-151-370	Amended	20:16 VA.R. 1889-1890	7/1/04
9 VAC 25-151-65	Added	20:16 VA.R. 1889	7/1/04
9 VAC 25-180-10	Amended	20:16 VA.R. 1891	7/1/04
9 VAC 25-180-20	Amended	20:16 VA.R. 1891	7/1/04
9 VAC 25-180-40	Amended	20:16 VA.R. 1891	7/1/04
9 VAC 25-180-50	Amended	20:16 VA.R. 1891	7/1/04
9 VAC 25-180-55	Amended	20:16 VA.R. 1892	7/1/04
9 VAC 25-180-60	Amended	20:16 VA.R. 1892	7/1/04
9 VAC 25-180-65	Added	20:16 VA.R. 1893	7/1/04
9 VAC 25-180-70	Amended	20:16 VA.R. 1894	7/1/04
9 VAC 25-180 (Forms)	Amended	20:16 VA.R. 1906	--
9 VAC 25-190-10	Amended	20:16 VA.R. 1906	7/1/04
9 VAC 25-190-20	Amended	20:16 VA.R. 1906	7/1/04
9 VAC 25-190-50	Amended	20:16 VA.R. 1906	7/1/04
9 VAC 25-190-60	Amended	20:16 VA.R. 1906	7/1/04
9 VAC 25-190-70	Amended	20:16 VA.R. 1906	7/1/04
9 VAC 25-400-10	Repealed	20:25 VA.R. 3083	9/22/04
9 VAC 25-401-10 through 9 VAC 25-401-50	Added	20:25 VA.R. 3083	9/22/04
9 VAC 25-580-10	Amended	20:12 VA.R. 1505	3/24/04

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-580-50	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-130	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-270	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-290	Repealed	20:12 VA.R. 1505	3/24/04
9 VAC 25-580-320	Amended	20:12 VA.R. 1505	3/24/04
9 VAC 25-590-60	Erratum	20:17 VA.R. 1984	--
9 VAC 25-720-50	Amended	20:24 VA.R. 2903	9/8/04
9 VAC 25-720-60	Amended	20:24 VA.R. 2910	9/8/04
9 VAC 25-720-90	Amended	20:24 VA.R. 2918	9/8/04
9 VAC 25-720-130	Amended	20:24 VA.R. 2920	9/8/04
9 VAC 25-770	Erratum	20:24 VA.R. 2981	--
9 VAC 25-770-10 through 9 VAC 25-770-180	Added	20:23 VA.R. 2593-2596	8/25/04
9 VAC 25-790	Erratum	20:12 VA.R. 1526	--
<b>Title 10. Finance and Financial Institutions</b>			
10 VAC 5-40-40	Added	20:14 VA.R. 1713	3/1/04
10 VAC 5-200-100	Added	20:22 VA.R. 2403	6/15/04
<b>Title 11. Gaming</b>			
11 VAC 10-20-190	Amended	20:23 VA.R. 2598	8/25/04
11 VAC 10-20-200	Amended	20:25 VA.R. 3083	9/23/04
11 VAC 10-20-220	Amended	20:23 VA.R. 2596	8/25/04
11 VAC 10-20-240 emer	Amended	20:25 VA.R. 3102	7/28/04-7/27/05
11 VAC 10-45	Erratum	20:25 VA.R. 3112	--
11 VAC 10-45-10 through 11 VAC 10-45-70	Added	20:22 VA.R. 2413-2417	9/27/04
<b>Title 12. Health</b>			
12 VAC 5-90-10	Amended	20:21 VA.R. 2231	7/28/04
12 VAC 5-90-40	Amended	20:21 VA.R. 2231	7/28/04
12 VAC 5-90-80	Amended	20:21 VA.R. 2231	7/28/04
12 VAC 5-90-90	Amended	20:21 VA.R. 2234	7/28/04
12 VAC 5-90-100	Amended	20:21 VA.R. 2237	7/28/04
12 VAC 5-90-110	Amended	20:21 VA.R. 2237	7/28/04
12 VAC 5-90-160	Amended	20:21 VA.R. 2237	7/28/04
12 VAC 5-90-180	Amended	20:21 VA.R. 2237	7/28/04
12 VAC 5-90-225	Added	20:21 VA.R. 2237	7/28/04
12 VAC 5-90-280 through 12 VAC 5-90-360	Added	20:21 VA.R. 2238	7/28/04
12 VAC 5-125-10 through 12 VAC 5-125-120 emer	Added	20:21 VA.R. 2252-2264	6/1/04-5/31/05
12 VAC 5-200-10 through 12 VAC 5-200-50	Amended	20:22 VA.R. 2403	8/11/04
12 VAC 5-200-70	Repealed	20:22 VA.R. 2403	8/11/04
12 VAC 5-200-80 through 12 VAC 5-200-190	Amended	20:22 VA.R. 2403	8/11/04
12 VAC 5-200-105	Added	20:22 VA.R. 2403	8/11/04
12 VAC 5-200-210	Repealed	20:22 VA.R. 2403	8/11/04
12 VAC 5-200-220	Amended	20:22 VA.R. 2403	8/11/04
12 VAC 5-200-230	Amended	20:22 VA.R. 2403	8/11/04
12 VAC 5-200-270	Amended	20:22 VA.R. 2403	8/11/04
12 VAC 5-200-280	Amended	20:22 VA.R. 2403	8/11/04
12 VAC 5-200-290	Added	20:22 VA.R. 2403	8/11/04
12 VAC 5-210-10	Repealed	20:22 VA.R. 2403	8/11/04
12 VAC 5-210-20	Repealed	20:22 VA.R. 2403	8/11/04
12 VAC 5-220-10	Amended	20:26 VA.R. 3193	9/27/04
12 VAC 5-220-160	Amended	20:26 VA.R. 3196	9/27/04
12 VAC 5-220-230	Amended	20:26 VA.R. 3197	9/27/04
12 VAC 5-220-385	Amended	20:26 VA.R. 3198	9/27/04
12 VAC 5-371-110	Amended	20:26 VA.R. 3200	9/27/04
12 VAC 30-40-235	Added	20:19 VA.R. 2060	8/1/04
12 VAC 30-40-280	Amended	20:22 VA.R. 2420	9/25/04
12 VAC 30-40-290	Amended	20:22 VA.R. 2420	9/25/04

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12 VAC 30-40-345	Amended	20:22 VA.R. 2422	9/25/04
12 VAC 30-50-130 emer	Amended	20:23 VA.R. 2630	7/1/04-6/30/05
12 VAC 30-50-140	Amended	20:19 VA.R. 2062	7/1/04
12 VAC 30-50-150	Amended	20:19 VA.R. 2063	7/1/04
12 VAC 30-50-180	Amended	20:19 VA.R. 2064	7/1/04
12 VAC 30-50-210 emer	Amended	20:19 VA.R. 2075	5/11/04-1/3/05
12 VAC 30-60-40	Amended	20:19 VA.R. 2067	7/1/04
12 VAC 30-60-61 emer	Amended	20:23 VA.R. 2632	7/1/04-6/30/05
12 VAC 30-60-320	Amended	20:19 VA.R. 2067	7/1/04
12 VAC 30-70-271	Amended	20:19 VA.R. 2068	7/1/04
12 VAC 30-70-291	Amended	20:22 VA.R. 2403	8/11/04
12 VAC 30-70-291 emer	Amended	20:24 VA.R. 2968	9/1/04-8/31/05
12 VAC 30-70-301	Amended	20:22 VA.R. 2403	8/11/04
12 VAC 30-70-301 emer	Amended	20:24 VA.R. 2968	9/1/04-8/31/05
12 VAC 30-70-331	Amended	20:22 VA.R. 2403	8/11/04
12 VAC 30-70-391 emer	Amended	20:24 VA.R. 2969	9/1/04-8/31/05
12 VAC 30-80-20	Amended	20:19 VA.R. 2068	7/1/04
12 VAC 30-80-30	Amended	20:19 VA.R. 2064	7/1/04
12 VAC 30-80-190 emer	Amended	20:26 VA.R. 3203	9/1/04-8/31/05
12 VAC 30-80-190 emer	Amended	20:26 VA.R. 3204	9/1/04-8/31/05
12 VAC 30-80-200	Added	20:19 VA.R. 2071	7/1/04
12 VAC 30-90-264	Amended	20:19 VA.R. 2067	7/1/04
12 VAC 30-90-271	Amended	20:19 VA.R. 2067	7/1/04
12 VAC 30-130-620	Amended	20:19 VA.R. 2061	8/1/04
12 VAC 30-130-860 through 12 VAC 30-130-890 emer	Amended	20:23 VA.R. 2633-2638	7/1/04-6/30/05
12 VAC 30-130-1000 emer	Amended	20:19 VA.R. 2077	5/11/04-1/3/05
12 VAC 30-141-500 emer	Amended	20:17 VA.R. 1974	6/1/04-5/31/05
<b>Title 13. Housing</b>			
13 VAC 5-51-134 emer	Added	20:24 VA.R. 2970	7/8/04-7/7/05
13 VAC 5-62-260	Amended	20:25 VA.R. 3084	9/8/04
<b>Title 14. Insurance</b>			
14 VAC 5-90-10 through 14 VAC 5-90-50	Amended	20:25 VA.R. 3090-3091	8/4/04
14 VAC 5-90-30	Erratum	20:17 VA.R. 1984	--
14 VAC 5-90-55	Added	20:25 VA.R. 3091	8/4/04
14 VAC 5-90-60 through 14 VAC 5-90-180	Amended	20:25 VA.R. 3092	8/4/04
14 VAC 5-90-60	Erratum	20:17 VA.R. 1984	--
14 VAC 5-90-70	Erratum	20:17 VA.R. 1984	--
14 VAC 5-90-130	Erratum	20:17 VA.R. 1984	--
14 VAC 5-90-170	Erratum	20:17 VA.R. 1984	--
14 VAC 5-90 (Forms)	Amended	20:25 VA.R. 3092	8/4/04
14 VAC 5-321-10 through 14 VAC 5-321-60	Added	20:16 VA.R. 1906-1909	7/1/04
14 VAC 5-335-10 through 14 VAC 5-335-60	Added	20:21 VA.R. 2240-2242	1/1/05
<b>Title 16. Labor and Employment</b>			
16 VAC 25-40-10	Amended	20:26 VA.R. 3201	10/15/04
16 VAC 25-40-20	Amended	20:26 VA.R. 3201	10/15/04
16 VAC 25-40-50	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910, Appendix C of Subpart T of Part 1910	Added	20:19 VA.R. 2073	7/1/04
16 VAC 25-90-1910.103	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-85-1910.139	Repealed	20:19 VA.R. 2071	7/1/04
16 VAC 25-90-1910.217	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910.219	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910.268	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-90-1910.401	Amended	20:19 VA.R. 2073	7/1/04
16 VAC 25-90-1910.402	Amended	20:19 VA.R. 2073	7/1/04
16 VAC 25-90-1926.307	Amended	20:26 VA.R. 3202	10/15/04



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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
16 VAC 25-145-10 through 16 VAC 25-145-50	Added	20:12 VA.R. 1505-1506	4/1/04
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 15-30-420	Amended	20:24 VA.R. 2924	9/8/04
18 VAC 15-30-820	Amended	20:24 VA.R. 2925	9/8/04
18 VAC 15-30 (Forms)	Amended	20:24 VA.R. 2925	9/8/04
18 VAC 30-20-80	Amended	20:23 VA.R. 2598	8/25/04
18 VAC 30-20-150	Amended	20:23 VA.R. 2598	8/25/04
18 VAC 30-20-160	Amended	20:23 VA.R. 2598	8/25/04
18 VAC 30-20-290 emer	Added	20:23 VA.R. 2638	8/25/04-8/24/05
18 VAC 30-20-320	Amended	20:23 VA.R. 2598	8/25/04
18 VAC 41-30-10 through 18 VAC 41-30-250 emer	Added	20:23 VA.R. 2639-2650	7/1/04-6/30/05
18 VAC 41-40-10 through 18 VAC 41-40-260	Added	20:19 VA.R. 2074	7/1/04
18 VAC 41-50-10 through 18 VAC 41-50-220 emer	Added	20:23 VA.R. 2651-2662	7/1/04-6/30/05
18 VAC 45-10-10 through 18 VAC 45-10-40	Amended	20:25 VA.R. 3093-3094	11/8/04
18 VAC 45-10-60 through 18 VAC 45-10-90	Amended	20:25 VA.R. 3094-3095	11/8/04
18 VAC 60-20-17 emer	Added	20:23 VA.R. 2663	8/25/04-8/24/05
18 VAC 60-20-20 emer	Amended	20:24 VA.R. 2971	7/15/04-7/14/05
18 VAC 60-20-91 emer	Added	20:24 VA.R. 2971	7/15/04-7/14/05
18 VAC 60-20 (Forms) emer	Amended	20:24 VA.R. 2972	7/15/04-7/14/05
18 VAC 62-20-10 through 18 VAC 62-20-180	Added	20:12 VA.R. 1515-1518	2/2/04-2/1/05
18 VAC 62-20-40 emer	Added	20:25 VA.R. 3104	7/23/04-2/1/05
18 VAC 62-20-90 emer	Added	20:25 VA.R. 3104	7/23/04-2/1/05
18 VAC 65-20-15 emer	Added	20:24 VA.R. 2973	7/15/04-7/14/05
18 VAC 65-30-50	Amended	20:21 VA.R. 2242	7/28/04
18 VAC 76-40-10	Added	20:21 VA.R. 2243	7/28/04
18 VAC 76-40-20	Added	20:21 VA.R. 2243	7/28/04
18 VAC 76-40-30	Added	20:21 VA.R. 2243	7/28/04
18 VAC 76-40 (Forms)	Amended	20:21 VA.R. 2243	7/28/04
18 VAC 80-10-10 through 18 VAC 80-10-90	Amended	20:23 VA.R. 2628-2629	10/9/04
18 VAC 85-20-22	Amended	20:20 VA.R. 2165	7/14/04
18 VAC 85-20 (Forms)	Amended	20:20 VA.R. 2165	--
18 VAC 85-80-61 emer	Added	20:25 VA.R. 3105	7/27/04-7/26/05
18 VAC 85-120-10 through 18 VAC 85-120-150	Amended	20:23 VA.R. 2599-2601	8/25/04
18 VAC 85-120-75	Added	20:24 VA.R. 2928	9/8/04
18 VAC 85-120 (Forms)	Amended	20:24 VA.R. 2928	9/8/04
18 VAC 90-20-10 emer	Amended	20:22 VA.R. 2424	6/24/04-6/23/05
18 VAC 90-20-10	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-30	Amended	20:20 VA.R. 2166	7/14/04
18 VAC 90-20-35	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-40	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-50	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-60	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-65	Added	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-95	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-120	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-140	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-160	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-170	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-181 emer	Added	20:22 VA.R. 2425	6/24/04-6/23/05
18 VAC 90-20-182 emer	Added	20:22 VA.R. 2425	6/24/04-6/23/05
18 VAC 90-20-183 emer	Added	20:22 VA.R. 2425	6/24/04-6/23/05
18 VAC 90-20-190	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-200	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-220	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-230	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-270	Amended	20:24 VA.R. 2929	9/8/04

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18 VAC 90-20-280	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-300 emer	Amended	20:22 VA.R. 2425	6/24/04-6/23/05
18 VAC 90-20-300	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-310 through 18 VAC 90-20-360	Repealed	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-390	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-410	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20-460	Amended	20:24 VA.R. 2929	9/8/04
18 VAC 90-20 (Forms)	Amended	20:24 VA.R. 2930	9/8/04
18 VAC 90-25-10 through 18 VAC 90-25-100	Added	20:24 VA.R. 2931-2934	9/8/04
18 VAC 90-25 (Forms)	Amended	20:24 VA.R. 2934	9/8/04
18 VAC 90-30-80 emer	Amended	20:24 VA.R. 2974	7/15/04-7/14/05
18 VAC 90-30-100 emer	Amended	20:24 VA.R. 2974	7/15/04-7/14/05
18 VAC 90-30-110 emer	Amended	20:24 VA.R. 2974	7/15/04-7/14/05
18 VAC 90-30-120 emer	Amended	20:24 VA.R. 2975	7/15/04-7/14/05
18 VAC 95-20-471 emer	Added	20:25 VA.R. 3105	7/28/04-7/27/05
18 VAC 105-20-41 emer	Added	20:24 VA.R. 2975	8/25/04-8/24/05
18 VAC 110-20-10 through 18 VAC 110-20-40	Amended	20:23 VA.R. 2602-2604	8/25/04
18 VAC 110-20-15 emer	Added	20:24 VA.R. 2976	7/15/04-7/14/05
18 VAC 110-20-60	Amended	20:23 VA.R. 2604	8/25/04
18 VAC 110-20-70	Amended	20:23 VA.R. 2604	8/25/04
18 VAC 110-20-80	Amended	20:23 VA.R. 2604	8/25/04
18 VAC 110-20-90	Amended	20:23 VA.R. 2604	8/25/04
18 VAC 110-20-105	Amended	20:23 VA.R. 2605	8/25/04
18 VAC 110-20-110	Amended	20:23 VA.R. 2605	8/25/04
18 VAC 110-20-120	Amended	20:23 VA.R. 2605	8/25/04
18 VAC 110-20-121	Added	20:23 VA.R. 2605	8/25/04
18 VAC 110-20-130 through 18 VAC 110-20-220	Amended	20:23 VA.R. 2605	8/25/04
18 VAC 110-20-240	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-250	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-280	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-285	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-330	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-350	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-355	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-360	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-370	Repealed	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-380	Repealed	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-410	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-412	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-415	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-420	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-440	Amended	20:23 VA.R. 2606	8/25/04
18 VAC 110-20-450	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-460	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-470	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-480	Repealed	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-490	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-500	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-510	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-530	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-540	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-550	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-555	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-590	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-680 through 18 VAC 110-20-710	Amended	20:23 VA.R. 2607	8/25/04
18 VAC 110-20-720	Amended	20:18 VA.R. 2021	7/1/04

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 112-20-10	Amended	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-20	Repealed	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-26 emer	Added	20:23 VA.R. 2664	8/25/04-8/24/05
18 VAC 112-20-40	Amended	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-50	Amended	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-60	Amended	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-65	Amended	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-70	Amended	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-80	Repealed	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-90	Amended	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-100	Amended	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-110	Repealed	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-120	Amended	20:24 VA.R. 2935	9/8/04
18 VAC 112-20-130	Amended	20:24 VA.R. 2935	9/8/04
18 VAC 112-20 (Forms)	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-15-10 emer	Added	20:23 VA.R. 2665	8/25/04-8/24/05
18 VAC 115-15-20 emer	Added	20:23 VA.R. 2665	8/25/04-8/24/05
18 VAC 115-15-30 emer	Added	20:23 VA.R. 2665	8/25/04-8/24/05
18 VAC 115-20-20	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-20-100	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-20-105	Added	20:24 VA.R. 2936	9/8/04
18 VAC 115-20-106	Added	20:24 VA.R. 2936	9/8/04
18 VAC 115-20-107	Added	20:24 VA.R. 2936	9/8/04
18 VAC 115-20-110	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-20-140	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-20 (Forms)	Amended	20:24 VA.R. 2937	9/8/04
18 VAC 115-50-20	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-50-90	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-50-95	Added	20:24 VA.R. 2936	9/8/04
18 VAC 115-50-96	Added	20:24 VA.R. 2936	9/8/04
18 VAC 115-50-97	Added	20:24 VA.R. 2936	9/8/04
18 VAC 115-50-100	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-50-120	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-50 (Forms)	Amended	20:24 VA.R. 2937	9/8/04
18 VAC 115-60-20	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-60-110	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-60-115	Added	20:24 VA.R. 2936	9/8/04
18 VAC 115-60-116	Added	20:24 VA.R. 2936	9/8/04
18 VAC 115-60-117	Added	20:24 VA.R. 2936	9/8/04
18 VAC 115-60-120	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-60-140	Amended	20:24 VA.R. 2936	9/8/04
18 VAC 115-60 (Forms)	Amended	20:24 VA.R. 2937	9/8/04
18 VAC 120-10-100	Erratum	20:13 VA.R. 1644	--
18 VAC 125-15-10 emer	Added	20:25 VA.R. 3106	7/28/04-7/27/05
18 VAC 125-15-20 emer	Added	20:25 VA.R. 3106	7/28/04-7/27/05
18 VAC 125-15-30 emer	Added	20:25 VA.R. 3106	7/28/04-7/27/05
18 VAC 135-20-80	Amended	20:23 VA.R. 2608	9/1/04
18 VAC 135-20-120	Amended	20:23 VA.R. 2608	9/1/04
18 VAC 135-20-140	Amended	20:23 VA.R. 2608	9/1/04
18 VAC 135-20-370	Amended	20:23 VA.R. 2608	9/1/04
18 VAC 140-20-171 emer	Added	20:23 VA.R. 2665	8/25/04-8/24/05
18 VAC 145-30-10 through 18 VAC 145-30-160	Added	20:20 VA.R. 2167-2170	7/14/04
18 VAC 145-30 (Forms)	Amended	20:20 VA.R. 2170	--
18 VAC 150-20-10	Amended	20:24 VA.R. 2966	10/23/04
18 VAC 150-20-15 emer	Added	20:23 VA.R. 2666	8/25/04-8/24/05
18 VAC 150-20 (Forms)	Amended	20:24 VA.R. 2967	10/23/04

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 20. Public Utilities and Telecommunications</b>			
20 VAC 5-309-15	Amended	20:15 VA.R. 1781	3/12/04
20 VAC 5-309-20	Amended	20:15 VA.R. 1781	3/12/04
20 VAC 5-309-40	Amended	20:15 VA.R. 1781	3/12/04
20 VAC 5-309-70	Amended	20:15 VA.R. 1782	3/12/04
20 VAC 5-309-110	Amended	20:15 VA.R. 1782	3/12/04
20 VAC 5-309-140	Amended	20:15 VA.R. 1783	3/12/04
20 VAC 5-419-10 through 20 VAC 5-419-40	Amended	20:24 VA.R. 2939-2942	7/21/04
20 VAC 5-425-10 through 20 VAC 5-425-50	Added	20:23 VA.R. 2611-2613	7/1/04
<b>Title 22. Social Services</b>			
22 VAC 15-20-10 through 22 VAC 15-20-380	Repealed	20:24 VA.R. 2942-2943	11/1/04
22 VAC 15-50-10 through 22 VAC 15-50-70	Repealed	20:24 VA.R. 2943	10/1/04
22 VAC 15-51-10 through 22 VAC 15-51-80	Added	20:24 VA.R. 2943-2948	10/1/04
22 VAC 30-50-30	Amended	20:18 VA.R. 2022	6/18/04
22 VAC 40-32	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-80-10	Amended	20:24 VA.R. 2948	11/1/04
22 VAC 40-80-30 through 22 VAC 40-80-60	Amended	20:24 VA.R. 2950-2951	11/1/04
22 VAC 40-80-80 through 22 VAC 40-80-210	Amended	20:24 VA.R. 2951-2955	11/1/04
22 VAC 40-80-220	Repealed	20:24 VA.R. 2955	11/1/04
22 VAC 40-80-230	Amended	20:24 VA.R. 2955	11/1/04
22 VAC 40-80-240	Amended	20:24 VA.R. 2955	11/1/04
22 VAC 40-80-260	Amended	20:24 VA.R. 2956	11/1/04
22 VAC 40-80-270	Amended	20:24 VA.R. 2956	11/1/04
22 VAC 40-80-290	Amended	20:24 VA.R. 2956	11/1/04
22 VAC 40-80-300	Amended	20:24 VA.R. 2957	11/1/04
22 VAC 40-80-310	Amended	20:24 VA.R. 2957	11/1/04
22 VAC 40-80-330	Amended	20:24 VA.R. 2957	11/1/04
22 VAC 40-80-340	Amended	20:24 VA.R. 2957	11/1/04
22 VAC 40-80-350	Repealed	20:24 VA.R. 2958	11/1/04
22 VAC 40-80-360	Repealed	20:24 VA.R. 2958	11/1/04
22 VAC 40-80-370	Amended	20:24 VA.R. 2958	11/1/04
22 VAC 40-80-375	Added	20:24 VA.R. 2959	11/1/04
22 VAC 40-80-380	Repealed	20:24 VA.R. 2959	11/1/04
22 VAC 40-80-390 through 22 VAC 40-80-520	Added	20:24 VA.R. 2959-2964	11/1/04
22 VAC 40-180 (Forms)	Amended	20:21 VA.R. 2265-2268	--
22 VAC 40-190	Erratum	20:12 VA.R. 1526	--
22 VAC 40-191	Erratum	20:12 VA.R. 1526	--
22 VAC 40-191-40	Amended	20:22 VA.R. 2404	9/1/04
22 VAC 40-191-50	Amended	20:22 VA.R. 2407	9/1/04
22 VAC 40-290-10	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-293-10	Added	20:21 VA.R. 2245	7/28/04
22 VAC 40-293-20	Added	20:21 VA.R. 2245	7/28/04
22 VAC 40-295-10 through 22 VAC 40-295-170	Added	20:23 VA.R. 2614-2620	9/1/04
22 VAC 40-300	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-310	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-320	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-330-10	Amended	20:23 VA.R. 2620	9/1/04
22 VAC 40-330-20	Amended	20:23 VA.R. 2620	9/1/04
22 VAC 40-340-10	Amended	20:23 VA.R. 2621	9/1/04
22 VAC 40-350	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-360	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-370	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-380	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-390	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-420	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-430	Repealed	20:23 VA.R. 2613	9/1/04

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-440	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-450	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-460	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-490	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-500	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-510	Repealed	20:23 VA.R. 2613	9/1/04
22 VAC 40-520	Repealed	20:23 VA.R. 2614	9/1/04
22 VAC 40-530	Repealed	20:23 VA.R. 2614	9/1/04
22 VAC 40-550	Repealed	20:23 VA.R. 2614	9/1/04
22 VAC 40-580	Repealed	20:23 VA.R. 2614	9/1/04
22 VAC 40-590	Repealed	20:23 VA.R. 2614	9/1/04
22 VAC 40-610	Repealed	20:23 VA.R. 2614	9/1/04
22 VAC 40-620	Repealed	20:23 VA.R. 2614	9/1/04
22 VAC 40-650	Repealed	20:23 VA.R. 2614	9/1/04
22 VAC 40-740-10 through 22 VAC 40-740-60	Amended	20:20 VA.R. 2175-2178	8/1/04
22 VAC 40-740 (Forms)	Amended	20:20 VA.R. 2178	--
22 VAC 40-750	Repealed	20:23 VA.R. 2614	9/1/04
22 VAC 40-760	Repealed	20:23 VA.R. 2614	9/1/04
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 20-70	Repealed	20:25 VA.R. 3092	9/22/04
24 VAC 20-100-10	Amended	20:21 VA.R. 2246	7/1/04
24 VAC 20-100-130	Amended	20:21 VA.R. 2247	7/1/04
24 VAC 20-100-160	Amended	20:21 VA.R. 2247	7/1/04
24 VAC 20-100-190 through 24 VAC 20-100-220	Amended	20:21 VA.R. 2247-2248	7/1/04
24 VAC 20-100-290 through 24 VAC 20-100-330	Amended	20:21 VA.R. 2248-2249	7/1/04
24 VAC 20-100-350	Amended	20:21 VA.R. 2249	7/1/04
24 VAC 20-100-370 through 24 VAC 20-100-460	Amended	20:21 VA.R. 2249-2250	7/1/04
24 VAC 20-100-490 through 24 VAC 20-100-540	Amended	20:21 VA.R. 2250-2251	7/1/04
24 VAC 20-100-550	Added	20:21 VA.R. 2251	7/1/04
24 VAC 20-100 (Forms)	Amended	20:21 VA.R. 2251	7/1/04
24 VAC 30-380-10	Amended	20:13 VA.R. 1633	2/12/04

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# NOTICES OF INTENDED REGULATORY ACTION

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## Symbol Key

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

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## TITLE 2. AGRICULTURE

### STATE BOARD OF AGRICULTURE AND CONSUMER SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Agriculture and Consumer Services intends to consider amending regulations entitled **2 VAC 5-70, Health Requirements Governing the Control of Equine Infectious Anemia in Virginia**. The purpose of the proposed action is to review the regulation for effectiveness and continued need, including amending the testing requirements for equine infectious anemia. The agency invites comments on whether an advisor should be appointed.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: §§ 3.1-724, 3.1-726 and 3.1-730 of the Code of Virginia.

Public comments may be submitted until October 15, 2004.

**Contact:** David E. Cardin, Deputy State Veterinarian, Department of Agriculture and Consumer Services, 1100 Bank St., Suite 101, Richmond, VA 23219, telephone (804) 692-0601, FAX (804) 225-2666 or e-mail [dcardin@vdacs.state.va.us](mailto:dcardin@vdacs.state.va.us).

VA.R. Doc. No. R04-258; Filed July 28, 2004, 3:12 p.m.

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## TITLE 9. ENVIRONMENT

### STATE WATER CONTROL BOARD

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled **9 VAC 25-194, General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Car Wash Facilities**. The purpose of the proposed action is to reissue the existing general VPDES permit for car wash facilities that expires on October 15, 2007.

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

Statutory Authority: § 62.1-44.15 of the Code of Virginia; § 402 of the Clean Water Act; 40 CFR Parts 122, 123 and 124.

Public comments may be submitted until 5 p.m. on October 20, 2004.

**Contact:** George Cosby, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4067, FAX (804) 698-4032 or e-mail [gecosby@deq.virginia.gov](mailto:gecosby@deq.virginia.gov).

VA.R. Doc. No. R05-05; Filed August 27, 2004, 8:38 a.m.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to consider promulgating regulations entitled **9 VAC 25-800, Virginia Water Protection General Permit for Minor Water Withdrawals**. The purpose of the proposed action is to establish a general Virginia Water Protection permit for water withdrawals.

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

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

Public comments may be submitted until 5 p.m. on October 8, 2004.

**Contact:** Ellen Gilinsky, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4375, FAX (804) 698-4375 or e-mail [egilinsky@deq.virginia.gov](mailto:egilinsky@deq.virginia.gov).

VA.R. Doc. No. R04-263; Filed August 2, 2004, 12:55 p.m.

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## TITLE 11. GAMING

### VIRGINIA RACING COMMISSION

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Virginia Racing Commission intends to consider amending regulations entitled **11 VAC 10-20, Regulations Pertaining to Horse Racing with Pari-Mutuel Wagering**. The purpose of the proposed action is to specify certain procedures for the transfer or acquisition of an interest in an existing owner's, owner-operator's or operator's license.

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

Statutory Authority: § 59.1-369 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on September 22, 2004.

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# Notices of Intended Regulatory Action

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**Contact:** David S. Lermond, Jr. Regulatory Coordinator, Virginia Racing Commission, 10700 Horsemen's Road, New Kent, VA 23124, telephone (804) 966-7404, FAX (804) 966-7418 or e-mail David.Lermond@vrc.virginia.gov.

VA.R. Doc. No. R04-270; Filed July 30, 2004, 4:15 p.m.

## CHARITABLE GAMING BOARD

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Charitable Gaming Board intends to consider amending regulations entitled **11 VAC 15-22, Charitable Gaming Rules and Regulations**. The 2003 General Assembly created the Department of Charitable Gaming and the Charitable Gaming Board to replace the former Charitable Gaming Commission. The current Charitable Gaming Rules and Regulations were adopted by the former commission effective January 1, 1998, and include many references to the commission, which no longer exists, as well as to statutes that have since been amended. The goals of the amended regulations will be to simplify and clarify the regulations while also making them consistent with current statutes.

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

Statutory Authority: §§ 2.2-2546 and 18.2-340.19 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on October 20, 2004.

**Contact:** Clyde E. Cristman, Director, Department of Charitable Gaming, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219-3684, telephone (804) 786-1681, FAX (804) 786-1079 or e-mail Clyde.Cristman@dgc.virginia.gov.

VA.R. Doc. No. R05-07; Filed August 23, 2004, 10:42 a.m.

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Charitable Gaming Board intends to consider amending regulations entitled **11 VAC 15-31, Supplier Regulations**. The 2003 General Assembly created the Department of Charitable Gaming and the Charitable Gaming Board to replace the former Charitable Gaming Commission. The current Supplier Regulations were adopted by the former commission effective January 1, 1998, and include many references to the commission, which no longer exists, as well as to statutes that have since been amended. The goals of the amended regulations will be to simplify and clarify the regulations while also making them consistent with current statutes.

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

Statutory Authority: §§ 2.2-2546 and 18.2-340.34 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on October 20, 2004.

**Contact:** Clyde E. Cristman, Director, Department of Charitable Gaming, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219-3684, telephone (804) 786-1681, FAX (804) 786-1079 or e-mail Clyde.Cristman@dgc.virginia.gov.

VA.R. Doc. No. R05-08; Filed August 23, 2004, 10:43 a.m.

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## TITLE 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled **12 VAC 30-80, Methods and Standards for Establishing Payment Rates; Other Types of Care (OB/GYN Rates)**. The purpose of the proposed action is to increase the rates of reimbursement paid for obstetric/gynecological services by 34%.

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

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Public comments may be submitted until October 20, 2004, to Steve Ford, Manager, Division of Provider Reimbursement, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

**Contact:** Victoria P. Simmons or Brian McCormick, Regulatory Coordinators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959, FAX (804) 786-1680 or e-mail vicki.simmons@dmas.virginia.gov or brian.mccormick@dmas.virginia.gov.

VA.R. Doc. No. R05-06; Filed August 20, 2004, 10:03 a.m.

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled **12 VAC 30-80, Methods and Standards for Establishing Payment Rates; Other Types of Care (Increase Emergency Room Physician Fees)**. The purpose of the proposed action is to (i) add language providing that certain physician procedure codes be increased by 2.0% above the normal calculated amounts; (ii) update old references to the federal funding agency; (iii) remove outdated or time-limited text that is no longer needed; and (iv) consider other technical corrections as may be appropriate.

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# Notices of Intended Regulatory Action

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

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Public comments may be submitted until October 20, 2004, to Steve Ford, Manager, Division of Provider Reimbursement, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

**Contact:** Victoria P. Simmons or Brian McCormick, Regulatory Coordinators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959, FAX (804) 786-1680 or e-mail vicki.simmons@dmas.virginia.gov or brian.mccormick@dmas.virginia.gov.

VA.R. Doc. No. R05-10; Filed August 26, 2004, 9:50 a.m.

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Virginia Board for Asbestos, Lead, and Home Inspectors intends to consider amending regulations entitled **18 VAC 15-20, Virginia Asbestos Licensing Regulations**. The purpose of the proposed action is to review the board's regulation of asbestos project monitors to identify any amendments that assure the presence of a project monitor on asbestos projects and examine whether the existing duties, responsibilities and functions should be amended to assure public protection. Also, the intent of the planned regulatory action is to review the existing regulations and propose amendments to empower the board to deny license and approval as well as to take disciplinary action against those acting as or being an ostensible licensee for undisclosed persons who do or will control or direct, directly or indirectly, the operations of the licensed or approved entity. In addition, the board will carefully evaluate its existing regulations for effectiveness and continued need, and will propose any amendments necessary to protect the public health, safety, and welfare, or to further the efficient and economical performance of important government functions.

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

Statutory Authority: § 54.1-501 of the Code of Virginia.

Public comments may be submitted until October 15, 2004.

**Contact:** Tom Perry, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804)

367-8595, FAX (804) 367-6128 or e-mail alhi@dpor.virginia.gov.

VA.R. Doc. No. R04-241; Filed July 15, 2004, 2:30 p.m.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Virginia Board for Asbestos, Lead, and Home Inspectors intends to consider amending regulations entitled **18 VAC 15-30, Lead-Based Paint Activities Regulations**. The purpose of the proposed action is to review the existing regulations and propose amendments to empower the board to deny license and approval as well as to take disciplinary action against those acting as or being an ostensible licensee for undisclosed persons who do or will control or direct, directly or indirectly, the operations of the licensed or approved entity. In addition, the board will carefully evaluate its existing regulations for effectiveness and continued need, and will propose any amendments necessary to protect the public health, safety, and welfare, or to further the efficient and economical performance of important government functions.

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

Statutory Authority: § 54.1-501 of the Code of Virginia.

Public comments may be submitted until October 15, 2004.

**Contact:** Tom Perry, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-6128 or e-mail alhi@dpor.virginia.gov.

VA.R. Doc. No. R04-239; Filed July 15, 2004, 2:29 p.m.

## AUCTIONEERS BOARD

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Auctioneers Board intends to consider amending regulations entitled **18 VAC 25-21, Rules and Regulations of the Virginia Auctioneers Board**. The purpose of the proposed action is to develop necessary regulations to implement a mandatory continuing education program for the renewal/reinstatement of auctioneer licenses as required by Chapter 956 of the 2004 Acts of Assembly. Other changes that may be necessary pursuant to the board's periodic review of its regulation and any other changes will also be considered.

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

Statutory Authority: §§ 54.1-602 and 54.1-603.1 of the Code of Virginia.

Public comments may be submitted until October 6, 2004.

**Contact:** Mark N. Courtney, Executive Director, Department of Professional and Occupational Regulation, 3600 W. Broad



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# Notices of Intended Regulatory Action

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St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail [auctioneers@dpor.virginia.gov](mailto:auctioneers@dpor.virginia.gov).

VA.R. Doc. No. R04-278; Filed August 17, 2004, 12:04 p.m.

## BOARD OF MEDICINE

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled **18 VAC 85-15, Regulations Governing Delegation to an Agency Subordinate**. The purpose of the proposed action is to set out the decision to delegate at the time of a probable cause determination the types of cases that may be delegated and the individuals who may be designated as agency subordinates.

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

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

Public comments may be submitted until 5 p.m. on October 20, 2004.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9512 or e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

VA.R. Doc. No. R05-01; Filed September 1, 2004, 9:40 a.m.

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled **18 VAC 85-40, Regulations Governing the Practice of Respiratory Care Practitioners**. The purpose of the proposed action is to accept Category 1 CME approved by the American Medical Association to meet the required hours for renewal of licensure as a respiratory care practitioner in response to a petition for rulemaking from a respiratory care practitioner.

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

Statutory Authority: §§ 54.1-2400 and 54.1-2912.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on September 22, 2004.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9512 or e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

VA.R. Doc. No. R04-144; Filed July 26, 2004, 3:19 p.m.

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled **18 VAC 85-80, Regulations Governing the Licensure of Occupational Therapy**. The purpose of the proposed action is to comply with the statutory mandate in § 54.1-2956.1 of the Code of Virginia, which requires the board to establish the credentialing body and initial certification required for a person to hold himself out to be an occupational therapy assistant or to use the designation O.T.A. or any deviation thereof.

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

Statutory Authority: §§ 54.1-2400 and 54.1-2956.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on September 22, 2004.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9512 or e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

VA.R. Doc. No. R04-267; Filed July 26, 2004, 3:19 p.m.

## BOARD OF NURSING

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Nursing intends to consider amending regulations entitled **18 VAC 90-15, Regulations Governing Delegation to an Agency Subordinate**. The purpose of the proposed action is to set out the criteria for delegation of informal fact-finding to an agency subordinate.

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

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

Public comments may be submitted until 5 p.m. on October 20, 2004.

**Contact:** Jay P. Douglas, R.N., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512 or e-mail [jay.douglas@dhp.virginia.gov](mailto:jay.douglas@dhp.virginia.gov).

VA.R. Doc. No. R05-03; Filed September 1, 2004, 9:45 a.m.

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Nursing intends to consider amending regulations entitled **18 VAC 90-20, Regulations of the Board of Nursing**. As a special fund agency, the Board of Nursing is mandated to levy fees sufficient to cover all expenses for the administration and operation of the board and the Department of Health Professions. Therefore, action

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# Notices of Intended Regulatory Action

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must be taken to address the current and projected shortfall in the nurse aide budget.

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

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

Public comments may be submitted until 5 p.m. on October 20, 2004.

**Contact:** Jay P. Douglas, R.N., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512 or e-mail jay.douglas@dhp.virginia.gov.

VA.R. Doc. No. R05-09; Filed August 26, 2004, 10:36 a.m.

## BOARD OF NURSING HOME ADMINISTRATORS

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Nursing Home Administrators intends to consider amending regulations entitled **18 VAC 95-20, Regulations of the Board of Nursing Home Administrators**. The purpose of the proposed action is to set out the criteria for delegation of informal fact-finding proceedings to an agency subordinate.

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

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

Public comments may be submitted until 5 p.m. on September 22, 2004.

**Contact:** Sandra Reen, Executive Director, Board of Nursing Home Administrators, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-9943 or e-mail sandra.reen@dhp.virginia.gov.

VA.R. Doc. No. R04-259; Filed July 28, 2004, 9:58 a.m.

## BOARD OF OPTOMETRY

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 54.1-3223 of the Code of Virginia that the Board of Optometry intends to consider amending regulations entitled **18 VAC 105-20, Regulations Governing the Practice of Optometry**. The purpose of the proposed action is to amend regulations establishing treatment guidelines and a current and appropriate list of therapeutic pharmaceuticals on the formulary for optometrists certified to use therapeutic pharmaceutical agents.

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

Statutory Authority: § 54.1-3223 of the Code of Virginia.

Public comments may be submitted until 10 a.m. on October 6, 2004.

**Contact:** Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9910, FAX (804) 662-7098 or e-mail elizabeth.carter@dhp.virginia.gov.

VA.R. Doc. No. R04-280; Filed August 18, 2004, 9:10 a.m.

## BOARD OF PSYCHOLOGY

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Psychology intends to consider adopting regulations entitled **18 VAC 125-15, Regulations Governing Delegation to an Agency Subordinate**. The purpose of the proposed action is to set out the criteria for delegation of informal fact-finding proceedings to any agency subordinate.

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

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

Public comments may be submitted until 5 p.m. on September 22, 2004.

**Contact:** Ben Foster, Deputy Executive Director, Board of Psychology, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9575, FAX (804) 662-7250 or e-mail ben.foster@dhp.virginia.gov.

VA.R. Doc. No. R04-261; Filed July 28, 2004, 9:58 a.m.



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# PROPOSED REGULATIONS

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For information concerning Proposed Regulations, see Information Page.

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## Symbol Key

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

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### BOARD OF GAME AND INLAND FISHERIES

**REGISTRAR'S NOTICE:** The Board of Game and Inland Fisheries is exempt from the Administrative Process Act pursuant to subdivision A 3 of § 2.2-4002 of the Code of Virginia when promulgating regulations regarding the management of wildlife. The department is required by § 2.2-4031 of the Code of Virginia to publish all proposed and final wildlife management regulations, including length of seasons and bag limits allowed on the wildlife resources within the Commonwealth of Virginia.

**Title of Regulation:** 4 VAC 15-20. Definitions and Miscellaneous: In General (amending 4 VAC 15-20-100).

**Statutory Authority:** §§ 29.1-501 and 29.1-502 of the Code of Virginia.

**Public Hearing Date:** N/A -- Public comments may be submitted until September 19, 2004.

**Notice to the Public:** The Board of Game and Inland Fisheries has ordered to be published, pursuant to §§ 29.1-501 and 29.1-502 of the Code of Virginia, the following proposed amendments to board regulations. A public comment period on the proposed regulations opened August 19, 2004, and remains open until September 19, 2004. Comments submitted must be in writing; must be accompanied by the name, address and telephone number of the party offering the comments; should state the regulatory action desired; and should state the justification for the desired action. Comments should be sent to Phil Smith, Policy Analyst and Regulatory Coordinator, Department of Game and Inland Fisheries, 4016 West Broad Street, Richmond, Virginia 23230.

If the director is satisfied that the proposed regulation, or any parts thereof, is advisable, in the form in which published or as amended after receipt of the public's comments, under the authority delegated by the board the director may adopt regulation amendments as final on or after September 20, 2004. The regulation amendment adopted may be either more liberal or more restrictive than that proposed and being advertised under this notice.

**Agency Contact:** Phil Smith, Policy Analyst and Regulatory Coordinator, Department of Game and Inland Fisheries, 4016 West Broad Street, Richmond, VA 23230, telephone (804) 367-1000, FAX (804) 367-0488 or e-mail [RegComments@dgif.state.va.us](mailto:RegComments@dgif.state.va.us).

#### Summary:

*The proposed amendments establish that a motorized wheelchair suitable for use in an indoor pedestrian area is not considered a motorized vehicle and, therefore, is not*

*covered by any restrictions on the use of motorized vehicles on Department of Game and Inland Fisheries-owned lands.*

#### 4 VAC 15-20-100. Prohibited use of vehicles on department-owned lands.

It shall be unlawful on department-owned lands to drive through or around gates designed to prevent entry with any type of motorized vehicle or to use such vehicles to travel anywhere on such lands except on roads open to vehicular traffic. Any motor-driven conveyance shall conform with all state laws for highway travel; provided, that this requirement shall not apply to the operation of motor vehicles for administrative purposes by department-authorized personnel on department-owned lands. *A motorized wheelchair suitable for use in an indoor pedestrian area is not considered a motorized vehicle and, therefore, is not covered by any restrictions on the use of motorized vehicles on department-owned lands. For purposes of this section, the term "wheelchair" means a device designed solely for use by a mobility-impaired person for locomotion that is suitable for use in an indoor pedestrian area.*

VA.R. Doc. No. R05-11; Filed September 2, 2004, 4:15 p.m.

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## TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

### STATE BOARD OF JUVENILE JUSTICE

#### Extension of Public Comment Period

**Title of Regulation:** 6 VAC 35-140. Standards for Juvenile Residential Facilities (amending 6 VAC 35-140-10 through 6 VAC 35-140-90, 6 VAC 35-140-110 through 6 VAC 35-140-150, 6 VAC 35-140-170 through 6 VAC 35-140-230, 6 VAC 35-140-250 through 6 VAC 35-140-350, 6 VAC 35-140-400, 6 VAC 35-140-440 through 6 VAC 35-140-500, 6 VAC 35-140-530 through 6 VAC 35-140-630, 6 VAC 35-140-660 through 6 VAC 35-140-700, 6 VAC 35-140-730 through 6 VAC 35-140-770; adding 6 VAC 35-140-22, 6 VAC 35-140-23, 6 VAC 35-140-24, 6 VAC 35-140-45, 6 VAC 35-140-192, 6 VAC 35-140-275, 6 VAC 35-140-295, 6 VAC 35-140-385 through 6 VAC 35-140-389, 6 VAC 35-140-545, 6 VAC 35-140-615, 6 VAC 35-140-685, 6 VAC 35-140-701 through 6 VAC 35-140-709, 6 VAC 35-140-711 through 6 VAC 35-140-715, 6 VAC 35-140-810 and repealing 6 VAC 35-140-510).

The Board of Juvenile Justice noticed a public comment period on the proposed Standards for Juvenile Residential Facilities (6 VAC 35-140) in the August 9, 2004, issue of the Virginia Register of Regulations (20:24 VA.R 2727-2743 August 9, 2004). The board is extending the public comment period on the proposal until November 12, 2004.

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# Proposed Regulations

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Written comment on the proposed regulations may be submitted until 5 p.m. on November 12, 2004.

Agency Contact: Donald R. Carignan, Regulatory Coordinator, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 371-0743, FAX (804) 371-0773, or e-mail carigndr@djj.state.va.us.

VA.R. Doc. No. R02-43; Filed August 24, 2004, 2:49 p.m.

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## TITLE 10. FINANCE AND FINANCIAL INSTITUTIONS

### STATE CORPORATION COMMISSION

Title of Regulation: **10 VAC 5-20. Banking and Savings Institutions (adding 10 VAC 5-20-50).**

Statutory Authority: §§ 6.1-63 and 12.1-13 of the Code of Virginia.

Public Hearing Date: A public hearing will be held upon request. Public comments may be submitted until October 15, 2004.

Agency Contact: E. J. Face, Jr., Commissioner, Bureau of Financial Institutions, State Corporation Commission, P.O. Box 640, Richmond, VA 23218, telephone (804) 371-9659, FAX (804) 371-9416, or e-mail jface@scc.state.va.us.

Summary:

*The proposed amendment exempts state-chartered banks from the loan-to-value limitation in § 6.1-63 A of the Code of Virginia when extending credit under certain interest-only equity lines secured by residential property, provided that the credit limit for such an equity line, together with all other liens or encumbrances on the subject property, does not exceed 90% of the property's appraised value. Banks extending credit pursuant to this exemption must comply with the federal banking regulators' interagency guidelines for real estate lending.*

AT RICHMOND, SEPTEMBER 1, 2004

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. BFI-2004-00108

Ex Parte: In re: proposed regulation relating to exemption from loan-to-value limitation for interest-only equity lines

#### ORDER TO TAKE NOTICE

WHEREAS, § 6.1-63 A of the Virginia Banking Act ("Act"), § 6.1-3 et seq. of the Code of Virginia, generally prohibits a state-chartered bank from making a loan secured by real estate when such loan together with all prior liens and encumbrances on such real estate exceeds fifty percent of the appraised value of the real estate securing such loan;

WHEREAS, § 6.1-63 G of the Act authorizes the State Corporation Commission ("Commission") to adopt a regulation that eliminates loans or specific categories of loans from the requirements of § 6.1-63 of the Act;

WHEREAS, national banks are permitted to offer certain interest-only equity lines secured by residential property to consumers without being subject to a loan-to-value limitation similar to that set forth in § 6.1-63 A of the Act; and

WHEREAS, the Commission is informed that one or more state-chartered banks wish to offer similar interest-only equity line products pursuant to an exemption from § 6.1-63 A of the Act;

IT IS THEREFORE ORDERED THAT:

(1) The proposed regulation, entitled "Exemption from loan-to-value limitation for interest-only equity lines," is appended hereto and made a part of the record herein.

(2) Comments or requests for hearing on the proposed regulation must be submitted in writing to Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, on or before October 15, 2004. Requests for hearing shall state why a hearing is necessary and why such issues cannot be adequately addressed in written comments. All correspondence shall contain a reference to Case No. BFI-2004-00108. Interested persons desiring to submit comments or request a hearing electronically may do so by following the instructions available at the Commission's website: <http://www.state.va.us/scc/caseinfo.htm>.

(3) The proposed regulation shall be posted on the Commission's website at <http://www.state.va.us/scc/caseinfo.htm>.

(4) AN ATTESTED COPY hereof, together with a copy of the proposed regulation, shall be sent to the Registrar of Regulations for publication in the Virginia Register.

AN ATTESTED COPY hereof shall be sent to the Commissioner of Financial Institutions, who shall forthwith mail a copy of this Order, together with the proposed regulation, to all state-chartered banks and other interested parties as he may designate.

#### **10 VAC 5-20-50. Exemption from loan-to-value limitation for interest-only equity lines.**

*A. Notwithstanding the limitation in § 6.1-63 A of the Code of Virginia, a bank may extend credit under an interest-only equity line, the proceeds of which are to be used for personal, family, or household purposes, secured by a mortgage or deed of trust upon any interest in one- to four-family owner-occupied residential property, provided that the credit limit for such equity line, together with all other liens or encumbrances on such property, does not exceed 90% of the property's appraised value.*

*B. Banks extending credit pursuant to subsection A of this section shall comply with the federal banking regulators' interagency guidelines for real estate lending found at 12 CFR Part 208, Appendix C (state member banks) and 12 CFR Part 365, Appendix A (state nonmember banks).*

C. For purposes of this section, the term "interest-only equity line" means a line of credit that has a term not longer than 10 years, requires the payment of interest only for all or part of the term, and is repayable in full at the end of such term.

VA.R. Doc. No. R05-12; Filed September 2, 2004, 11:24 a.m.

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**Titles of Regulations:** 10 VAC 5-100. Nonprofit Debt Counseling Agencies (repealing 10 VAC 5-100-10, 10 VAC 5-100-20 and 10 VAC 5-100-30).

**10 VAC 5-110. Nonprofit Credit Counseling (adding 10 VAC 5-110-10 and 10 VAC 5-110-20).**

**Statutory Authority:** §§ 6.1-363.15 and 12.1-13 of the Code of Virginia.

**Public Hearing Date:** A public hearing will be held upon request. Public comments may be submitted until October 15, 2004.

**Agency Contact:** E. J. Face, Jr., Commissioner, Bureau of Financial Institutions, P.O. Box 640, Richmond, VA 23218, telephone (804) 371-9659, FAX (804) 371-9416, or e-mail jface@scc.state.va.us.

**Summary:**

The proposed regulations establish surety bond standards for licensed nonprofit credit counseling agencies under the Nonprofit Credit Counseling Act (§ 6.1-363.2 et seq. of the Code of Virginia), require certain reports from licensees, and define various terms. The State Corporation Commission is also proposing to repeal its "Nonprofit Debt Counseling Agencies" regulations, which were previously adopted pursuant to former Chapter 10.1 of Title 6.1 of the Code of Virginia, which was repealed by Chapter 790 of the 2004 Acts of Assembly.

AT RICHMOND, SEPTEMBER 1, 2004

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. BFI-2004-00110

Ex Parte: In re: proposed nonprofit credit counseling regulations and repeal of "Nonprofit Debt Counseling Agencies" regulations

ORDER TO TAKE NOTICE

WHEREAS, Chapter 790 of the 2004 Acts of Assembly enacted the Nonprofit Credit Counseling Act (the "Act"), § 6.1-363.2 et seq. of the Code of Virginia, effective July 1, 2004;

WHEREAS, § 6.1-363.15 of the Act authorizes the State Corporation Commission (the "Commission") to adopt such regulations as it deems appropriate to effect the purposes of the Act;

WHEREAS, the Bureau of Financial Institutions (the "Bureau") has proposed regulations that will define various terms, establish surety bond standards, and require certain reports from licensed nonprofit credit counseling agencies;

WHEREAS, Chapter 790 of the 2004 Acts of Assembly also repealed Chapter 10.1 (§ 6.1-363.1) of Title 6.1 of the Code of Virginia; and

WHEREAS, based on the repeal of Chapter 10.1 of Title 6.1 of the Code of Virginia and the contemporaneous enactment of Chapter 10.2 of Title 6.1 of the Code of Virginia, the Bureau recommends that the Commission repeal its "Nonprofit Debt Counseling Agencies" regulations, Chapter 100 (10 VAC 5-100-10 et seq.) of Title 10 of the Virginia Administrative Code, which were previously adopted pursuant to former Chapter 10.1 of Title 6.1 of the Code of Virginia;

IT IS THEREFORE ORDERED THAT:

(1) Notice is hereby given of the proposed repeal of the "Nonprofit Debt Counseling Agencies" regulations, Chapter 100 (10 VAC 5-100-10 et seq.) of Title 10 of the Virginia Administrative Code.

(2) The proposed nonprofit credit counseling regulations are appended hereto and made a part of the record herein.

(3) Comments or requests for hearing on the proposed regulations or the repeal of the "Nonprofit Debt Counseling Agencies" regulations must be submitted in writing to Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, on or before October 15, 2004. Requests for hearing shall state why a hearing is necessary and why such issues cannot be adequately addressed in written comments. All correspondence shall contain a reference to Case No. BFI-2004-00110. Interested persons desiring to submit comments or request a hearing electronically may do so by following the instructions available at the Commission's website:

<http://www.state.va.us/scc/caseinfo.htm>.

(1) The proposed regulations shall be posted on the Commission's website at

<http://www.state.va.us/scc/caseinfo.htm>.

(2) AN ATTESTED COPY hereof, together with a copy of the proposed regulations, shall be sent to the Registrar of Regulations for publication in the Virginia Register.

AN ATTESTED COPY hereof shall be sent to the Commissioner of Financial Institutions, who shall forthwith mail a copy of this Order, together with the proposed regulations, to all nonprofit credit counseling agencies currently operating under a license previously issued by the Commission under former Chapter 10.1 of Title 6.1 of the Code of Virginia, and other interested parties as he may designate.

CHAPTER 110.  
NONPROFIT CREDIT COUNSELING.

**10 VAC 5-110-10. Definitions.**

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

"Bureau," "commissioner," "debt management plan," and "licensee" shall have the meanings ascribed to them in § 6.1-363.2 of the Code of Virginia.

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# Proposed Regulations

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"Reporting period" means the first six months of a calendar year or the last six months of a calendar year, as the case may be.

## **10 VAC 5-110-20. Surety bond standards; reporting requirements.**

A. Every licensee shall be bonded in a principal amount determined by the commissioner. The bond amount shall be equal to the licensee's average monthly volume of funds received from Virginia consumers under debt management plans during the preceding reporting period, rounded to the next highest multiple of \$10,000, but not exceeding \$350,000.

B. The amount of bond required of a new licensee shall be based upon the applicant's financial condition, capitalization, projected Virginia monthly volume of funds received under debt management plans, experience, and other factors deemed pertinent by the commissioner.

C. The minimum bond required shall be \$25,000.

D. The form of the bond will be prescribed and provided by the commissioner. The required bond shall be filed with the bureau prior to issuance of a license and shall be maintained continuously thereafter.

E. Licensees shall file a written report with the bureau within 45 days after the end of each reporting period. The report shall contain information regarding the volume of funds received from Virginia consumers under debt management plans and such other information as the commissioner may require concerning the licensee's business and operations. The commissioner may require additional reports as he deems necessary.

F. If the legal name of a licensee is changed, the licensee shall file with the bureau within 15 days a written notice of such change and a document effecting a change of name on its bond.

V.A.R. Doc. No. R05-13; Filed September 2, 2004, 11:22 a.m.

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## **TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING**

### **BOARD OF OPTOMETRY**

**REGISTRAR'S NOTICE:** The Board of Optometry is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4002 A 14 of the Code of Virginia, which exempts the Board of Optometry from the Administrative Process Act when specifying therapeutic pharmaceutical agents, treatment guidelines, and diseases and abnormal conditions of the human eye and its adnexa for TPA-certification of optometrists pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 of Title 54.1.

**Title of Regulation:** 18 VAC 105-20. Regulations Governing the Practice of Optometry (adding 18 VAC 105-20-46 and 18 VAC 105-20-47).

**Statutory Authority:** § 54.1-3223 of the Code of Virginia.

**Public Hearing Date:** October 6, 2004 - 9 a.m.

Public comments may be submitted until October 6, 2004.  
(See Calendar of Events section for additional information)

**Agency Contact:** Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6603 West Broad Street, Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114, or e-mail elaine.yeatts@dhp.virginia.gov.

#### **Additional Information:**

The Board of Optometry is amending this chapter under an exemption from the Administrative Process Act and under a process specified in § 54.1-3223 of the Code of Virginia. In the promulgation of a regulatory action to amend the treatment guidelines for the use of therapeutic pharmaceutical agents (TPA) and the formulary of drugs that can be used by TPA-certified optometrists, the board is required to receive a recommendation from a TPA Formulary Committee (which includes optometrists, ophthalmologists, and a pharmacist), notify all TPA-certified optometrists and other interested parties, and send notice to the Registrar of Regulations. Proposed and final regulations must be published in the Register of Regulations and a public hearing held on the proposal prior to final adoption.

In the treatment guidelines (18 VAC 105-20-46), the language is taken from 18 VAC 105-30-60 with the following changes: (i) deletion of the word "anterior" after uveitis to permit the treatment of posterior uveitis; (ii) deletion of "acute" before angle closure glaucoma; and (iii) addition of treatment guidelines for use of oral immunosuppressive agents.

In the formulary of TPA drugs (18 VAC 105-20-47), the board has moved from a listing of specific drugs on the formulary, as currently stated in 18 VAC 105-30-70, to a listing of categories of drugs that may be procured, administered, and prescribed. The current formulary references a listing of topically applied Schedule VI drugs found in the chapter on ophthalmic agents in Drug Facts and Comparisons and lists the specific narcotic and nonnarcotic analgesics in Schedules III and VI that can be used. The proposed formulary states that all oral narcotic and nonnarcotic analgesics in Schedules III, IV and VI may be used and lists the categories of topically or orally administered Schedule VI drugs that can be administered or prescribed. The Formulary Committee (with a majority of optometrists) voted to eliminate immunosuppressive agents from the categories of orally administered drugs, but the board voted to include that category, as well as all anti-infective, anti-inflammatory, anti-allergy, anti-fungal, anti-glaucoma, decongestant, and aminocaproic acid drugs.

#### **Summary:**

The proposed action revises the treatment guidelines for the use of therapeutic pharmaceutical agents (TPA) by TPA-certified optometrists. The amendments also provide categories of drugs that may be procured, administered and prescribed rather than a list of specific drugs on the formulary.

**18 VAC 105-20-46. Treatment guidelines for TPA certification.**

A. TPA-certified optometrists may treat diseases and abnormal conditions of the following structures of the human eye and its adnexa that may be appropriately treated with pharmaceutical agents as referenced in 18 VAC 105-20-47:

1. Lids and adnexa;
2. Lacrimal system;
3. Cornea;
4. Conjunctiva; and
5. Episclera.

B. In addition, the following may be treated:

1. Glaucoma (excluding the treatment of congenital and infantile glaucoma). Treatment of angle closure shall follow the protocol prescribed in subsection C of this section.
2. Ocular-related post-operative care in cooperation with patient's surgeon.
3. Ocular trauma to the above tissues as in subsection A of this section.
4. Uveitis.
5. Anaphylactic shock (limited to the administration of intramuscular epinephrine).

C. The protocol for treatment of angle closure glaucoma shall be as follows:

1. Treatment shall be limited to the initiation of immediate emergency care with appropriate pharmaceutical agents as prescribed by this chapter;
2. Once the diagnosis of acute angle closure glaucoma has been established by the optometrist, the ophthalmologist to whom the patient is to be referred should be contacted immediately;
3. If there are no medical contraindications, an oral osmotic agent may be administered as well as an oral carbonic anhydrase inhibitor and any other medically accepted, Schedule III, IV or VI, oral antiglaucomic agent as may become available; and
4. Proper topical medications as appropriate may also be administered by the optometrist.

D. An oral Schedule VI immunosuppressive agent shall only be used when (i) the condition fails to appropriately respond to any other treatment regimen; (ii) such agent is prescribed in consultation with a physician; and (iii) treatment with such agent includes monitoring of systemic effects.

**18 VAC 105-20-47. Therapeutic pharmaceutical agents.**

A TPA-certified optometrist, acting within the scope of his practice, may procure, administer and prescribe therapeutic pharmaceutical agents (or any therapeutically appropriate combination thereof) to treat diseases and abnormal conditions of the human eye and its adnexa within the following categories:

1. Oral analgesics - Schedule III, IV and VI narcotic and nonnarcotic agents.

2. Topically administered Schedule VI agents:

- a. Alpha-adrenergic blocking agents;
- b. Anesthetic (including esters and amides);
- c. Anti-allergy (including antihistamines and mast cell stabilizers);
- d. Anti-fungal;
- e. Anti-glaucoma (including carbonic anhydrase inhibitors and hyperosmotics);
- f. Anti-infective (including antibiotics and antivirals);
- g. Anti-inflammatory;
- h. Cycloplegics and mydriatics;
- i. Decongestants; and
- j. Immunosuppressive agents.

3. Orally administered Schedule VI agents:

- a. Aminocaproic acids (including antifibrinolytic agents);
- b. Anti-allergy (including antihistamines and leukotriene inhibitors);
- c. Anti-fungal;
- d. Anti-glaucoma (including carbonic anhydrase inhibitors and hyperosmotics);
- e. Anti-infective (including antibiotics and antivirals);
- f. Anti-inflammatory (including steroidal and non-steroidal);
- g. Decongestants; and
- h. Immunosuppressive agents.

B. Schedule I, II and V drugs are excluded from the list of therapeutic pharmaceutical agents.

C. Over-the-counter topical and oral medications for the treatment of the eye and its adnexa may be procured for administration, administered, prescribed or dispensed.

VA.R. Doc. No. R04-280; Filed September 1, 2004, 9:45 a.m.



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# FINAL REGULATIONS

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For information concerning Final Regulations, see Information Page.

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## Symbol Key

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

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### BOARD OF GAME AND INLAND FISHERIES

**REGISTRAR'S NOTICE:** The Board of Game and Inland Fisheries is exempt from the Administrative Process Act pursuant to subdivision A 3 of § 2.2-4002 of the Code of Virginia when promulgating regulations regarding the management of wildlife. The department is required by § 2.2-4031 of the Code of Virginia to publish all proposed and final wildlife management regulations, including length of seasons and bag limits allowed on the wildlife resources within the Commonwealth of Virginia.

Title of Regulation: **4 VAC 15-40. Game: In General (amending 4 VAC 15-40-280).**

Statutory Authority: §§ 29.1-501 and 29.1-502 of the Code of Virginia.

Effective Date: October 20, 2004.

Agency Contact: Phil Smith, Policy Analyst and Regulatory Coordinator, Department of Game and Inland Fisheries, 4016 West Broad Street, Richmond, VA 23230, telephone (804) 367-1000, FAX (804) 367-0488 or e-mail RegComments@dgif.state.va.us.

Summary:

*The amendments establish the requirement for an annual hunting stamp, with the cost to correspond to that of an annual state resident hunting license, to hunt on private lands managed by the department through a lease agreement or similar memorandum of understanding. This annual hunting stamp is in addition to all required licenses to hunt.*

**4 VAC 15-40-280. Department-owned ~~or~~, controlled, or managed lands; annual stamp for hunting on private lands managed by the department.**

A. The open seasons for hunting and trapping, as well as hours, methods of taking, and bag limits for department-owned or controlled lands, or lands managed by the department under cooperative agreement, shall conform to the regulations of the board unless excepted by posted rules established by the director or his designee. Such posted rules shall be displayed at each recognized entrance to the land where the posted rules are in effect.

B. Department-owned lands shall be open to the public for wildlife observation and for hunting, fishing, trapping, and boating (as prescribed by 4 VAC 15-320-100) under the regulations of the board. Other activities deemed appropriate by the director or his designee may be allowed by posted

rules, by written authorization from the director or his designee, or by special permit.

C. *No person shall hunt on private lands managed by the department through a lease agreement or other similar memorandum of agreement where the department issues an annual hunting stamp without having purchased a valid annual hunting stamp. The annual hunting stamp shall be in addition to the required licenses to hunt, and the cost of such stamp shall be the same as the cost of the annual state resident hunting license in § 29.1-303 of the Code of Virginia.*

D. Activities that are not generally or specifically authorized in accordance with ~~subsection A or B~~ subsections A through C of this section are prohibited and shall constitute a violation of this regulation.

VA.R. Doc. No. R04-224; Filed September 2, 2004, 4:16 p.m.

\* \* \* \* \*

Title of Regulation: **4 VAC 15-320. Fish: Fishing Generally (amending 4 VAC 15-320-100).**

Statutory Authority: §§ 29.1-501 and 29.1-502 of the Code of Virginia.

Effective Date: September 20, 2004.

Agency Contact: Phil Smith, Policy Analyst and Regulatory Coordinator, Department of Game and Inland Fisheries, 4016 West Broad Street, Richmond, VA 23230, telephone (804) 367-1000, FAX (804) 367-0488 or e-mail RegComments@dgif.state.va.us.

Summary:

*As authorized by the General Assembly in the 2004 Appropriation Act, the amendment establishes a \$1.00 fee per visitor to Department of Game and Inland Fisheries-owned fish hatcheries to provide for visitor access to, and offset the cost of supervising visitors at, the fish hatcheries.*

**4 VAC 15-320-100. Department-owned or controlled lakes, ponds, streams ~~or~~, boat access sites, or hatcheries; hatchery visitor fee.**

A. Motors and boats. Unless otherwise posted at each recognized entrance to any department-owned or controlled lake, pond or stream, the use of boats propelled by gasoline motors, sail or mechanically operated recreational paddle wheel is prohibited. Department employees and other government agency officials may use gasoline motors in the performance of official duties.

B. Method of fishing. Taking any fish at any department-owned or controlled lake, pond or stream by any means other than by use of one or more attended poles with hook and line attached is prohibited unless otherwise posted in which case cast nets (subject to 4 VAC 15-360-10 B) may be used for collecting nongame fish for use as bait.



C. Hours for fishing. Fishing is permitted 24 hours a day unless otherwise posted at each recognized entrance to any department-owned or controlled lake, pond, stream, or boat access site.

D. Seasons; hours and methods of fishing; size and creel limits; hunting and trapping. The open seasons for fishing, as well as fishing hours, methods of taking fish and the size, possession and creel limits, and hunting and trapping for department-owned or department-controlled lakes, ponds, streams or boat access sites shall conform to the regulations of the board unless otherwise excepted by posted rules by the director or his designee. Such posted rules shall be displayed at each lake, pond, stream or boat access site, in which case the posted rules shall be in effect. Failure to comply with posted rules concerning seasons, hours, methods of taking, bag limits, and size, possession and creel limits shall constitute a violation of this regulation.

E. Other uses. Camping overnight or building fires (except in developed and designated areas), swimming, or wading in department-owned or department-controlled lakes, ponds or streams (except by anglers, hunters and trappers actively engaged in fishing, hunting or trapping), is prohibited. All other uses shall conform to the regulations of the board unless excepted by posted rules.

F. Fishing tournaments, etc. It shall be unlawful to organize, conduct, supervise or solicit entries for fishing tournaments, rodeos or other fishing events on lakes, ponds, or streams owned by the department, for which prizes are offered, awarded or accepted based on size or numbers of fish caught, either in money or other valuable considerations. This chapter will not prohibit events approved by the department that are intended to promote youth fishing or provide instruction, provided no prizes, as defined above, are awarded and no participation fees are charged.

*G. The department maintains operation of and visitor access to state-owned fish hatcheries. To offset the cost of supervising visitors at the fish hatcheries, a fee of \$1.00 will be charged per visitor.*

VA.R. Doc. No. R04-226; Filed September 2, 2004, 4:15 p.m.



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# EMERGENCY REGULATIONS

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF MEDICINE

**Title of Regulation:** 18 VAC 85-15. Regulations Governing Delegation to an Agency Subordinate (adding 18 VAC 85-15-10, 18 VAC 85-15-20 and 18 VAC 85-15-30).

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

**Effective Dates:** September 1, 2004, through August 31, 2005.

**Agency Contact:** William L. Harp, M.D., Executive Director, Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, or e-mail william.harp@dhp.virginia.gov.

**Preamble:**

*The adoption of an emergency regulation by the Board of Medicine is required to comply with amendments to § 54.1-2400 (10) and the third enactment clause of Chapter 64 of the 2004 Acts of Assembly. Subdivision 10 establishes authority for health regulatory boards to appoint special conference committees and to delegate an informal fact-finding proceeding to an appropriately qualified agency subordinate. It further adds a mandate for the adoption of regulations, "Criteria for the appointment of an agency subordinate shall be set forth in regulations adopted by the board."*

*The third enactment clause of Chapter 64 of the 2004 Acts of the Assembly, which states "That the health regulatory boards within the Department of Health Professions shall promulgate regulations to implement the provisions of this act relating to the delegation of fact-finding proceedings to an agency subordinate within 280 days of its enactment" requires the adoption of the regulation as an emergency in accordance with § 2.2-4011 of the Administrative Process Act, which states that an emergency situation is (i) a situation involving an imminent threat to public health or safety; or (ii) a situation in which Virginia statutory law, the Virginia appropriation act, or federal law requires that a regulation shall be effective in 280 days or less from its enactment, or in which federal regulation requires a regulation to take effect no later than 280 days from its effective date. Chapter 64 was enacted on March 10, 2004, the day HB 577 was signed by the Governor.*

*In order to establish in regulation the criteria for delegation that will be applicable to all professions regulated by the board, the board has adopted a new chapter. Chapter 15 includes the decision to delegate at the time of a probable cause determination, the types of cases that may be delegated, and the individuals who may be designated as agency subordinates.*

### CHAPTER 15.

#### REGULATIONS FOR DELEGATION OF INFORMAL FACT-FINDING TO AN AGENCY SUBORDINATE.

##### **18 VAC 85-15-10. Decision to delegate informal fact-finding proceedings to an agency subordinate.**

*In accordance with § 54.1-2400 (10) of the Code of Virginia, the board may delegate an informal fact-finding proceeding to an agency subordinate upon determination that probable cause exists that a practitioner may be subject to a disciplinary action.*

##### **18 VAC 85-15-20. Criteria for delegation.**

*Cases that may be delegated to an agency subordinate shall be limited to those involving:*

- 1. The practitioner profile system;*
- 2. Continuing competency;*
- 3. Advertising;*
- 4. Compliance with board orders;*
- 5. Default on a student loan; or*
- 6. Failure to provide medical records.*

##### **18 VAC 85-15-30. Criteria for an agency subordinate.**

*A. An agency subordinate may include board members, professional staff or other persons authorized and deemed by the board to be knowledgeable by virtue of their training and experience in administrative proceedings involving the regulation and discipline of health professionals to conduct an informal fact-finding proceeding.*

*B. The executive director shall maintain a list of appropriately qualified persons to whom an informal fact-finding proceeding may be delegated.*

*C. The board may delegate to the executive director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being heard.*

/s/ Mark R. Warner

Governor

Date: August 30, 2004

VA.R. Doc. No. R05-02; Filed September 1, 2004, 9:44 a.m.

### BOARD OF NURSING

**Title of Regulation:** 18 VAC 90-15. Regulations Governing Delegation to an Agency Subordinate (adding 18 VAC 90-15-10, 18 VAC 90-15-20 and 18 VAC 90-15-30).

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

**Effective Dates:** September 1, 2004, through August 31, 2005.

**Agency Contact:** Jay P. Douglas, R.N., Executive Director, Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712, telephone

(804) 662-9909, FAX (804) 662-9512, or e-mail jay.douglas@dhp.virginia.gov.

**Preamble:**

*The adoption of an emergency regulation by the Board of Nursing is required to comply with amendments to § 54.1-2400 (10) and the third enactment clause of Chapter 64 of the 2004 Acts of Assembly. Subdivision 10 establishes authority for health regulatory boards to appoint special conference committees and to delegate an informal fact-finding proceeding to an appropriately qualified agency subordinate. It further adds a mandate for the adoption of regulations, "Criteria for the appointment of an agency subordinate shall be set forth in regulations adopted by the board."*

*The third enactment clause of Chapter 64 of the 2004 Acts of the Assembly, which states "That the health regulatory boards within the Department of Health Professions shall promulgate regulations to implement the provisions of this act relating to the delegation of fact-finding proceedings to an agency subordinate within 280 days of its enactment" requires the adoption of the regulation as an emergency in accordance with § 2.2-4011 of the Administrative Process Act, which states that an emergency situation is (i) a situation involving an imminent threat to public health or safety; or (ii) a situation in which Virginia statutory law, the Virginia appropriation act, or federal law requires that a regulation shall be effective in 280 days or less from its enactment, or in which federal regulation requires a regulation to take effect no later than 280 days from its effective date. Chapter 64 was enacted on March 10, 2004, the day HB 577 was signed by the Governor.*

*In order to establish in regulation the criteria for delegation that will be applicable to all professions regulated by the board, the board has adopted a new chapter. Chapter 15 includes the decision to delegate at the time of a probable cause determination, the types of cases that cannot be delegated except by approval of the board president, and the individuals who may be designated as agency subordinates.*

**CHAPTER 15.**

**REGULATIONS FOR DELEGATION OF INFORMAL FACT-FINDING TO AN AGENCY SUBORDINATE.**

**18 VAC 90-15-10. Decision to delegate.**

*In accordance with § 54.1-2400 (10) of the Code of Virginia, the board may delegate an informal fact-finding proceeding to an agency subordinate upon determination that probable cause exists that a practitioner may be subject to a disciplinary action.*

**18 VAC 90-15-20. Criteria for delegation.**

*Cases that involve intentional or negligent conduct that caused serious injury or harm to a patient may not be delegated to an agency subordinate, except as may be approved by the president of the board.*

**18 VAC 90-15-30. Criteria for an agency subordinate.**

*A. An agency subordinate authorized by the board to conduct an informal fact-finding proceeding may include current or past board members and professional staff or other persons deemed knowledgeable by virtue of their training and experience in administrative proceedings involving the regulation and discipline of health professionals.*

*B. The executive director shall maintain a list of appropriately qualified persons to whom an informal fact-finding proceeding may be delegated.*

*C. The board may delegate to the executive director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being heard.*

/s/ Mark R. Warner  
Governor

Date: August 30, 2004

VA.R. Doc. No. R05-04; Filed September 1, 2004, 9:45 a.m.

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# FORMS

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### DEPARTMENT OF MINES, MINERALS AND ENERGY

EDITOR'S NOTICE: The following forms have been filed by the Department of Mines, Minerals and Energy. The forms are available for public inspection at the Department of Mines, Minerals and Energy, 202 North Ninth Street, Richmond, Virginia 23219, at the department's Charlottesville office, 900 Natural Resources Drive, Charlottesville, Virginia 22903, or the Office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia 23219. Copies of the forms may be obtained from Stephen A. Walz, Department of Mines, Minerals and Energy, 202 North Ninth Street, Richmond, Virginia 23219, telephone (804) 692-3200.

Title of Regulation: **4 VAC 25-31. Reclamation Regulations for Mineral Mining.**

#### FORMS

Permit/License Application, DMM-101 (rev. 3/04).

Notice of Application to Mine, DMM-103 (rev. 9/03).

Statement Listing the Names and Addresses of Adjoining Property Owners, DMM-103a (rev. 9/99); included in DMM-103 Notice of Application to Mine.

Yearly Progress Report, DMM-105 (rev. 12/94).

Surety Bond, DMM-107 (rev. ~~4/03~~ 7/04).

Revised Map Legend Form, DMM-109 (rev. ~~9/03~~ 7/04).

Relinquishment of Mining Permit, DMM-112 (rev. 9/03).

Request for Amendment, DMM-113 (rev. 7/99).

Consolidated Biennial Report of Waivered Counties, Cities, and Towns, DMM-116 (rev. 12/99).

Biennial Waivered Counties, Cities, and Towns, Report of Individual Mining Companies, DMM-117 (rev. 12/99).

Consent for Right of Entry, DMM-120 (rev. 12/99).

License Renewal/Transfer Application, DMM-157 (rev. 3/04).

Permit Transfer Acceptance, DMM-161 (rev. 9/03).

Certification of No Change, DMM-164 (rev. 9/03).

Surety Bond Rider, DMM-167 (eff. ~~10/03~~ rev. 7/04).

General Permit for Sand and Gravel Operations Less Than Ten Acres in Size, DMM-168 (eff. 9/03).

Certificate of Deposit, DMM-169 (eff. 10/03).

Permit No: (DMM use only)	
Bond No:	



COMMONWEALTH OF VIRGINIA  
 DEPARTMENT OF MINES, MINERALS AND ENERGY  
 DIVISION OF MINERAL MINING  
 P. O. BOX 3727, CHARLOTTESVILLE, VA 22903-0727  
 TELEPHONE: (434) 951-6310

**SURETY BOND**

**KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED**

\_\_\_\_\_ (hereafter **PRINCIPAL**),

whose principal place of business is \_\_\_\_\_,

and who does business as a [**CHECK ONE ONLY**]:  Corporation;  Limited Partnership;  
 Limited Liability Company;  Partnership; or  Sole Proprietorship, acting herein as **PRINCIPAL**, and

\_\_\_\_\_ (hereafter **SURETY**),

whose principal business address is \_\_\_\_\_  
 and who was organized and is existing under the laws of the State of \_\_\_\_\_,  
 and licensed to write and perform surety business in the Commonwealth of Virginia, are held and  
 firmly bound unto the

**COMMONWEALTH OF VIRGINIA,**  
**DIRECTOR, DIVISION OF MINERAL MINING**  
 (hereafter **OBLIGEE**),

in the sum of \_\_\_\_\_  
 (\$ \_\_\_\_\_) Dollars for the payment of which sum the **PRINCIPAL** and  
**SURETY** bind themselves, their heirs, executors, administrators, successors, and assigns, jointly  
 and severally, firmly by these presents.

**THE CONDITION OF THE ABOVE OBLIGATION is such that:**

**WHEREAS**, the **PRINCIPAL** proposes to commence mineral mining to be known as \_\_\_\_\_  
 in \_\_\_\_\_ County(ies) of Virginia; and,

DMM-107  
 REV 7/04

Permit No: (DMM use only)	
Bond No:	

**WHEREAS**, the above-named **PRINCIPAL** has submitted [**CHECK ONE ONLY**]:  
 Permit Tracking Number or  Permit Number \_\_\_\_\_, including a mining and reclamation plan, to conduct and reclaim a mineral mining operation, as defined pursuant to Chapter 16 of Title 45.1 of the Code of Virginia, (hereafter, **CODE**), as amended, with its attendant regulations; and,

**WHEREAS**, the **PRINCIPAL** has chosen to file this performance bond as a guarantee that the reclamation of the land disturbed during this mining operation will be completed as required by the **CODE**, its attendant regulations, and as specified in the permit as issued; and,

**WHEREAS**, the **SURETY**, and their successors and assigns agree to guarantee the obligation and to indemnify, defend, and hold harmless **OBLIGEE** from any and all losses and expenses which **OBLIGEE** may sustain as a result of the **PRINCIPAL'S** failure to comply with the condition of the obligation;

**WHEREAS**, obligations guaranteed by this performance bond shall be in effect for the following described lands approved as the permit area upon which initial or succeeding operations will be conducted:

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**NOW**, if the **PRINCIPAL** faithfully completes all reclamation and abatement requirements set forth in the **CODE** and its Permit issued in reliance on this Surety Bond, including the mining and reclamation plan, then this obligation shall be void; otherwise, it shall remain in full force and effect:

- (a) Beginning on the date of the approval and issuance of [**CHECK ONE ONLY**]  
 Permit Tracking Number or  Permit Number \_\_\_\_\_ and until abatement work pursuant to the **CODE** and the permit has been completed to the satisfaction of the **OBLIGEE**; and
- (b) Until the bond is released pursuant to the **CODE**, replaced in accordance with the **CODE**, or until the permit has been transferred in accordance with the **CODE**.

The failure of the **PRINCIPAL** to fulfill the obligations specified by the **CODE** and its permit shall result in a forfeiture of this performance bond according to the procedures described in the **CODE**.

The **SURETY** shall not cancel this bond at any time for any reason, including non-payment of premium or bankruptcy of the **PRINCIPAL** during the period of liability. The amount of the **SURETY'S** liability may be adjusted by the **OBLIGEE** pursuant to the **CODE** for lands covered by this bond.

Permit No: (DMM use only)	
Bond No:	

The **SURETY** shall give prompt notice to the **PRINCIPAL** and to the **OBLIGEE** of any notice received or action filed alleging the insolvency or bankruptcy of the **SURETY** or of the **PRINCIPAL**, or alleging any violations or regulatory requirements which could result in suspension or revocation of the **SURETY'S** license to do business.

In the event the **SURETY** becomes unable to fulfill its obligations under the bond for any reason, notice shall be given immediately to the **PRINCIPAL** and to the **OBLIGEE**. Any proceeding, legal or equitable, under this bond must be instituted in a Virginia court of competent jurisdiction and shall be governed by the laws of the Commonwealth of Virginia.

Upon the incapacity of the **SURETY** by reason of bankruptcy, insolvency, or suspension or revocation of its license, the **PRINCIPAL** shall be deemed to be without bond coverage in violation of the **CODE** and subject to enforcement actions described therein.

<b>I. BY COMPANY/PRINCIPAL:</b>	
_____ (SEAL) By: _____ Company /Principal	<b>Company/Principal Official</b>
_____	_____
Title	Date
Subscribed and sworn/affirmed to before me by _____,	
this _____ day of _____, 20____, in the City/County of _____.	
	_____ (SEAL) <b>Notary Public</b>
My Commission expires _____, 20____.	

Permit No: (DMM use only)	
Bond No:	

**II. BY SURETY: Attach copy bearing seal of Power of Attorney or documentation supporting Corporate Officer's authority to issue surety bond.**

\_\_\_\_\_(SEAL) By: \_\_\_\_\_  
 Surety Name Attorney-in-Fact

\_\_\_\_\_ Date Typed Name

**AFFIDAVIT AND ACKNOWLEDGEMENT OF ATTORNEY-IN-FACT  
 COMMONWEALTH OF VIRGINIA**

(or, alternatively, Commonwealth or State of \_\_\_\_\_) CITY/COUNTY OF \_\_\_\_\_, to wit:

I, the undersigned notary public, do certify that \_\_\_\_\_ personally appeared before me in the jurisdiction aforesaid and made oath that he/she is the attorney-in-fact of \_\_\_\_\_, the Surety, that he/she is duly authorized to execute on its behalf the foregoing Bond pursuant to the Power of Attorney attached, and on behalf of said Surety acknowledged the aforesaid Bond(s) as its act and deed.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_(SEAL)  
**Notary Public**

My Commission expires: \_\_\_\_\_, 20\_\_.



Permit No: (DMM use only)	
Bond No:	

<p><b>III. BY ISSUING AGENT:</b> 1. Attach copy of Agency License and Assignment Card from Bureau of Insurance.</p> <p>2. Attach verification of individual's authority to sign on behalf of Agency.</p>
<p>Insurance Agency Issuing Surety Bond (provide the following information):</p> <p>Agency name: _____</p> <p>Authorized agent: _____</p> <p>Agent address: _____</p> <p>Office telephone number: _____</p>
<p><b>IV. DIVISION APPROVAL:</b></p> <p>ACCEPTED: _____ Date _____</p> <p style="padding-left: 100px;">Division of Mineral Mining</p>



Permit No:	
Bond No:	



COMMONWEALTH OF VIRGINIA  
 DEPARTMENT OF MINES, MINERALS AND ENERGY  
 DIVISION OF MINERAL MINING  
 P. O. BOX 3727; CHARLOTTESVILLE, VA 22903-0727  
 TELEPHONE: (434) 951-6310

**SURETY BOND RIDER**

Increase       Decrease       New Bond Amount: \_\_\_\_\_

TO be attached to and form a part of Surety Company Bond No. \_\_\_\_\_  
 written by \_\_\_\_\_ as SURETY, on behalf  
 of \_\_\_\_\_ as PRINCIPAL, in the sum of  
 \_\_\_\_\_ (\$ \_\_\_\_\_) Dollars, in  
 favor of the COMMONWEALTH of VIRGINIA, DIRECTOR, DIVISION OF MINERAL MINING  
 as OBLIGEE executed on \_\_\_\_\_, 20\_\_\_\_.

WHEREAS, the OBLIGEE issued to the PRINCIPAL Permit Number \_\_\_\_\_ dated  
 on \_\_\_\_\_, pursuant to the application of the PRINCIPAL,

WHEREAS, said bond and rider shall cover any and all land affected or to be affected by the  
 mining operation under the above-mentioned permit and revisions and renewals since the date of the  
 issuance of the permit,

NOW, therefore, the amount of the bond is  increased  decreased by  
 \_\_\_\_\_ (\$ \_\_\_\_\_) Dollars to a total sum of  
 \_\_\_\_\_ (\$ \_\_\_\_\_) Dollars, to cover the  
 additional/reduced cost of reclaiming all affected lands.

**It is further agreed that all other terms and conditions of this bond shall remain unchanged.**

SIGNED AND SEALED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

DMM-167  
 REV 7/04



Permit No:	_____
Bond No:	_____

before me in the jurisdiction aforesaid and made oath that he is the attorney-in-fact of \_\_\_\_\_, the Surety, that he is duly authorized to execute on its behalf the foregoing Bond pursuant to the Power of Attorney attached, and on behalf of said Surety, acknowledged the aforesaid Bond(s) as its act and deed.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_(SEAL)

**Notary Public**

My Commission expires: \_\_\_\_\_, 20\_\_\_\_.

**III. BY ISSUING AGENT: 1. Attach copy of Agency License and Assignment Card from Bureau of Insurance.**

**2. Attach verification of individual's authority to sign on behalf of Agency**

Agency Issuing Surety Bond (provide the following information):

Agency name: \_\_\_\_\_

Authorized agent: \_\_\_\_\_

Agent address: \_\_\_\_\_

Office telephone number: \_\_\_\_\_

**IV. DIVISION APPROVAL:**

**ACCEPTED:** \_\_\_\_\_ Date \_\_\_\_\_

Division of Mineral Mining

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# GENERAL NOTICES/ERRATA

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## DEPARTMENT OF ENVIRONMENTAL QUALITY

### Notice of Availability of the Final 2004 305(b)/303(d) Water Quality Assessment Integrated Report

The Virginia Department of Environmental Quality (DEQ) will release the Final 2004 305(b)/303(d) Water Quality Assessment Integrated Report (Integrated Report) on September 20, 2004.

The Integrated Report combines both the 305(b) Water Quality Assessment and the 303(d) Report on Impaired Waters. This report was available for public comment from March 22, 2004, through April 23, 2004. Comments were received from the public and the United States Environmental Protection Agency (EPA). In response to comments, the report was revised and resubmitted to EPA in August 2004 and later approved.

The final report, responses to written comments, and map images are available for download on our website at <http://www.deq.virginia.gov/wqa/>. A very limited number of hard copies of the report are available by contacting Pat Carpin, either via e-mail at [pmpcarpin@deq.virginia.gov](mailto:pmpcarpin@deq.virginia.gov), or via phone at (804) 698-4575. The report is also available at no charge on CD-ROM (limit one per person) via this webpage. These CD-ROMs include the entire report, all of its appendices, and a book of maps developed from the 2004 assessment.

A hard copy of the entire map book is also available. The map book can be ordered by printing the form found at <http://www.deq.virginia.gov/wqa/pdf/2004ir/maporder.pdf> on our website, filling it out and mailing it to DEQ at the address indicated on the form with a check payable to "Treasurer of Virginia." Please memo your check with "2004 IR maps." The fees are listed on the order form.

Questions about the report can be directed to Darryl M. Glover, DEQ Water Quality Monitoring and Assessment Manager, P.O. Box 10009, Richmond, VA 23240-0009, or via e-mail to [dmglover@deq.virginia.gov](mailto:dmglover@deq.virginia.gov).

## DEPARTMENT OF GENERAL SERVICES

### Proposed Regulations Certification for Noncommercial Environmental Laboratories (1 VAC 30-45) Certification for Commercial Environmental Laboratories (1 VAC 30-46)

The Division of Consolidated Laboratory Services (DCLS) of the Department of General Services seeks written comments on the changes that have been made to the environmental laboratory certification program regulations proposed on February 9, 2004, in the Virginia Register of Regulations (20:11 VA.R. 1104-1160). DCLS has reviewed the comments received during the public comment period, February 9 through April 9, 2004, and has made changes to the proposed regulations based on those comments.

DCLS requests written comments on the changes to the proposed regulations. Written comments are due by October 20, 2004. A copy of the proposed regulations with the changes indicated is available from Nancy S. Saylor (see information below).

DCLS is providing this additional opportunity for public comment because some of the changes made to the proposed regulations are substantial.

The public comment period will begin on September 20, 2004. No public hearings will be held. Questions or requests for information should be addressed to Nancy S. Saylor at (804) 231-7980 or [nssaylor@erols.com](mailto:nssaylor@erols.com). Written comments should include the name, address and telephone number of the person submitting the comments. The comments should be sent to Nancy S. Saylor at her e-mail address or by mail to DCLS, 600 North 5th Street, Richmond, VA 23219. The comments are due no later than 5 p.m. on October 20, 2004.

## STATE CORPORATION COMMISSION

August 23, 2004

ADMINISTRATIVE LETTER 2004-6

TO: ALL LICENSED PROPERTY & CASUALTY INSURERS  
WRITING COMMERCIAL LINES INSURANCE  
PRODUCTS IN VIRGINIA

RE: APPROVAL OF CONDITIONAL TERRORISM  
EXCLUSIONS TO ADDRESS UNCERTAINTY  
RELATED TO THE EXPIRATION OF THE TERRORISM  
RISK INSURANCE ACT OF 2002

The Terrorism Risk Insurance Act of 2002 (TRIA) was enacted by Congress to provide a temporary federal shared loss program for losses resulting from certain acts of terrorism in order to protect American businesses by ensuring the widespread availability and affordability of coverage for terrorism risk in commercial lines of insurance. Later this year, insurers will be called upon to make decisions about the renewal or issuance of commercial lines insurance policies without knowing whether or not TRIA's December 31, 2005 expiration date will be extended. This places insurers, businesses and regulators in the same situation encountered in the aftermath of Sept. 11th and, once again, insurance regulators find themselves having to consider approval of certain coverage limitations for acts of terrorism in order to avoid the threat of insolvency in the insurance industry. Due to uncertainty regarding the extension of TRIA, regulators expect that insurers may desire to file "conditional" terrorism exclusions that would be activated in the event TRIA is not renewed, or is renewed on a basis that substantially affects the risk of loss assumed by the insurer during the period that the policy is in effect.

The intent of this administrative letter is to inform you of our decision to approve certain conditional coverage limitations for acts of terrorism and to provide a voluntary procedure for insurers to use to expedite the review and approval of these limited exclusions consistent with standards recommended by the National Association of Insurance Commissioners (NAIC).

Instead of approving broad total exclusions of coverage for acts of terrorism, Virginia intends to grant approval to conditional coverage limitations that are substantially similar to those described below. These are the same limitations that applied to the exclusions approved prior to the enactment of TRIA.

For policies providing property insurance coverage the following limitations will apply:

- Exclusions for acts of terrorism apply only if the acts of terrorism result in industry-wide insured losses that exceed \$25,000,000 for related incidents that occur within a 72 hour period;
- Exclusions for acts of terrorism are not subject to the limitation above if:
  - The act involves the use, release or escape of nuclear materials, or directly or indirectly results in nuclear reaction or radiation or radioactive contamination;
  - The act is carried out by means of the dispersal or application of pathogenic or poisonous biological or chemical materials; or
  - Pathogenic or poisonous biological or chemical materials are released, and it appears that one purpose of the act was to release such materials.

Because the Virginia statute that permits the exclusion of damage caused by fire following an act of terrorism is linked to the existence of TRIA (see § 38.2-2102 B of the Code of Virginia), conditional terrorism exclusions shall not apply to direct loss caused by fire following an act of terrorism.

For policies providing liability insurance coverage the following limitations will apply:

- Exclusions for acts of terrorism apply only if the acts of terrorism result in industry-wide insured losses that exceed \$25,000,000 for related incidents that occur within a 72 hour period; or
- Fifty or more persons sustain death or serious physical injury. For purposes of this provision serious physical injury means:
  - Physical injury that involves a substantial risk of death;
  - Protracted and obvious physical disfigurement; or
  - Protracted loss of, or impairment of, the function of a bodily member or organ.
- Exclusions for acts of terrorism are not subject to the limitations above if:
  - The act involves the use, release, or escape of nuclear materials, or directly or indirectly results in nuclear reaction or radiation or radioactive contamination;
  - The act is carried out by means of the dispersal or application of pathogenic or poisonous biological or chemical materials; or

- Pathogenic or poisonous biological or chemical materials are released, and it appears that one purpose of the act was to release such materials.

Since the currently anticipated expiration date of TRIA coincides with the effective date of Virginia's Rules Governing Claims-Made Liability Insurance Policies (14 VAC 5-335-10 et seq. of the Virginia Administrative Code), conditional terrorism exclusion endorsements applicable to claims-made liability insurance policies must offer an extended reporting period in compliance with the rules adopted by order of the Commission in Case No. INS-2002-01318.

Only the following definition of terrorism, or definitions that are more favorable to policyholders, will be acceptable for use with conditional terrorism exclusions:

Terrorism means activities against persons, organizations, or property of any nature:

1. That involve the following or preparation for the following:
  - a. Use or threat of force or violence; or
  - b. Commission or threat of a dangerous act; or
  - c. Commission or threat of an act that interferes with or disrupts an electronic, communication, information, or mechanical system; and
2. When one or both of the following applies:
  - a. The effect is to intimidate or coerce a government or the civilian population or any segment thereof, or to disrupt any segment of the economy; or
  - b. It appears that the intent is to intimidate or coerce a government, or to further political, ideological, religious, social, or economic objectives or to express (or to express opposition to) a philosophy or ideology.

Conditional endorsements must clearly state that the terrorism exclusion will only apply if Congress fails to enact an extension of TRIA or enacts changes to TRIA that substantially affect the risk of loss that an insurer has assumed.

For an insurer to receive an expedited review of its conditional terrorism exclusions for commercial lines insurance coverages, the exclusionary endorsements must comply with the terms and conditions set forth above and be submitted in accordance with the instructions specified below. Further, the insurer must certify that the endorsements being submitted provide coverage that is in no respect less favorable to the insured than the language recommended above.

Because Virginia's standard forms for automobile insurance do not contain terrorism exclusions, and since §§ 38.2-2220, 38.2-2223, and 38.2-2224 of the Code of Virginia prohibit approval of forms providing coverage that is in any respect less favorable to the insured than the coverage provided by the standard forms, conditional terrorism exclusions applicable to automobile insurance policies cannot be approved in Virginia. Terrorism exclusions are also prohibited with respect to workers' compensation insurance.

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## General Notices/Errata

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Attached to this letter is a uniform filing transmittal form that has been agreed upon by Virginia and other states. An insurer wishing to receive expedited treatment of its filing for approval of a conditional terrorism exclusion pursuant to § 38.2-317 of the Code of Virginia shall complete the attached EXPEDITED FILING-TERRORIST EXCLUSIONS APPLICATION Form Filing Transmittal. In addition, the filer must certify that it is filing endorsements that provide coverage that is in no respect less favorable to the insured than the language recommended above. Certification is made by signing the appropriate blank on the transmittal form.

To be complete, a form filing must include the following:

1. A completed, certified Form Filing Transmittal Header for each insurer and an extra copy for return. (A comparable filing transmittal form is available in SERFF.)
2. One copy of each endorsement for each insurer.
3. A postage-paid, self-addressed envelope large enough to accommodate the return.

Please be aware that conditional terrorism exclusion endorsements are subject to the prior-approval requirements of § 38.2-317 of the Code of Virginia and must be submitted at least 30 days prior to the proposed effective date. Questions regarding filing requirements should be directed to the staff of the Property and Casualty Division's Rates and Forms Sections at (804) 371-9298.

/s/ Alfred W. Gross  
Commissioner of Insurance



# General Notices/Errata

EXPEDITED FILING — COMMERCIAL LINES TERRORIST EXCLUSIONS APPLICATION

Ed. 6/1/04

This page applies to the following state(s) \_\_\_\_\_

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #

Contact Info for Filer

Name and address of Filer(s)	Telephone #	FAX #	e-mail

Filing information

<b>Line of Insurance (see attachment)</b>	
<b>Company Program Title</b> (Marketing title) (if applicable)	
<b>Filing Type ** see note below</b>	
<b>This application is used with:</b>	
<b>Effective Date Requested</b>	
<b>Filing date</b>	
<b>Company Tracking Number</b>	
<b>Date filing approved in domiciliary state</b>	

	Component/Form Name /Description/Synopsis	Form #) Include edition date	Replacement Or withdrawn?	If replacement, give form # it replaces	Previous State Filing Number, if required by state
01			<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither		
02			<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither		

To be complete, a form filing must include the following:

- A completed Form Filing Transmittal Document for each insurer.
- One copy of each endorsement.
- The appropriate filing fees, if required.
- A postage-paid, self-addressed envelope large enough to accommodate the return.

The insurer(s) submitting this filing certifies that it is:

- Using endorsements that provide coverage that is at least as broad as described in the bulletin.

Signature \_\_\_\_\_ Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

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## General Notices/Errata

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AT RICHMOND, AUGUST 25, 2004

COMMONWEALTH OF VIRGINIA

At the relation of the CASE NO. PUE-2002-00174

STATE CORPORATION COMMISSION

Ex Parte: In the matter concerning  
the aggregation of retail electric customers  
under the provisions of the  
Virginia Electric Utility Restructuring Act

### DISMISSAL ORDER

By Order dated March 18, 2002, the State Corporation Commission ("Commission") established an investigation for the purpose of developing and refining policies, rules, and regulations for the provision of aggregation service. Three areas of inquiry were identified: (i) licensing of aggregators, (ii) contractual relationships between aggregators and their customers (and also as between aggregators and suppliers or other aggregators), and (iii) the impact of incumbent electric utilities' relationships with their aggregator affiliates on the development of effective competition within the Commonwealth.

An August 1, 2002, report prepared by the Staff of this Commission ("Staff") in connection with this investigation recommended revising the Commission's retail access rules to ensure that the Commission would have information with regard to agency agreements between aggregators and competitive service providers ("CSPs") and persons marketing on their behalf. Specifically, the Staff's August 2002 report recommended that 20 VAC 5-312-20 D be amended to require licensed CSPs and aggregators to maintain information on their books and records identifying persons or entities with whom they have marketing relationships. The Commission issued a September 20, 2002, Order inviting comment on the Staff's August 2002 report.

Subsequently, on November 1, 2002, the Commission issued a further Order ("November 1, 2002, Order") in which the retail access rules as proposed to be amended by Staff were directed to be published in the Virginia Register and made available for further and formal comments. In that Order, the Commission also commented on the issue of aggregation activities by affiliates of incumbent electric utilities and the impact this may have on the development of competition within the incumbents' service territories. The Commission noted that Dominion Retail, Virginia Power, and AEP advanced the view (in their comments on the Staff's August 2002 report) that the codes of conduct in the retail access rules sufficiently govern the marketing practices of aggregators affiliated with incumbents.

The Commission also noted in its November 1, 2002, Order that Energy Consultants, Inc., suggested in its comments on the Staff's August 2002 report that aggregators affiliated with incumbents have an unfair advantage (relative to aggregators not so affiliated) because of "the market power of branding," i.e. that an incumbent's affiliate effectively projects the strengths, reliability and infrastructure of the incumbent. Energy Consultants recommended that this situation be

monitored carefully. In our November 1, 2002, Order, we agreed that this issue deserved more study. Accordingly, we directed the Staff to study the issue and to file a report concerning it on or before July 1, 2004. The Order also directed the Staff to file an additional report assessing the impact of aggregation contract provisions (particularly exit fees) on the development of competitive retail markets in the Commonwealth.

Subsequently, on April 9, 2003, the Commission entered an Order adopting Staff's proposed amendments to the retail access rules. Thus, 20 VAC 5-312-20 D is now amended to require licensed CSPs and aggregators to maintain information on their books and records identifying persons or entities with whom they have marketing relationships. Additionally, our April 9, 2003, Order reiterated that this docket would remain open for purposes of receiving the Staff's report (concerning the two issues discussed above) due on or before July 1, 2004.

On June 28, 2004, the Staff filed the report ("June Staff Report" or "Report") we had requested. According to the Report, although some retail natural gas and electricity customers have switched from their incumbent provider to a competitive service provider, to the best of Staff's knowledge, no aggregator has ever been responsible for such a switch.

The Report, also states that to the best of Staff's knowledge, no retail customer has even signed a contract with an aggregator in Virginia. Thus, it does not appear that the licensed aggregators have been active in Virginia. Based on this lack of activity, the Staff states that it is not possible at this time to fully address the two points of inquiry directed by the Commission, i.e., whether aggregators affiliated with incumbent utilities have an unfair advantage because of their affiliated relationships; and whether any terms and conditions contained in any aggregator's contract utilized in Virginia work to the detriment of Virginia's market for competitive retail supply.

However, the Staff goes on to state that aggregation activity in Virginia may increase in conjunction with the operation of Virginia Power's retail access pilot programs recently approved by the Commission. Moreover, the Staff states in its report that it has recently received several applications from entities seeking to be licensed as aggregators, and that calls from a number of other potential aggregators have been recently received as well. Therefore, the Staff recommended in its Report that the Commission extend the date for the Staff's report on these two issues until July 1, 2006. The Staff believes that this may allow sufficient time for aggregation activity to develop on the electric side of the energy markets.

NOW THE COMMISSION, upon consideration of the various other retail access dockets pending before the Commission, and having reviewed and taken into account the Staff's June 28, 2004, Report, is of the opinion and finds that this investigation should be concluded. We agree with the Staff that Virginia Power's newest pilot programs combined with the recent upswing in aggregator licensing activity reported by the Staff, may yield information helpful to a full assessment of aggregation's impact on the development of a competitive retail generation market in this Commonwealth. Nevertheless, we believe that this matter should be concluded and this case

dismissed from our docket of active cases. If, in the future, the Staff or any interested party believes that aggregators affiliated with incumbent utilities or the terms of aggregation contracts are working to the detriment of the development of an effectively competitive market in Virginia, the Staff or such party may, at that time, petition the Commission to initiate an investigation.

Accordingly, IT IS ORDERED THAT:

- (1) There being nothing further to come before the Commission in this proceeding, this case shall be removed from the docket herein and the papers transferred to the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the State Corporation Commission, c/o Document Control Center, 1300 East Main Street, First Floor, Tyler Building, Richmond, Virginia 23219.

## STATE LOTTERY DEPARTMENT

### Director's Orders

Director's Order Number Twenty-Seven (04)  
Certain Virginia Instant Game Lotteries; End of Games.

In accordance with the authority granted by §§ 2.2-4002 B (15) and 58.1-4006 A of the Code of Virginia, I hereby give notice that the following Virginia Lottery instant games will officially end at midnight on September 24, 2004:

Game 214	Ace in the Hole
Game 235	Blackjack
Game 247	Hot 100's
Game 249	Quick 7's
Game 251	9's In A Line
Game 252	Break the Bank
Game 256	Double Wild 8's
Game 258	Snake Eyes
Game 553	Red Hot 5's
Game 556	\$40,000 Cash Bonanza
Game 570	Lucky Dog
Game 576	Corvette Summer
Game 586	Bonu\$ Cashword
Game 590	Wild Wild Winnings
Game 594	Silver Slots

The last day for lottery retailers to return for credit unsold tickets from any of these games will be October 29, 2004. The last day to redeem winning tickets for any of these games will be March 23, 2005, 180 days from the declared official end of the game. Claims for winning tickets from any of these games will not be accepted after that date. Claims that are mailed and received in an envelope bearing a postmark of the United States Postal Service or another sovereign nation of March 23, 2005, will be deemed to have been received on time. This notice amplifies and conforms to the duly adopted State Lottery Board regulations for the conduct of lottery games.

This order is available for inspection and copying during normal business hours at the Virginia Lottery headquarters,

900 East Main Street, Richmond, Virginia; and at any Virginia Lottery regional office. A copy may be requested by mail by writing to: Director's Office, Virginia Lottery, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ Penelope W. Kyle  
Executive Director  
Date: August 27, 2004

## VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGRAM

### Request for Proposal

The Virginia Birth-Related Neurological Injury Compensation Program is soliciting bids for a financial investment consultant. Proposals will be accepted until October 15, 2004, 2 p.m., at the program's offices, 9100 Arboretum Parkway, Suite 365, Richmond, VA 23236. A copy of the RFP may be obtained from the program's website at [http://www.vabirthinjury.com/News\\_Publications.htm](http://www.vabirthinjury.com/News_Publications.htm) or by calling (804) 330-2471, ext. 306. Proposals may be delivered in person or sent via certified or registered mail.

## VIRGINIA CODE COMMISSION

### Notice to State Agencies

**Mailing Address:** Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, FAX (804) 692-0625.

### Forms for Filing Material for Publication in the Virginia Register of Regulations

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

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

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  
RESPONSE TO PETITION FOR RULEMAKING-RR13  
FAST-TRACK RULEMAKING ACTION-RR14

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# General Notices/Errata

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## ERRATA

### ALCOHOLIC BEVERAGE CONTROL BOARD

Title of Regulation: **3 VAC 5-30. Tied-House (amending 3 VAC 5-30-10, 3 VAC 5-30-30, 3 VAC 5-30-60, 3 VAC 5-30-70; repealing 3 VAC 5-30-40).**

Publication: 20:25 VA.R. 3038-3046 August 23, 2004.

Correction to Agency's Response to the Department of Planning and Budget's Economic Impact Analysis:

Page 3043, replace the Agency's Response to the Department of Planning and Budget's Economic Impact Analysis with the following:

The agency concurs in the economic impact analysis prepared by the Department of Planning and Budget with respect to the estimated impact of the specific regulation changes proposed by the agency only. The Alcoholic Beverage Control Board does not concur with the opinions expressed in the analysis background materials on pages 3039-3041 concerning tied-house regulations.

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Title of Regulation: **3 VAC 5-40. Requirements for Product Approval (amending 3 VAC 5-40-20 and 3 VAC 5-40-50).**

**3 VAC 5-70. Other Provisions (adding 3 VAC 5-70-220).**

Publication: 20:25 VA.R. 3047-3055 August 23, 2004.

Correction to Agency's Response to the Department of Planning and Budget's Economic Impact Analysis:

Page 3052, replace the Agency's Response to the Department of Planning and Budget's Economic Impact Analysis with the following:

The agency concurs in the economic impact analysis prepared by the Department of Planning and Budget with respect to the estimated impact of the specific regulation changes proposed by the agency only. The Alcoholic Beverage Control Board does not concur with the opinions expressed in the analysis on pages 3049-3051 concerning the three-tier distribution system and the benefits of direct shipment of alcohol to consumers.

### DEPARTMENT OF LABOR AND INDUSTRY

Titles of Regulations: **16 VAC 25-90-1910. Federal Identical General Industry Standards (29 CFR Part 1910) (amending 16 VAC 25-90-1910.103, 16 VAC 25-90-1910.217, 16 VAC 25-90-1910.219, and 16 VAC 25-90-1910.268).**

**16 VAC 25-175-1926. Federal Identical Construction Industry Standards (29 CFR Part 1926) (amending 16 VAC 25-175-1926.307).**

Publication: 20:26 VA.R. 3202 September 6, 2004.

Correction to Final Regulation:

Page 3202, Titles of Regulations, change "16 VAC 25-90-1926" to "16 VAC 25-175-1926" and change "16 VAC 25-90-1926.307" to "16 VAC 25-175-1926.307"

### FAIR HOUSING BOARD

Title of Regulation: **18 VAC 62-20. Fair Housing Certification Regulations.**

Publication: 20:25 VA.R. 3073-3081 August 23, 2004.

Correction to Proposed Regulation:

On page 3075, in 18 VAC 62-20-60 C, change "18 VAC 62-20-80" to "18 VAC 62-20-90"

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# CALENDAR OF EVENTS

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## Symbol Key

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

♿ Location accessible to 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](http://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

**September 24, 2004 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Suite 378, Richmond Virginia.♿  
(Interpreter for the deaf provided upon request)

The Legislative/Regulatory Committee will consider regulatory and legislative matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Suite 378, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY☎, e-mail [boa@boa.virginia.gov](mailto:boa@boa.virginia.gov).

**October 8, 2004 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Room 395, Richmond, Virginia.♿  
(Interpreter for the deaf provided upon request)

A full board meeting to discuss general business matters. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation. The time of the meeting is subject to change. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

**Contact:** Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Suite 378, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY☎, e-mail [boa@boa.virginia.gov](mailto:boa@boa.virginia.gov).

### BOARD OF AGRICULTURE AND CONSUMER SERVICES

**September 24, 2004 - 9 a.m.** -- Open Meeting  
Department of Social Services, 8th and Main Streets, 6th Floor, Commissioner's Conference Room, Richmond, Virginia.♿

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

**Contact:** Roy E. Seward, Board Secretary, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Suite 211, Richmond, VA 23219, telephone (804) 786-3538, FAX (804) 371-2945, e-mail [jknight@vdacs.state.va.us](mailto:jknight@vdacs.state.va.us).

### STATE AIR POLLUTION CONTROL BOARD

**September 23, 2004 - 7 p.m.** -- Public Hearing  
Appalachian School of Law, Grundy, Virginia.♿

A public briefing on an application for a Prevention of Significant Deterioration permit from Island Creek Coal Company for a major modification to the VP#8 Garden coal preparation facility. The purpose of the briefing is to explain the activity and the rationale for the preliminary determination and address questions related to air quality issues.

**Contact:** Bruce Mullins, Department of Environmental Quality, P.O. Box 1688, Abingdon, VA 24212, telephone (276) 676-4825, FAX (276) 676-4899, (804) 698-4021/TTY☎, e-mail [abmullins@deq.virginia.gov](mailto:abmullins@deq.virginia.gov).

**September 29, 2004 - 1 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.♿

A regular board meeting.

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## Calendar of Events

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**Contact:** Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail [cmberndt@deq.virginia.gov](mailto:cmberndt@deq.virginia.gov).

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**October 8, 2004** -- Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled **9 VAC 5-20, General Provisions, and 9 VAC 5-40, Existing Stationary Sources**. The purpose of the proposed action is to develop a regulation concerning consumer products that will contribute to the achievement of the necessary VOC emissions reductions to stay within the budget limit in order to safeguard federal approval of transportation projects in Northern Virginia.

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

**Contact:** Gary Graham, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4103, FAX (804) 698-4510 or e-mail [gegraham@deq.virginia.gov](mailto:gegraham@deq.virginia.gov).

\*\*\*\*\*

**October 8, 2004** -- Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled **9 VAC 5-91, Regulations for the Control of Motor Vehicle Emissions in the Northern Virginia Area**. The purpose of the proposed action is to develop regulation amendments that conform to state law concerning the on-road testing (remote sensing) of emissions from motor vehicles located or primarily operated in Northern Virginia and out of area commuters, the subsequent testing of those motor vehicles, and the operation of a program to subsidize repair costs of some vehicles identified by remote sensing.


Statutory Authority: §§ 46.2-1178.1, 46.2-1178.2 and 46.2-1180 of the Code of Virginia.

**Contact:** Mary L. Major, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510 or e-mail [mlmajor@deq.virginia.gov](mailto:mlmajor@deq.virginia.gov).

**November 3, 2004 - 11 a.m.** -- Open Meeting  
Virginia Beach area; location to be announced.

The annual meeting of the State Air Pollution Control Board and State Advisory Board on Air Pollution.


**Contact:** Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail [cmberndt@deq.virginia.gov](mailto:cmberndt@deq.virginia.gov).

**November 17, 2004 - 1 p.m.** -- Open Meeting  
**November 18, 2004 - 9 a.m.** -- Open Meeting  
Williamsburg, Virginia area; location to be determined. 


A meeting of representatives of the three regulatory citizen boards: State Air Pollution Control Board, Virginia Waste Management Board and the State Water Pollution Control Board.

**Contact:** Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail [cmberndt@deq.virginia.gov](mailto:cmberndt@deq.virginia.gov).

### ALCOHOLIC BEVERAGE CONTROL BOARD

**September 27, 2004 - 9 a.m.** -- Open Meeting  
† **October 12, 2004 - 9 a.m.** -- Open Meeting  
† **October 25, 2004 - 9 a.m.** -- Open Meeting  
† **November 8, 2004 - 9 a.m.** -- Open Meeting  
† **November 22, 2004 - 9 a.m.** -- Open Meeting  
† **December 6, 2004 - 9 a.m.** -- Open Meeting  
† **December 20, 2004 - 9 a.m.** -- Open Meeting  
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. 

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

**Contact:** W. Curtis Coleburn, III, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., Richmond, VA 23220, telephone (804) 213-4409, FAX (804) 213-4411, (804) 213-4687/TTY , e-mail [wccolen@abc.state.va.us](mailto:wccolen@abc.state.va.us).

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**September 27, 2004 - 11 a.m.** -- Public Hearing  
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia.

**October 23, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Alcoholic Beverage Control Board intends to amend regulations entitled **3 VAC 5-30, Tied-House**. The purpose of the proposed action is to lessen restrictions on promotional activities involving gifts of things of value from alcoholic beverage manufacturers or wholesalers to retailers.

Statutory Authority: §§ 4.1-103 and 4.1-111 of the Code of Virginia.

**Contact:** W. Curtis Coleburn, III, Chief Operating Officer, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409, FAX (804) 213-4411 or e-mail [wccolen@abc.state.va.us](mailto:wccolen@abc.state.va.us).

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**September 27, 2004 - 11 a.m.** -- Public Hearing  
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia.

**September 27, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Alcoholic Beverage Control Board intends to amend regulations entitled **3 VAC 5-40, Requirements for Product Approval**. The purpose of the proposed action is to remove certification and chemical analysis requirements for new beer and wine products proposed for sale in Virginia and allow the use of resealable "growlers" for the sale of beer in all on- and off-premises beer retail establishments.

Statutory Authority: §§ 4.1-103 and 4.1-111 of the Code of Virginia.

**Contact:** W. Curtis Coleburn, III, Chief Operating Officer, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409, FAX (804) 213-4411 or e-mail [wccolen@abc.state.va.us](mailto:wccolen@abc.state.va.us).

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**September 27, 2004 - 11 a.m.** -- Public Hearing  
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia.


**October 23, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Alcoholic Beverage Control Board intends to amend regulations entitled **3 VAC 5-40, Requirements for Product Approval; and 3 VAC 5-70, Other Provisions**. The purpose of the proposed action is to adopt regulations providing for the application process, recordkeeping and reporting process for wine or beer shippers' licensees and common carriers approved to deliver shipments from such licensees to consumers.

Statutory Authority: §§ 4.1-103 and 4.1-111 of the Code of Virginia.


**Contact:** W. Curtis Coleburn, III, Chief Operating Officer, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409, FAX (804) 213-4411 or e-mail [wccolen@abc.state.va.us](mailto:wccolen@abc.state.va.us).

## ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION


† **December 7, 2004 - 10 a.m.** -- Open Meeting  
Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia. 

A quarterly meeting.


**Contact:** Janet L. Honeycutt, Director of Grant Operations, Alzheimer's Disease and Related Disorders Commission,

1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-9333, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY , e-mail [janet.honeycutt@vda.virginia.gov](mailto:janet.honeycutt@vda.virginia.gov).


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

† **October 13, 2004 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

An informal fact-finding conference.

**Contact:** Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [APELSCIDLA@dpor.virginia.gov](mailto:APELSCIDLA@dpor.virginia.gov).


## ART AND ARCHITECTURAL REVIEW BOARD

**October 1, 2004 - 10 a.m.** -- Open Meeting  
**November 5, 2004 - 10 a.m.** -- Open Meeting  
**December 3, 2004 - 10 a.m.** -- Open Meeting  
Science Museum of Virginia, 2500 West Broad Street, Richmond, Virginia. 


A monthly meeting to review projects submitted by state agencies. Art and Architectural Review Board submittal forms and submittal instructions can be downloaded by visiting the DGS forms at [www.dgs.state.va.us](http://www.dgs.state.va.us). Request Submittal Form #DGS-30-905 or DGS Submittal Instructions Form #DGS-30-906.


**Contact:** Richard L. Ford, AIA Chairman, 101 Shockoe Slip, 3rd Floor, Richmond, VA 23219, telephone (804) 648-5040, FAX (804) 225-0329, toll free (804) 786-6152, or e-mail [rford@comarchs.com](mailto:rford@comarchs.com).

## VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

**September 30, 2004 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

An informal fact-finding conference.

**Contact:** David Dick, Assistant Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [asbestos@dpor.virginia.gov](mailto:asbestos@dpor.virginia.gov).

**November 3, 2004 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

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# Calendar of Events

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A meeting to conduct board business.

**Contact:** David Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY ☎, e-mail alhi@dpor.virginia.gov.

## ASSISTIVE TECHNOLOGY LOAN FUND AUTHORITY

† **September 23, 2004 - 10 a.m.** -- Open Meeting  
1602 Rolling Hills Drive, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting of the Board of Directors. A public comment session is included in each meeting. The board will go into a brief closed session to review protected information about some of its customers.

**Contact:** Kathy Wilmot, Assistive Technology Loan Fund Authority, 1602 Rolling Hills Dr., Richmond, VA 23229, telephone (804) 662-9000, FAX (804) 662-9533, toll-free (866) 835-5976, e-mail atlfa@atlfa.org.

## AUCTIONEERS BOARD

**September 23, 2004 - 10 a.m.** -- Open Meeting  
**October 14, 2004 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia ♿

An informal fact-finding conference.

**Contact:** Marian H. Brooks, Regulatory Board Administrator, Auctioneers Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail Auctioneers@dpor.virginia.gov.

## BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

**November 11, 2004 - 9:30 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A quarterly business meeting to include regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** Elizabeth Young, Executive Director, Board of Audiology and Speech-Language Pathology, Alcoa Building, 6603 West Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9111, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.virginia.gov.

## BOARD FOR BARBERS AND COSMETOLOGY

**September 27, 2004 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia ♿

A general business meeting to consider regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive 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:** William H. Ferguson, II, Executive Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail barberscosmo@dpor.virginia.gov.

## DEPARTMENT FOR THE BLIND AND VISION IMPAIRED

† **October 2, 2004 - 9:15 a.m.** -- Open Meeting  
Hilton McLean, 7920 Jones Branch Drive, McLean, Virginia ♿ (Interpreter for the deaf provided upon request)

† **October 20, 2004 - 7 p.m.** -- Open Meeting  
Lions Sight Foundation, 501 Elm Avenue, S.W., Roanoke, Virginia ♿ (Interpreter for the deaf provided upon request)

A meeting to solicit comments from the public regarding the Department for the Blind and Vision Impaired's intent to amend its state plan for vocational rehabilitation (VR) to identify by category the order in which eligible VR clients will be served in the event resources are not available to serve all eligible VR clients.

**Contact:** Susan D. Payne, VR Director, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3184, FAX (804) 371-3390, toll-free (800) 622-2155, (804) 371-3140/TTY ☎, e-mail sdpayne@dbvi.state.va.us.

## BOARD FOR BRANCH PILOTS

**October 22, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Branch Pilots intends to amend regulations entitled **18 VAC 45-10, Board for Branch Pilots Regulations**. The purpose of the proposed action is to document and formalize the process through which the public has access to the regulatory review process. The amendments further increase the agency's efficiency in seeking public input into the regulatory process.


Statutory Authority: §§ 2.2-4007 and 54.1-902 of the Code of Virginia.

**Contact:** Karen W. O'Neal, Deputy Director for Licensing and Regulation, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail karen.oneal@dpor.virginia.gov.



## DEPARTMENT OF BUSINESS ASSISTANCE

### Small Business Advisory Board

† **October 18, 2004 - 10 a.m.** -- Open Meeting  
Department of Business Assistance, 707 East Main Street,  
3rd Floor Board Room, Richmond, Virginia. 


A general business meeting.

**Contact:** Barbara E. Anderson, Assistant to Director, EBS,  
Department of Business Assistance, 707 E. Main St., Suite  
300, Richmond, VA 23219, telephone (804) 371-8230, FAX  
(804) 371-2142, toll-free (866) 248-8814, e-mail  
barbara.anderson@dba.virginia.gov.


### CEMETERY BOARD

**September 22, 2004 - 9 a.m.** -- Open Meeting  
† **October 12, 2004 - 1 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4th Floor, Room 453, Richmond,  
Virginia. 


An informal fact-finding conference.


**Contact:** Karen W. O'Neal, Regulatory Programs  
Coordinator, Department of Professional and Occupational  
Regulation, 3600 W. Broad St., Richmond, VA 23230,  
telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-  
9753/TTY , e-mail karen.oneal@dpor.virginia.gov.

### STATE BOARD FOR COMMUNITY COLLEGES


**November 16, 2004 - 11:45 a.m.** -- Open Meeting  
Boar's Head Inn, 200 Ednam Drive, Charlottesville, Virginia.   
(Interpreter for the deaf provided upon request)


The 2004 annual meeting will be held on November 16 and  
17. A registration fee is required. No official business of the  
board will be conducted at this meeting.

**Contact:** D. Susan Hayden, Director of Public Affairs, Virginia  
Community College System, 15th Floor, 101 N. 14th Street,  
Richmond, VA 23219, telephone (804) 819-4961, FAX (804)  
819-4768, (804) 371-8504/TTY 


**November 17, 2004 - 1:30 p.m.** -- Open Meeting  
Boar's Head Inn, 200 Ednam Drive, Charlottesville, Virginia.   
(Interpreter for the deaf provided upon request)

Meetings of the Academic, Student Affairs and Workforce  
Committee, the Audit Committee, and the Budget and  
Finance Committee at 1:30 p.m. The Facilities Committee  
and the Personnel Committee will meet at 3 p.m.


**Contact:** D. Susan Hayden, Director of Public Affairs, Virginia  
Community College System, 101 N. 14th St., Richmond, VA  
23219, telephone (804) 819-4961, FAX (804) 819-4768, (804)  
371-8504/TTY 

**November 18, 2004 - 9 a.m.** -- Open Meeting  
The Black Box Theatre, Piedmont Virginia Community  
College, 501 College Drive, Charlottesville,  
Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the full board. Public comment may be  
received at the beginning of the meeting upon notification at  
least five working days prior to the meeting.

**Contact:** D. Susan Hayden, Director of Public Affairs, Virginia  
Community College System, 15th Floor, 101 N. 14th St.,  
Richmond, VA 23219, telephone (804) 819-4961, FAX (804)  
819-4768, (804) 371-8504/TTY 

### COMPENSATION BOARD

† **October 20, 2004 - 11 a.m.** -- Open Meeting  
202 North 9th Street, 10th Floor, Richmond, Virginia. 

A monthly board meeting.

**Contact:** Cindy Waddell, Compensation Board, P.O. Box  
710, Richmond, VA 23218, telephone (804) 786-0786, FAX  
(804) 371-0235, e-mail cindy.waddell@scb.virginia.gov.

### DEPARTMENT OF CONSERVATION AND RECREATION

**October 6, 2004 - 7 p.m.** -- Open Meeting  
Westmoreland State Park Conference Center, 1650 State  
Park Road, Montross, Virginia.

A meeting to discuss input from the August 4, 2004, public  
meeting and future park development as the committee  
continues work on development of a new park master plan  
for Westmoreland State Park.

**Contact:** Bill Conkle, Park Planner, Department of  
Conservation and Recreation, 203 Governor St., Suite 326,  
Richmond, VA 23219, telephone (804) 786-5492, FAX (804)  
371-7899, e-mail william.conkle@dcr.virginia.gov.

### Virginia Scenic River Board

**September 23, 2004 - 10 a.m.** -- Open Meeting  
Loudoun County Government Center, Lovettsville Room, 1  
Harrison Street, S.E., Leesburg, Virginia.

A regular business meeting hosted by the Goose Creek  
Scenic River Advisory Committee.

**Contact:** Leon E. App, Chief 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 FOR CONTRACTORS

**September 21, 2004 - 9 a.m.** -- Open Meeting  
† **September 23, 2004 - 9 a.m.** -- Open Meeting  
**September 28, 2004 - 9 a.m.** -- Open Meeting  
**September 30, 2004 - 9 a.m.** -- Open Meeting  
**October 5, 2004 - 9 a.m.** -- Open Meeting  
**October 7, 2004 - 9 a.m.** -- Open Meeting  
**October 13, 2004 - 9 a.m.** -- Open Meeting  
† **October 26, 2004 - 9 a.m.** -- Open Meeting  
† **November 2, 2004 - 9 a.m.** -- Open Meeting


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# Calendar of Events

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Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4th Floor, Richmond, Virginia. 

Informal fact-finding conferences.

**Contact:** Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

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**October 8, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Contractors intends to amend regulations entitled **18 VAC 50-22, Board for Contractors Rules and Regulations**, and **18 VAC 50-30, Tradesman Rules and Regulations**. The purpose of the proposed action is to adjust the licensing fees for contractors and tradesmen regulated by the Board for Contractors.


Statutory Authority: §§ 54.1-201 and 54.1-1102 of the Code of Virginia.

**Contact:** Eric Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474 or e-mail [contractor@dpor.virginia.gov](mailto:contractor@dpor.virginia.gov).


**October 19, 2004 - 9 a.m.** -- Open Meeting

† **December 14, 2004 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia.


A regular scheduled meeting to address policy and procedural issues, review and render decisions on applications for contractors' licenses, and review and render case decisions on matured complaints against licensees. The meeting is open to the public; however, a portion of the board's business may be conducted in closed session. The department fully complies with the Americans with Disabilities Act.


**Contact:** Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail [contractors@dpor.virginia.gov](mailto:contractors@dpor.virginia.gov).

## BOARD OF COUNSELING


**November 4, 2004 - 10 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street,  
Board Room 3, Richmond, Virginia. 

A meeting of the Credential Review Committee to review applicants' credentials for licensure.

**Contact:** Evelyn B. Brown, Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9912, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail [evelyn.brown@dhp.virginia.gov](mailto:evelyn.brown@dhp.virginia.gov).

**November 5, 2004 - 9:30 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Board Room 3, Richmond, Virginia. 

A quarterly business meeting.

**Contact:** Evelyn B. Brown, Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9912, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail [evelyn.brown@dhp.virginia.gov](mailto:evelyn.brown@dhp.virginia.gov).

## CRIMINAL JUSTICE SERVICES BOARD

**December 9, 2004 - 9 a.m.** -- Public Hearing  
General Assembly Building, 9th and Broad Streets, House  
Room D, Richmond, Virginia.

**November 5, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Criminal Justice Services Board intends to adopt regulations entitled **6 VAC 20-230, Regulations Relating to Special Conservators of the Peace**. The purpose of the proposed action is to establish a registration process to include a fingerprint-based background check, registration fees, entry-level training standards, and administration of the regulatory system. The regulation will authorize the department to receive complaints concerning the conduct of any person whose activities are monitored by the board; conduct investigations; issue disciplinary action; and revoke, suspend, and refuse to renew a registration.

Statutory Authority: § 9.1-150.2 of the Code of Virginia.

**Contact:** Ellen B. Spain, Regulatory Programs Coordinator, Department of Criminal Justice Services, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-1018, FAX (804) 692-6344 or e-mail [ellen.spain@dcjs.virginia.gov](mailto:ellen.spain@dcjs.virginia.gov).

† **December 9, 2004 - 11 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room D, Richmond, Virginia.

A general business meeting.

**Contact:** Judith Kirkendall, Criminal Justice Services Board, 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.virginia.gov](mailto:jkirkendall@dcjs.virginia.gov).

## BOARD OF DENTISTRY

**October 1, 2004 - 9 a.m.** -- Open Meeting

**October 15, 2004 - 9 a.m.** -- Open Meeting

**November 5, 2004 - 9 a.m.** -- Open Meeting

**November 12, 2004 - 9 a.m.** -- Open Meeting

**December 3, 2004 - 9 a.m.** -- Open Meeting

† **December 10, 2004 - 9 a.m.** -- Open Meeting

† **December 17, 2004 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street,  
5th Floor, Richmond, Virginia. 

A Special Conference Committee will meet to hold informal conferences. There will not be a public comment period.

**Contact:** Cheri Emma-Leigh, Operations Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail Cheri.Emma-Leigh@dhp.virginia.gov.

**November 19, 2004 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, Board Room 1, Richmond, Virginia. ♿

A meeting to discuss regular board business. There will be a public comment period at the start of the meeting.

**Contact:** Sandra Reen, Executive Director, Board of Dentistry, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail sandra.reen@dhp.virginia.gov.

## DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

**October 21, 2004 - 11 a.m.** -- Open Meeting  
**November 18, 2004 - 11 a.m.** -- Open Meeting  
**† December 16, 2004 - 11 a.m.** -- Open Meeting  
Department of General Services, Eighth Street Office Building, 805 East Broad Street, 3rd Floor, 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. Contact the Division of Engineering and Building to confirm the meeting.

**Contact:** Rhonda M. Bishton, Administrative Assistant, Department of General Services, 805 E. Broad Street, Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/☎, or e-mail rbishton@dgs.state.va.us.

## BOARD OF EDUCATION

**September 22, 2004 - 9 a.m.** -- Open Meeting  
**October 27, 2004 - 9 a.m.** -- Open Meeting  
**November 17, 2004 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular business meeting of the board. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site will contain the latest information on the meeting arrangements and will note any last-minute changes in time or location. Persons who wish to speak or who require the services of an interpreter for the deaf should contact the agency at least 72 hours in advance.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA

23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

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**September 22, 2004 - 11 a.m.** -- Public Hearing  
James Monroe Building, 101 North 14th Street, Conference Rooms C and D, Richmond, Virginia.

**September 25, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Education intends to adopt regulations entitled **8 VAC 20-690, Regulations for Scoliosis Screening Program**. The purpose of the proposed action is to implement § 22.1-273.1 of the Code of Virginia, which directs the Board of Education to promulgate regulations for the implementation of scoliosis screenings for pupils in grades five through 10 or a parent informational program for such parents. The regulation (i) requires training for school personnel and volunteers who conduct the screenings; (ii) provides procedures for the notification of parents when evidence of scoliosis is detected; and (iii) mandates a parent education program describing the purpose and need for scoliosis screening.

Statutory Authority: § 22.1-273.1 of the Code of Virginia.

**Contact:** Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

## DEPARTMENT OF ENVIRONMENTAL QUALITY

**September 21, 2004 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. ♿

A regular meeting of the Ground Water Protection Steering Committee.

**Contact:** Mary Ann Massie, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4042, FAX (804) 698-4032, toll-free (800) 592-5482, (804) 698-4021/TTY ☎, e-mail mamassie@deq.virginia.gov.

**September 22, 2004 - 7 p.m.** -- Open Meeting  
Ottobine Elementary School, 8646 Waggys Creek Road, Dayton, Virginia. ♿

A public meeting on the development of TMDLs to address impairments for benthics, temperature and bacteria for Beaver Creek in Rockingham County. The public notice appears in the Virginia Register of Regulation on September 6, 2004. The public comment period is September 22, 2004, through October 22, 2004.


**Contact:** Robert Brent, Department of Environmental Quality, P.O. Box 3000, Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, e-mail nbrent@deq.virginia.gov.

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# Calendar of Events

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## September 23, 2004 - 7 p.m. -- Open Meeting

John Wayland Elementary School, 801 North Main Street, Bridgewater, Virginia. 

The first public meeting on the development of TMDLs for benthics and bacteria for North River. The public notice appears in the Virginia Register of Regulations on September 6, 2004. The comment period is September 23, 2004, through October 25, 2004.

**Contact:** Robert Brent, Department of Environmental Quality, P.O. Box 3000, Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, e-mail [rbrent@deq.virginia.gov](mailto:rbrent@deq.virginia.gov).


## October 7, 2004 - 1 p.m. -- Open Meeting

Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia. 

The first technical advisory committee meeting on the development of benthic, temperature and bacteria TMDLs for Beaver Creek located in Rockingham County. The public notice appears in the Virginia Register of Regulations on September 6, 2004.

**Contact:** Robert Brent, Department of Environmental Quality, P.O. Box 3000 Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878, e-mail [rbrent@deq.virginia.gov](mailto:rbrent@deq.virginia.gov).


## October 7, 2004 - 3 p.m. -- Open Meeting

Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, Roanoke, Virginia. 

The first technical advisory committee meeting for the development of TMDLs to address multiple impairments in the Roanoke River Basin and its tributaries above Smith Mountain Lake located in Montgomery, Roanoke, Franklin and Bedford Counties and the Cities of Salem and Roanoke. The public notice appears in the September 6, 2004, issue of the Virginia Register of Regulations.

**Contact:** Jason Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6860, e-mail [jrhill@deq.virginia.gov](mailto:jrhill@deq.virginia.gov).

## † October 7, 2004 - 7 p.m. -- Open Meeting

Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, Roanoke, Virginia. 

The first public meeting for the development of TMDLs to address multiple impairments in the Roanoke River Basin and its tributaries above Smith Mountain Lake located in Montgomery, Roanoke, Franklin and Bedford Counties and the Cities of Salem and Roanoke. The public notice appears in the September 6, 2004, issue of the Virginia Register of Regulations. The public comment period will begin on October 7 and close on November 7, 2004.

**Contact:** Jason Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6860, e-mail [jrhill@deq.virginia.gov](mailto:jrhill@deq.virginia.gov).

## FAIR HOUSING BOARD

### October 6, 2004 - 9 a.m. -- Public Hearing

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

**October 22, 2004** - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Fair Housing Board intends to adopt regulations entitled **18 VAC 62-20, Fair Housing Board Certification Regulations**. The purpose of the proposed regulation is to establish the qualifications for obtaining and renewing fair housing certification as well as the qualifications for proprietary schools, instructors and courses that are required to obtain the certification.

Statutory Authority: § 54.1-2344 of the Code of Virginia.

**Contact:** Christine Martine, Executive Director, Fair Housing Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946 or e-mail [hfcertification@dpor.virginia.gov](mailto:hfcertification@dpor.virginia.gov).

## BOARD OF FORESTRY

### † September 22, 2004 - 9 a.m. -- Open Meeting

Department of Forestry, Central Office, 900 Natural Resources Drive, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A business meeting of the board members.


**Contact:** Donna S. Hoy, Administrative Staff Specialist, Department of Forestry, 900 Natural Resources Dr., Charlottesville, VA 22903, telephone (434) 977-6555, FAX (434) 977-7749, e-mail [donna.hoy@dof.virginia.gov](mailto:donna.hoy@dof.virginia.gov).

## BOARD OF FUNERAL DIRECTORS AND EMBALMERS

### † September 20, 2004 - Noon -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting to hear possible violations of the laws and regulations governing the practice of funeral service.

**Contact:** Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).

### October 5, 2004 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A meeting of the Task Force on Inspection Process to review current inspection procedures for funeral homes.

**Contact:** Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Building, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone

(804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY ☎,  
e-mail [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).

## CHARITABLE GAMING BOARD

† **December 7, 2004 - 10 a.m.** -- Open Meeting  
Science Museum of Virginia, RFandP Forum Room, 2500  
West Broad Street, Richmond, Virginia. ♿

A regular quarterly meeting.

**Contact:** Clyde Cristman, Director, Charitable Gaming Board,  
101 N 14th St., 17th Floor, Richmond, VA 23219, telephone  
(804) 786-1681, FAX (804) 786-1079, e-mail  
[clyde.cristman@dcp.virginia.gov](mailto:clyde.cristman@dcp.virginia.gov).

## BOARD FOR GEOLOGY

**September 23, 2004 - 10 a.m.** -- Public Hearing  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4th Floor, Conference Room 4 West,  
Richmond, Virginia. ♿

**October 8, 2004** - Public comments may be submitted until  
this date.

Notice is hereby given in accordance with § 2.2-4007 of the  
Code of Virginia that the Board for Geology intends to  
amend regulations entitled **18 VAC 70-20, Rules and  
Regulations for the Virginia Board for Geology**. The  
purpose of the proposed action is to delete language  
redundant to the board's statutory authority; amend the  
language establishing the fee for the certification  
examination; amend the qualifications for certification to  
more clearly articulate the requirements that must be  
fulfilled prior to qualifying for certification; amend the  
certification by reciprocity standards; add a section requiring  
the board to be notified in the event of a change in name or  
address of a regulant; and amend the grounds for  
certification denial or disciplinary action as the result of a  
criminal conviction.

Statutory Authority: §§ 54.1-201 and 54.1-1402 of the Code of  
Virginia.

**Contact:** Tom Perry, Regulatory Boards Administrator,  
Department of Professional and Occupational Regulation,  
3600 W. Broad St., Richmond, VA 23230, telephone (804)  
367-8595, FAX (804) 367-6128 or e-mail  
[geology@dpor.virginia.gov](mailto:geology@dpor.virginia.gov).

**October 13, 2004 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ♿

A meeting to conduct board business.

**Contact:** David E. Dick, Executive Director, Board for  
Geology, 3600 W. Broad St., Richmond, VA 23230, telephone  
(804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY ☎,  
e-mail [geology@dpor.virginia.gov](mailto:geology@dpor.virginia.gov).

## STATE BOARD OF HEALTH

**September 24, 2004** - Public comments may be submitted  
until this date.

Notice is hereby given in accordance with § 2.2-4007 of the  
Code of Virginia that the State Board of Health intends to  
amend regulations entitled **12 VAC 5-585, Biosolids Use  
Regulations**. The purpose of the proposed action is to  
provide requirements for (i) posting of information signs at  
land application sites; (ii) evidence of land applier financial  
responsibility; (iii) notifying local government of operation  
schedules; (iv) spill prevention and response plans; and (v)  
communicating information on complaints about land  
application of biosolids.

Statutory Authority: § 32.1-164.5 of the Code of Virginia.

**Contact:** C.M. Sawyer, P.E., Director, Division of Wastewater  
Engineering, Department of Health, 109 Governor St., 5th  
Floor, Richmond, VA 23219, telephone (804) 864-7463, FAX  
(804) 864-7475 or email [cal.sawyer@vdh.virginia.gov](mailto:cal.sawyer@vdh.virginia.gov).

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**October 8, 2004** - Public comments may be submitted until  
this date.

Notice is hereby given in accordance with § 2.2-4007 of the  
Code of Virginia that the State Board of Health intends to  
**repeal** regulations entitled **12 VAC 5-390, Regulations for  
the Licensure of Hospices**, and **adopt** regulations entitled  
**12 VAC 5-391, Regulations for the Licensure of  
Hospices**. The purpose of the proposed action is to  
comprehensively amend the regulations governing hospice  
care.

Statutory Authority: §§ 32.1-12 and 32.1-162.5 of the Code of  
Virginia.

**Contact:** Carrie Eddy, Department of Health, Center for  
Quality Health Care, 3600 W. Broad St., Suite 216, Richmond,  
VA 23230, telephone (804) 367-2100, FAX (804) 367-2206 or  
e-mail [carrie.eddy@vdh.virginia.gov](mailto:carrie.eddy@vdh.virginia.gov).

### NOTE: CHANGE IN MEETING TIME

**October 21, 2004 - 10 a.m.** -- Open Meeting

**October 22, 2004 - 9 a.m.** -- Open Meeting  
Commonwealth Park Hotel, Bank and Ninth Streets,  
Richmond, Virginia. ♿

A two-day quarterly board meeting.

**Contact:** Margot Fritts, VDH/Office of Health Policy and  
Planning, Department of Health, 109 Governor St., 10th Floor,  
Richmond, VA 23219, telephone (804) 864-7428, FAX (804)  
864-7440, e-mail [margot.fritts@vdh.virginia.gov](mailto:margot.fritts@vdh.virginia.gov).

## DEPARTMENT OF HEALTH

† **September 24, 2004 - 8:30 a.m.** -- Open Meeting  
Comfort Inn Conference Center, 3200 West Broad St.,  
Richmond, Virginia. ♿

A meeting to plan HIV prevention efforts in Virginia.

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# Calendar of Events

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**Contact:** Elaine Martin, Division of HIV, STD and Pharmacy Services, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7962, e-mail elaine.martin@vdh.virginia.gov.

## DEPARTMENT OF HEALTH PROFESSIONS


**October 8, 2004 - 9 a.m.** -- Open Meeting

† **December 10, 2004 - 9 a.m.** -- Open Meeting  
Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 


A meeting of the Intervention Program Committee for the Health Practitioners' Intervention Program (HPIP).

**Contact:** Donna P. Whitney, Intervention Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9424, FAX (804) 662-7358, e-mail donna.whitney@dhp.virginia.gov.

† **October 18, 2004 - 9 a.m.** -- Public Hearing

Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. 

A meeting to receive public comment on a proposed amendment to amend the requirement for prescribers to submit a copy of patient consent to query the system.

**Contact:** Elaine J. Yeatts, Senior Policy Analyst, Department of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114, (804) 662-7197/TTY , e-mail elaine.yeatts@dhp.virginia.gov.

## BOARD FOR HEARING AID SPECIALISTS


**September 24, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Hearing Aid Specialists intends to amend regulations entitled **18 VAC 80-10, Public Participation Guidelines**. The purpose of the proposed action is to update the Public Participation Guidelines, which provide the process through which the public has access to the regulatory review process. The amendments further increase the agency's efficiency in seeking public input into the regulatory process.

Statutory Authority: §§ 2.2-4007 and 54.1-201 of the Code of Virginia.


**Contact:** Karen W. O'Neal, Deputy Director for Regulatory Programs, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475 or e-mail Karen.O'Neal@dpor.virginia.gov.

**November 8, 2004 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A general business meeting to consider regulatory issues as may be presented on the agenda. The meeting is open

to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.


**Contact:** William H. Ferguson, II, Executive Director, Board for Hearing Aid Specialists, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY , e-mail hearingaidspec@dpor.virginia.gov.

## BOARD OF HOUSING AND COMMUNITY DEVELOPMENT


**October 23, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled **13 VAC 5-111, Enterprise Zone Program Regulation**. The purpose of the proposed action is to amend the regulation to comport with recent statutory changes in the Enterprise Zone Program and to update and clarify other provisions within the regulation.


Statutory Authority: § 59.1-278 of the Code of Virginia.

**Contact:** Stephen W. Calhoun, Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 N. 2nd St., Richmond, VA 23219-1321, telephone (804) 371-7015, FAX (804) 371-7090, (804) 371-7089/TTY , e-mail steve.calhoun@dhcd.virginia.gov.

## VIRGINIA HOUSING DEVELOPMENT AUTHORITY

**September 21, 2004 - 9 a.m.** -- Open Meeting  
601 South Belvidere Street, Richmond, Virginia. 

A regular meeting of the Board of Commissioners to review and, if appropriate, approve the minutes from the prior monthly meeting; consider for approval and ratification mortgage loan commitments under its various programs; review the authority's operations for the prior months; and consider such other matters and take such other actions as they may deem appropriate. Various committees of the Board of Commissioners, including the Programs Committee, the Audit/Operations Committee, the Executive Committee, and the Committee of the Whole, 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 

## JAMESTOWN-YORKTOWN FOUNDATION

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### October 6, 2004 - Noon -- Open Meeting

The Library of Virginia, 800 East Broad Street, Conference Rooms A and B, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting of the Jamestown 2007 Steering Committee.

**Contact:** Stacy Ruckman, Administrative Office Manager, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4253, FAX (757) 253-5299, (757) 253-5110/TTY, e-mail sruckman@jyf.state.va.us.

### November 15, 2004 - Noon -- Open Meeting

### November 16, 2004 - 8 a.m. -- Open Meeting

Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia. (Interpreter for the deaf provided upon request)

A semiannual two-day meeting of the Board of Trustees and the board's standing committees, detailed schedule to be determined. Opportunity for public comment will be included on the agenda for the November 16 business meeting.

**Contact:** Laura W. Bailey, Executive Assistant to the Boards, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4840, FAX (757) 253-5299, toll-free (888) 593-4682, (757) 253-7236/TTY, e-mail lwbailey@jyf.state.va.us.

### December 1, 2004 - 2 p.m. -- Open Meeting

McGuireWoods, One James Center, 901 East Cary Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting of the Jamestown 2007 Executive Committee.

**Contact:** Stacy Ruckman, Administrative Office Manager, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4253, FAX (757) 253-5299, (757) 253-5110/TTY, e-mail sruckman@jyf.state.va.us.

## STATE BOARD OF JUVENILE JUSTICE

### † November 10, 2004 - 10 a.m. -- Public Hearing

Department of Juvenile Justice, 700 East Franklin Street, 4th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

The board will receive comments from the public on proposed changes to its Standards for Juvenile Residential Facilities (6 VAC 35-140). In addition, committees of the board will meet at 9 a.m. to receive certification audit reports on secure and nonsecure programs, and the full board will meet at 10 a.m. to act on the certification reports and take up other matters.

**Contact:** Donald Carignan, Regulatory Coordinator, State Board of Juvenile Justice, 700 Centre, 700 E. Franklin St., 4th Floor, Richmond, VA 23219, telephone (804) 371-0743, FAX (804) 371-0773, e-mail carigndr@djj.state.va.us.

### NOTE: EXTENSION OF PUBLIC COMMENT DEADLINE

**November 12, 2004** - Public comments may be submitted until 5 p.m. on this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Juvenile Justice intends to amend regulations entitled **6 VAC 35-140, Standards for Juvenile Residential Facilities**. As a result of the mandated periodic review of this regulation, and through discussions with the Virginia Commission on Youth and the superintendents of juvenile detention facilities, the department recommends that the regulation be amended to include additional standards for post-dispositional programs as mandated by the General Assembly in the 2000 Appropriations Act and § 16.1-284.1 D of the Code of Virginia, which states: "Standards for these facilities shall require juveniles placed pursuant to this section for a period which exceeds 30 calendar days to be provided separate services for their rehabilitation, consistent with the intent of this section."

Statutory Authority: §§ 16.1-309.9, 66-10 and 66-25.1 of the Code of Virginia.

**Contact:** Donald R. Carignan, Regulatory Coordinator, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 371-0743, FAX (804) 371-0773 or e-mail carigndr@djj.state.va.us.

## STATE LIBRARY BOARD

### September 20, 2004 - 8:15 a.m. -- Open Meeting

### November 15, 2004 - 8:15 a.m. -- Open Meeting

The Library of Virginia, 800 East Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

Meetings of the board to discuss matters pertaining to the Library of Virginia and the 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. - Library Board, Conference Room, 2M

**Contact:** Jean H. Taylor, Executive Secretary to the Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-2000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY, e-mail jtaylor@lva.lib.va.us.

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# Calendar of Events

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## MARINE RESOURCES COMMISSION

**September 28, 2004 - 9:30 a.m.** -- Open Meeting

**October 26, 2004 - 9:30 a.m.** -- Open Meeting


Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia.  (Interpreter for the deaf provided upon request)

A monthly commission meeting.


**Contact:** Jean McCroskey, Commission Secretary, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2215, FAX (757) 247-8101, toll-free (800) 541-4646, (757) 247-2292/TTY , e-mail [jmccroskey@mrc.virginia.gov](mailto:jmccroskey@mrc.virginia.gov).

## BOARD OF MEDICAL ASSISTANCE SERVICES

**† December 14, 2004 - 10 a.m.** -- Open Meeting


Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Conference Room, Richmond, Virginia. 

A routine quarterly meeting required in the BMAS by-laws.


**Contact:** Nancy Malczewski, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8096, FAX (804) 371-4981, (800) 343-0634/TTY , e-mail [nancy.malczewski@dmas.virginia.gov](mailto:nancy.malczewski@dmas.virginia.gov).

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

**September 20, 2004 - 9 a.m.** -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, Board Room, 13th Floor, Richmond, Virginia. 

A meeting of the Pharmacy and Therapeutics Committee to conduct the annual review of Phase I PDL drug classes.

**Contact:** Adrienne Fegans, Program Operations Administrator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-4112, FAX (804) 371-4981, (800) 343-0634/TTY , e-mail [adrienne.fegans@dmas.virginia.gov](mailto:adrienne.fegans@dmas.virginia.gov).

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**September 24, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled **12 VAC 30-10, State Plan Under Title XIX of the Social Security Act Medical Assistance Program; General Provisions, and 12 VAC 30-130, Amount, Duration and Scope of Selected Services**. The purpose of the proposed action is to modify the prospective drug utilization review provisions in order to better protect recipients from harmful drug interactions and potential prescription overdoses.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Public comments may be submitted until September 24, 2004, to Javier Menendez, R.Ph., Manager, Pharmacy Services, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

**Contact:** Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959, FAX (804) 786-1680 or e-mail [vicki.simmons@dmas.virginia.gov](mailto:vicki.simmons@dmas.virginia.gov).

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**September 24, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations **12 VAC 30-50, Amount, Duration, and Scope of Medical and Remedial Care Services**. The purpose of the proposed action is to expand Medicaid covered services in the schools for children in special education.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia; Item 325 XX and EEE of Chapter 1042 of the 2003 Acts of Assembly.

Public comments may be submitted until September 24, 2004, to Adrienne Fegans, Program Operations Administrator, Department of Medical Assistance Services, 600 East Broad Street, Richmond, VA 23219.

**Contact:** Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959, FAX (804) 786-1680 or e-mail [vicki.simmons@dmas.virginia.gov](mailto:vicki.simmons@dmas.virginia.gov).

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**September 24, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations **12 VAC 30-50, Amount, Duration, and Scope of Medical and Remedial Care Services, 12 VAC 30-80, Methods and Standards for Establishing Payment Rates; Other Types of Care; and 12 VAC 30-130, Amount, Duration and Scope of Selected Services**. The purpose of the proposed action is to promulgate permanent regulations to provide for the Preferred Drug List, Pharmacy and Therapeutics Committee, State Supplemental Rebates for drugs, and Utilization Review of High Drug Thresholds.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia; Item 325 ZZ of Chapter 1042 of the 2003 Acts of Assembly.

Public comments may be submitted until September 24, 2004, to Adrienne Fegans, Program Operations Administrator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.



**Contact:** Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959, FAX (804) 786-1680 or e-mail vicki.simmons@dmas.virginia.gov.

**November 11, 2004 - 1 p.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Board Room. Richmond, Virginia. ♿

A meeting of the Pharmacy Liaison Committee to discuss current Pharmacy issues and programs.

**Contact:** Javier Menendez, RPh, Pharmacy Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-2196, FAX (804) 786-1680, (800) 343-0634/TTY ☎, e-mail jmenendez@dmas.state.va.us.

**November 17, 2004 - 1 p.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Board Room, Richmond, Virginia. ♿

A meeting of the Medicaid Transportation Advisory Committee to discuss issues and concerns about Medicaid transportation with the committee and the community.

**Contact:** Donna Garrett, Administrative Assistant, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-0194, FAX (804) 786-5799, (800) 343-0634/TTY ☎, e-mail donna.garrett@dmas.virginia.gov.

## Drug Utilization Review Board

**November 4, 2004 - 2 p.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Board Room, Richmond, Virginia. ♿

A regular meeting.

**Contact:** Javier Menendez, Pharmacy Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300 Richmond, VA 23219, telephone (804) 786-2196, FAX (804) 786-1680, (800) 343-0634/TTY ☎, e-mail jmenende@dmas.state.va.us.

## BOARD OF MEDICINE

**September 24, 2004 - 2 p.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

The Ad Hoc Committee on Death Certificates will discuss proposed regulations regarding completion of death certificates by physicians. Public comment on agenda items will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.virginia.gov.

**† September 29, 2004 - 9 a.m.** -- Open Meeting  
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia.

An informal conference committee of the board will convene 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 may review cases with staff for case disposition including consideration of consent orders for settlement. The committee will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

**Contact:** Peggy Sadler/Renee Dixson, Staff, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail peggy.sadler@dhp.virginia.gov.

**† October 6, 2004 - 9 a.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.

**† October 19, 2004 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

An informal conference committee of the board will convene a special conference committee 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 may review cases with staff for case disposition including consideration of consent orders for settlement. The committee will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

**Contact:** Peggy Sadler/Renee Dixson, Staff, Department of Health Professions, 6603 W. Broad St., Richmond, VA, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail peggy.sadler@dhp.virginia.gov.

**October 14, 2004 - 8 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting to consider regulatory and disciplinary matters as may be presented on the agenda. Public comment on agenda items will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

**October 14, 2004 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 3, Richmond, Virginia.

The Credentials Committee will meet to consider applicants for licensure and other matters of the board. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX

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# Calendar of Events

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(804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

**October 14, 2004 - 1 p.m.** -- Open Meeting

**October 15, 2004 - 8 a.m.** -- Open Meeting

**October 16, 2004 - 8 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, Richmond, Virginia. ☎

Formal hearings and informal conferences 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 board may review cases with other staff members for case disposition including consideration of consent orders for settlement. The board will convene into open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

**Contact:** Peggy Sadler/Renee Dixon, Staff, Board of Medicine, Alcoa Bldg., Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail peggy.sadler@dhp.virginia.gov.

**October 29, 2004 - 8:30 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

The Legislative Committee will consider regulatory matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.state.va.us.

**November 19, 2004 - 8 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

The Executive Committee will consider regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.virginia.gov.

## Advisory Board on Acupuncture

**September 22, 2004 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of acupuncture. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX

(804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.virginia.gov.

## Advisory Board on Athletic Training

**September 23, 2004 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of athletic training. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.virginia.gov.

## Advisory Board on Physician Assistants

**September 23, 2004 - 1 p.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of physician assistants. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.virginia.gov.

## Advisory Board of Occupational Therapy

**September 21, 2004 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of occupational therapy. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.virginia.gov.

## Advisory Board on Radiologic Technology

**September 22, 2004 - 1 p.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of radiologic technology. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.virginia.gov.

## Advisory Board on Respiratory Care

**September 21, 2004 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Board Room 4, Richmond, Virginia.

A meeting to consider issues related to the regulation of respiratory care. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail [william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov).

## DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

**September 24, 2004 - 9 a.m.** -- Open Meeting  
**October 26, 2004 - 1 p.m.** -- Open Meeting  
**November 16, 2004 - 1 p.m.** -- Open Meeting  
Virginia Housing and Development Authority, 601 South Belvidere Street, Richmond, Virginia. ♿

A meeting of the Olmstead Community Integration Implementation Team.

**Contact:** Viktoria Glenn, Administrative Assistant, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23288, telephone (804) 662-7069, FAX (804) 662-7662, e-mail [glennvh@drs.state.va.us](mailto:glennvh@drs.state.va.us).

† **September 27, 2004 - 10 a.m.** -- Public Hearing  
Jefferson Building, 1220 Bank Street, 8th Floor Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A public hearing to receive comments on the Virginia Substance Abuse Prevention and Treatment Block Grant Application for Federal Fiscal Year 2005. Copies of the application are available for review at the Office of Substance Abuse Services, Room 818, Jefferson Building, and at each community services board office. Comments may be made at the hearing or in writing no later than September 27, 2004, to Mellie Randall at the address below. Any person wishing to make a presentation at the hearing should contact Mellie Randall. Copies of oral presentations should be filed at the time of the hearing.

**Contact:** Mellie Randall, Office of Substance Abuse Services, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218, telephone (804) 371-2135, FAX (804) 786-4320, (804) 371-8977/TTY ☎, e-mail [mellie.randall@co.dmhmsas.virginia.gov](mailto:mellie.randall@co.dmhmsas.virginia.gov).

## VIRGINIA COMMISSION ON MILITARY BASES

**October 8, 2004 - 10 a.m.** -- Open Meeting  
Riverfront Plaza, 901 East Byrd Street, West Tower, 20th Floor, Presentation Center, Richmond, Virginia. ♿

A regular quarterly meeting.

**Contact:** Valerie Hubbard, Communications Manager, Virginia Commission on Military Bases, P.O. Box 798, Richmond, VA 23218, telephone (804) 225-3743, FAX (804) 786-1121.

## STATE MILK COMMISSION

† **December 15, 2004 - 10:30 a.m.** -- Open Meeting  
Department of Forestry, 900 Natural Resource Drive, Room 2063, Charlottesville, Virginia.

A regular meeting to consider industry distributor licensing, base transfers and reports from staff. The commission offers anyone in attendance an opportunity to speak at the conclusion of the agenda. Those persons requiring special accommodations should notify Edward C. Wilson at least five working days prior to the meeting date so that suitable arrangements can be made.

**Contact:** Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, Washington Bldg., 1100 Bank St., Suite 1019, Richmond, VA 23218, telephone (804) 786-2013, FAX (804) 786-3779, e-mail [ewilson@smc.state.va.us](mailto:ewilson@smc.state.va.us).

## DEPARTMENT OF MINES, MINERALS AND ENERGY

**September 26, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Mines, Minerals and Energy intends to amend regulations entitled **4 VAC 25-130, Coal Surface Mining Reclamation Regulations**. The purpose of the proposed action is to amend alternative bond release procedures to be consistent with performance bond procedures.

Statutory Authority: §§ 45.1-161.3 and 45.1-230 of the Code of Virginia.

Public comments may be submitted until September 26, 2004, to Butch Lambert, Reclamation Specialist, Division of Mined Land Reclamation, Department of Mines, Minerals and Energy, Drawer 900, Big Stone Gap, VA 24219, telephone (276) 523-8286.

**Contact:** Stephen Walz, Regulatory Coordinator, 202 N. 9th St., 8th Floor, Richmond, VA 23219, telephone (804) 692-3211, FAX (804) 692-3237 or e-mail [Stephen.Walz@dmme.virginia.gov](mailto:Stephen.Walz@dmme.virginia.gov).

## Board of Coal Mining Examiners

**September 23, 2004 - 9 a.m.** -- Open Meeting  
Department of Mines Minerals and Energy, Buchanan-Smith Office Building, 3405 Mountain Empire Drive, Room 219, Big Stone Gap, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss general board business as well as to review recent regulatory changes. Anyone wishing to speak may do so prior to the conclusion of the meeting. Anyone

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# Calendar of Events

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with special needs should contact the department at least one week prior to the meeting.

**Contact:** Frank Linkous, Mine Chief, Department of Mines, Minerals and Energy, P.O. Box 900, Big Stone Gap, VA 24219, telephone (276) 523-8226, FAX (804) 692-3237, (800) 828-1120/TTY ☎, e-mail frank.linkous@dmme.virginia.gov.

## Virginia Gas and Oil Board

† **September 21, 2004 - 9 a.m.** -- Open Meeting  
Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, Virginia. ♿ (Interpreter for the deaf provided upon request)

A general meeting of the board. In addition to general board business, the following will also be discussed: disbursements, location exceptions, poolings and miscellaneous petitions. Special accommodations for the disabled will be made available at the hearing on request. Anyone needing special accommodations for the September hearing should contact the Department of Mines, Minerals and Energy, Division of Gas and Oil, at 276-676-5423 or call the Virginia Relay Center TTY 1-800-828-1120 or 1140 by September 15, 2004. The deadline for filing of petitions to the board for the October hearing is 5 p.m., Friday, September 17, 2004, with the hearing scheduled for 9 a.m. on Tuesday, October 19, 2004, at the Southwest Virginia Higher Education Center, Abingdon, Virginia.

**Contact:** Bob Wilson, Division Director, Department of Mines, Minerals and Energy, 230 Charwood Dr., Abingdon, VA 24212, telephone (276) 676-5423, (800) 828-1120/TTY ☎, e-mail bob.wilson@dmme.virginia.gov.

## DEPARTMENT OF MOTOR VEHICLES

### Medical Advisory Board

† **November 10, 2004 - 8 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A general business meeting.

**Contact:** Jacquelin Branche, R. N., Division Manager, Department of Motor Vehicles, 2300 W. Broad St., Richmond VA 23220, telephone (804) 497-7188, FAX (804) 367-1604, toll-free (800) 435-5137, (804) 272-9268/TTY ☎, e-mail dmvj3b@dmv.state.va.us.

## VIRGINIA MUSEUM OF FINE ARTS

**September 21, 2004 - 1 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, CEO Parlor, 200 North Boulevard, Richmond, Virginia. ♿

A meeting for staff to orient new trustees. Public comment will not be heard.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

† **September 22, 2004 - 9 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 200 North Boulevard, CEO Parlor, Richmond, Virginia. ♿

Meetings for staff to update the following committees:

- 9 a.m. - Expansion - CEO Parlor
- 11 a.m. - Art Acquisitions - Main Lobby Conference Room
- Noon - Artistic Oversight - CEO Parlor
- 3 p.m. - Government Affairs - CEO Parlor
- 4 p.m. - Nominating and Governance - CEO Parlor

Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Blvd., Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

**September 23, 2004 - 9 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 200 North Boulevard, CEO Parlor, Richmond, Virginia. ♿

A meeting for staff to update the Fiscal Oversight Committee. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Blvd., Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

**September 23, 2004 - Noon** -- Open Meeting  
Virginia Museum of Fine Arts, 200 North Boulevard, CEO Parlor, Richmond, Virginia. ♿

A meeting for staff to update the trustees. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Blvd., Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

**October 5, 2004 - 8 a.m.** -- Open Meeting

**November 2, 2004 - 8 a.m.** -- Open Meeting


† **December 7, 2004 - 8 a.m.** -- Open Meeting

Virginia Museum of Fine Arts, Main Lobby Conference Room, 200 North Boulevard, Richmond, Virginia. ♿


A meeting for staff to update the Executive Committee. Public comment will not be received.


**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220-4007, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY ☎, e-mail sbroyles@vmfa.state.va.us.

## BOARD OF NURSING


**September 20, 2004 - 9 a.m.** -- Open Meeting  
**September 22, 2004 - 9 a.m.** -- Open Meeting  
**September 23, 2004 - 9 a.m.** -- Open Meeting  
**November 15, 2004 - 9 a.m.** -- Open Meeting  
**November 17, 2004 - 9 a.m.** -- Open Meeting  
**November 18, 2004 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Conference Room 2, Richmond, Virginia. 

A panel of the board will conduct formal hearings with licensees or certificate holders. Public comment will not be received.


**Contact:** Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.virginia.gov.


**September 21, 2004 - 9 a.m.** -- Open Meeting  
**November 16, 2004 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Board Room 2, Richmond, Virginia. 

A general business meeting including committee reports, consideration of regulatory action, and disciplinary case decisions as presented on the agenda. Public comment will be received at 11 a.m.


**Contact:** Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail jay.douglas@dhp.virginia.gov.

**† September 28, 2004 - 9 a.m.** -- Open Meeting  
210 Church Avenue, S.W., Suite 100, Roanoke, Virginia.


**October 4, 2004 - 9 a.m.** -- Open Meeting  
**October 12, 2004 - 9 a.m.** -- Open Meeting  
**October 13, 2004 - 9 a.m.** -- Open Meeting  
**October 19, 2004 - 9 a.m.** -- Open Meeting  
**October 26, 2004 - 9 a.m.** -- Open Meeting  
**December 2, 2004 - 9 a.m.** -- Open Meeting  
**† December 7, 2004 - 9 a.m.** -- Open Meeting  
**† December 8, 2004 - 9 a.m.** -- Open Meeting  
**† December 9, 2004 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Conference Room 3, Richmond, Virginia. 

**October 14, 2004 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Conference Room 1, Richmond, Virginia. 

A Special Conference Committee comprised of two or three members of the Virginia Board of Nursing will conduct informal conferences with licensees and certificate holders. Public comment will not be received.

**Contact:** Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 West Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.virginia.gov.

## JOINT BOARDS OF NURSING AND MEDICINE

**September 21, 2004 - 11 a.m.** -- Public Hearing  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Board Room 2, Richmond, Virginia. 


**October 8, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Boards of Nursing and Medicine intend to amend regulations entitled **18 VAC 90-30, Regulations Governing the Licensure of Nurse Practitioners**. The purpose of the proposed action is to clarify that congruency in education, certification and licensure is required and that a graduate degree is necessary for initial licensure; to provide an avenue for licensure to those who may not meet current qualifications but who have been safely practicing in other states as advanced practice nurses; and to update categories of nurse practitioners and names of certifying bodies.

Statutory Authority: §§ 54.1-2400 and 54.1-2957 of the Code of Virginia.

Public comments may be submitted until October 8, 2004, to Jay P. Douglas, R.N., Executive Director, Board of Nursing, 6603 West Broad Street, Richmond, VA 23230.


**Contact:** Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or email Elaine.yeatts@dhp.virginia.gov.

**October 20, 2004 - 9 a.m.** -- Open Meeting  
**† December 15, 2004 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Richmond, Virginia. 


A meeting of the Joint Boards of Nursing and Medicine.

**Contact:** Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, e-mail nursebd@dhp.virginia.gov.

## BOARD OF NURSING HOME ADMINISTRATORS

**October 13, 2004 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Board Room 1, Richmond, Virginia. 

A meeting to discuss regular board business. There will be a comment period at the beginning of the meeting.

**Contact:** Sandra Reen, Executive Director, Board of Nursing Home Administrators, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7457, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail sandra.reen@dhp.virginia.gov.

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# Calendar of Events

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## OLD DOMINION UNIVERSITY

**October 18, 2004 - 3 p.m.** -- Open Meeting


**November 15, 2004 - 3 p.m.** -- Open Meeting

Webb University Center, Old Dominion University, Norfolk, Virginia. 

A regular meeting of the Board of Visitors' Executive Committee to discuss business of the board and the institution as determined by the Rector and the President.

**Contact:** Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Old Dominion University, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail [dmeeks@odu.edu](mailto:dmeeks@odu.edu).


**† December 10, 2004 - 1 p.m.** -- Open Meeting

Webb University Center, Old Dominion University, Norfolk, Virginia. 

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, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail [dmeeks@odu.edu](mailto:dmeeks@odu.edu).


## BOARD FOR OPTICIANS

**September 24, 2004 - 10 a.m.** -- Public Hearing  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. 


**September 24, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Opticians intends to amend regulations entitled **18 VAC 100-20, Board for Opticians Regulations**. The purpose of the proposed action is to amend regulations for registration for voluntary practice by out-of-state licensees in accordance with § 54.1-1701.5 of the Code of Virginia.

Statutory Authority: § 54.1-201 of the Code of Virginia and Chapter 740 of the 2002 Acts of Assembly.

**Contact:** William H. Ferguson, II, Executive Director, Board for Opticians, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8310, FAX (804) 367-6295, (804) 367-9753/TTY , or e-mail [opticians@dpor.virginia.gov](mailto:opticians@dpor.virginia.gov).

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**September 24, 2004 - 10 a.m.** -- Public Hearing  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. 

**October 8, 2004** - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Opticians intends to amend regulations entitled **18 VAC 100-20, Board for**

**Opticians Regulations**. The purpose of the proposed action is to amend regulations to adjust fees in accordance with the Callahan Act, § 54.1-113 of the Code of Virginia.


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

**Contact:** William H. Ferguson, II, Executive Director, Board for Opticians, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8310, FAX (804) 367-6295, (804) 367-9753/TTY , or e-mail [opticians@dpor.virginia.gov](mailto:opticians@dpor.virginia.gov).

NOTE: CHANGE IN MEETING DATE

**October 15, 2004 - 9:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. 

The board will conduct a general business meeting to consider regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

**Contact:** William H. Ferguson, II, Executive Director, Board for Opticians, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY , or e-mail [opticians@dpor.virginia.gov](mailto:opticians@dpor.virginia.gov).

## BOARD OF OPTOMETRY

**† October 6, 2004 - 9 a.m.** -- Public Hearing  
Department of Health Professions, 6603 West Broad Street,  
5th Floor, Conference Room 3, Richmond, Virginia.

**† October 6, 2004** - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 54.1-3223 of the Code of Virginia that the Board of Optometry intends to amend regulations entitled **18 VAC 105-20, Regulations Governing the Practice of Optometry**. The purpose of the proposed action is to amend the treatment guidelines and formulary of therapeutic pharmaceutical agents that can be prescribed or administered by a qualified optometrist.

Statutory Authority: § 54.1-3223 of the Code of Virginia.

Public comments may be submitted until October 6, 2004, to Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry, 6603 W. Broad St., Richmond, VA 23230.

**Contact:** Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail [elaine.yeatts@dhp.virginia.gov](mailto:elaine.yeatts@dhp.virginia.gov).


## VIRGINIA OUTDOORS FOUNDATION

**September 23, 2004 - 10 a.m.** -- Open Meeting  
Department of Forestry, Fontaine Research Park, 900 Natural Resources Drive, Charlottesville, Virginia. 


A regular meeting.


**Contact:** Tamara A. Vance, Executive Director, Virginia Outdoors Foundation, 900 S. Main St., Blacksburg, VA 24060, telephone (540) 951-2822, FAX (540) 951-2695, e-mail [tvance@vofonline.org](mailto:tvance@vofonline.org).

## VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES


† **September 22, 2004 - 10:30 a.m.** -- Open Meeting  
202 North 9th Street, 9th Floor, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

A quarterly Executive Committee meeting.

**Contact:** Sandra Smalls, Executive Assistant, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA, telephone (804) 786-9368, FAX (804) 786-1118, toll-free (800) 846-4464, (804) 786-0016/TTY , e-mail [smallsse@vbpd.state.va.us](mailto:smallsse@vbpd.state.va.us).

† **September 23, 2004 - 8 a.m.** -- Open Meeting  
Holiday Inn, 6531 West Broad Street, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

A quarterly board meeting.

**Contact:** Sandra Smalls, Executive Assistant, Virginia Board for People with Disabilities, 202 N. 9th St., Richmond, VA, telephone (804) 786-9368, FAX (804) 786-1118, toll-free (800) 846-4464, (804) 786-0016/TTY , e-mail [smallsse@vbpd.state.va.us](mailto:smallsse@vbpd.state.va.us).

## PESTICIDE CONTROL BOARD

**October 14, 2004 - 9 a.m.** -- Public Hearing  
Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Room 204, Richmond, Virginia.

**November 1, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Pesticide Control Board intends to amend regulations entitled **2 VAC 20-40, Rules and Regulations Governing Licensing of Pesticide Businesses by the Department of Agriculture and Consumer Services Operating Under Authority of the Virginia Pesticide Control Act**. The purpose of the proposed action is to review the regulations for effectiveness and continued need. The proposed regulations (i) establish standards for the licensure of pesticide businesses and for the denial, suspension, or revocation of the license; (ii) establish record keeping requirements for licensed pesticide businesses, as a means of ensuring that pesticides are stored and used safely; and (iii) protect the public's health, safety and welfare with the

least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.


Statutory Authority: § 3.1-249.30 of the Code of Virginia.

**Contact:** W. Wayne Surles, Program Manager, Department of Agriculture and Consumer Services, P.O. Box 1163, Richmond, VA 23218, telephone (804) 371-6558, FAX (804) 371-8598, toll-free 1-800-552-9963, or e-mail [wsurles@vdacs.state.va.us](mailto:wsurles@vdacs.state.va.us).

## BOARD OF PHYSICAL THERAPY


† **September 24, 2004 - 10 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A meeting to hear possible violations of the laws and regulations governing the practice of physical therapy.


**Contact:** Elizabeth Young, Executive Director, Board of Physical Therapy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).

**October 15, 2004 - 9 a.m.** -- Canceled  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

The quarterly business meeting has been canceled.

**Contact:** Elizabeth Young, Executive Director, Board of Physical Therapy, Alcoa Bldg., 6603 West Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail [elizabeth.young@dhp.virginia.gov](mailto:elizabeth.young@dhp.virginia.gov).

## POLYGRAPH EXAMINERS ADVISORY BOARD

† **December 2, 2004 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive 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:** Eric Olson, Executive Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail [olson@dpor.virginia.gov](mailto:olson@dpor.virginia.gov).

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# Calendar of Events

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## BOARD OF PROFESSIONAL AND OCCUPATIONAL REGULATION

**September 20, 2004 - 10 a.m.** -- Open Meeting

**November 15, 2004 - 10 a.m.** -- Open Meeting

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

A quarterly meeting.

**Contact:** Judy Spiller, Executive Secretary, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519, FAX (804) 367-9537, (804) 367-9753/TTY ☎, e-mail judy.spiller@dpor.virginia.gov.

## BOARD OF PSYCHOLOGY

**October 12, 2004 - 9:30 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

A business meeting to include reports from standing committees and any other disciplinary or regulatory matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** Evelyn B. Brown, Executive Director, Board of Psychology, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail evelyn.brown@dhp.virginia.gov.

## VIRGINIA PUBLIC BROADCASTING BOARD

† **October 6, 2004 - 10:30 a.m.** -- Open Meeting  
WETA, 3620 South 27th Street, Arlington, Virginia.

A meeting of the Ed/Tech subcommittee.

**Contact:** Shannon Rainey, Virginia Public Broadcasting Board, 202 N. 9th Street, Suite 636, Richmond, VA 23219, telephone (804) 786-1201.

## VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD

NOTE: CHANGE IN MEETING DATE

**September 30, 2004 - 10 a.m.** -- Open Meeting

1610 Forest Avenue, Suite 100, Richmond, Virginia. ♿

A regular meeting to review regulations for the public guardianship program.

**Contact:** Janet Riddick, Director, Elder Rights Center, Virginia Public Guardian and Conservator Advisory Board, 1610 Forest Ave., Richmond, VA 23229, telephone (804) 662-7050, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY ☎, e-mail Janet.Riddick@vda.virginia.gov.

† **December 9, 2004 - 10 a.m.** -- Open Meeting

1610 Forest Avenue, Suite 100, Richmond, Virginia. ♿

A quarterly meeting.

**Contact:** Terry Raney, Guardianship Coordinator, Virginia Public Guardian and Conservator Advisory Board, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-7049, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY ☎, e-mail traney@vda.virginia.gov.

## REAL ESTATE APPRAISER BOARD

**November 9, 2004 - 10 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A meeting to conduct board business.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail karen.o'neal@dpor.virginia.gov.

## REAL ESTATE BOARD

**September 20, 2004 - 10 a.m.** -- Open Meeting

**October 7, 2004 - 9 a.m.** -- Open Meeting

† **October 14, 2004 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. ♿

An informal fact-finding conference.

**Contact:** Karen W. O'Neal, Regulatory Programs Coordinator, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail karen.o'neal@dpor.virginia.gov.

## VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

**September 24, 2004 - 10:30 a.m.** -- Open Meeting

Henrico Training Center, Parham and Shrader Roads, Glen Allen, Virginia.

A regular meeting.

**Contact:** Michael P. Benedetto, Tidewater Fibre Corp., 1958 Diamond Hill Rd., Chesapeake, VA 23324, telephone (757) 543-5766, e-mail mike@tfcrecycling.com.

## REFORESTATION OF TIMBERLANDS BOARD

† **September 29, 2004 - 10 a.m.** -- Open Meeting

Department of Forestry, 2229 East Nine Mile Road, Sandston, Virginia.

The agenda will include discussion of accomplishments from the past year and the outcome and recommendations resulting from the RT Board's initial Forest Products Tax Task Force meeting.

**Contact:** Phil Grimm, Staff Forester, Reforestation of Timberlands Board, 900 Natural Resources Dr., #800,



Charlottesville VA 22903, telephone (434) 977-6555, FAX (434) 296-2369, e-mail phil.grimm@dof.virginia.gov.

## VIRGINIA RESOURCES AUTHORITY

**September 21, 2004 - 9 a.m.** -- Open Meeting  
Eighth and Main Building, 707 East Main Street, 2nd Floor,  
Richmond, Virginia. ♿

† **October 19, 2004 - 9 a.m.** -- Open Meeting  
Harrisonburg, 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:** Bonnie R. C. McRae, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Richmond, VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail bmcrac@vra.state.va.us.

## SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

**October 20, 2004 - 10 a.m.** -- Canceled  
General Assembly Building, 9th and Broad Streets, Senate  
Room B, Richmond, Virginia. ♿

A meeting to hear appeals of health department denials of septic tank permits is canceled.

**Contact:** Susan Sherertz, Secretary to the Board, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7464, FAX (804) 864-7475, e-mail susan.sherertz@vdh.virginia.gov.

## STATE BOARD OF SOCIAL SERVICES

**October 8, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to **repeal** regulations entitled **22 VAC 40-120, Minimum Standards for Licensed Family Day-Care Systems** and **adopt** regulations entitled **22 VAC 40-121, Standards for Licensed Family Day Systems**. The purpose of the proposed action is to repeal the current

Minimum Standards for Licensed Family Day-Care Systems (22 VAC 40-120) and replace it with a new regulation, Standards for Licensed Family Day Systems (22 VAC 40-121).

Statutory Authority: §§ 63.2-217, 63.2-1701 and 63.2-1734 of the Code of Virginia.

**Contact:** Doris Sherrod, Program Development Consultant, Division of Licensing Programs, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7153, FAX (804) 726-7132 or e-mail doris.sherrod@dss.virginia.gov.

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**October 8, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to adopt regulations entitled **22 VAC 40-170, Voluntary Registration of Family Day Homes-Requirements for Contracting Organizations**. The purpose of the proposed action is to update statutory references in Title 63.2; eliminate requirements that have been found to be inefficient or burdensome; clarify contracting organizations' responsibilities; add requirements that establish time frames for submission of reports and for notification of the department of certain events and changes; transfer responsibility for providing certain information to parents and for processing all aspects of adverse enforcement actions from contracting organizations to the department.

Statutory Authority: §§ 63.2-217, 63.2-1704 and 63.2-1734 of the Code of Virginia.

**Contact:** Doris Sherrod, Program Development Consultant, Department of Social Services, Division of Licensing Programs, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7153, FAX (804) 726-7132 or e-mail doris.sherrod@dss.virginia.gov.

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**October 8, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to **repeal** regulations entitled **22 VAC 40-660, Child Day Care Services Policy**, and **adopt** regulations entitled **22 VAC 40-661, Child Care Program**. The purpose of the proposed action is to repeal the current regulation pertaining to the Child Care and Development Fund and replace it with a new regulation. New federal regulations and changes in policies in Virginia necessitate that new regulations be created.

Statutory Authority: §§ 63.2-217, 63.2-319, 63.2-510, 63.2-611, and 63.2-616 of the Code of Virginia; Child Care and Development Block Grant of 1990 as amended by the Personal Responsibility and Work Opportunity Act of 1996 (P.L. 104-193) and the Balanced Budget Act of 1997 (P.L.

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# Calendar of Events

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105-33), as implemented in regulation 45 CFR Parts 98 and 99; the Food Stamp Act of 1977 as amended.

**Contact:** Mary Ward, Program Consultant, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7638, FAX (804) 726-7655 or e-mail mary.ward@dss.virginia.gov.


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**October 8, 2004** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to **repeal** regulations entitled **22 VAC 40-770, Standards and Regulations for Agency Approved Providers**, and **adopt** regulations entitled **22 VAC 40-771, Local Department-Approved Provider Standards**. The purpose of the proposed action is to repeal the existing regulation and replace it with a new regulation. The current regulation addresses standards used by local departments of social services to approve and regulate service providers including adult service providers, child care providers, and adoptive and foster providers.


Statutory Authority: § 63.2-217 of the Code of Virginia.


**Contact:** Sue Murdock, Family Specialist, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7616, FAX (804) 726-7895 or e-mail susan.murdock@dss.virginia.gov.

† **October 20, 2004 - 9 a.m.** -- Open Meeting  
Law Enforcement and Judicial Complex, 245 South 4th Street, Wytheville, Virginia. 

† **December 15, 2004 - 9 a.m.** -- Open Meeting  
Department of Social Services, 608 Jackson Street, Fredericksburg, Virginia.


A work session from 9 a.m. until noon, followed by a full board meeting at 1:30 p.m. Public comment will be received at 1:30 p.m.

**Contact:** Pat Rengnerth, Board Liaison, Department of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7905, FAX (804) 726-7906, (800) 828-1120/TTY , e-mail patricia.rengnerth@dss.virginia.gov.


† **October 21, 2004 - 9 a.m.** -- Open Meeting  
Law Enforcement and Judicial Complex, 245 South 4th Street, Wytheville, Virginia. 

† **December 16, 2004 - 9 a.m.** -- Open Meeting  
Department of Social Services, 608 Jackson Street, Fredericksburg, Virginia.

A board meeting.

**Contact:** Pat Rengnerth, Board Liaison, Department of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7905, FAX (804) 726-7906, (800) 828-1120/TTY , e-mail patricia.rengnerth@dss.virginia.gov.

## DEPARTMENT OF SOCIAL SERVICES


† **October 14, 2004 - 9:30 a.m.** -- Open Meeting  
Department of Social Services, 7 North 8th Street, Richmond, Virginia. 


The Family and Children's Trust Fund (FACT) Board of Trustees will hold its regular business meeting.

**Contact:** Nan McKenney, Executive Director, Department of Social Services, 7 North 8th St., Richmond, VA 23219, telephone (804) 726-7604, FAX (804) 726-7015.


## COMMONWEALTH TRANSPORTATION BOARD


† **September 21, 2004 - 5 p.m.** -- Public Hearing  
VDOT, Bristol District Auditorium, 879 Bonham Road, Bristol, Virginia.

VDOT, Hampton Roads District Auditorium, 1700 North Main Street, Suffolk, Virginia. 


VDOT, Central Auditorium, 1221 East Broad Street, Richmond, Virginia. 


† **September 22, 2004 - 5 p.m.** -- Public Hearing  
VDOT, Northern Virginia District HQ, 14685 Avion Parkway, Fairfax Room, Chantilly, Virginia.

VDOT, Staunton District Auditorium, 811 Commerce Road, Staunton, Virginia. 


VDOT, Central Auditorium, 1221 East Broad Street, Richmond, Virginia. 


† **September 28, 2004 - 5 p.m.** -- Public Hearing  
VDOT, Richmond District Auditorium, 2430 Pine Forest Drive, Colonial Heights, Virginia.

VDOT, Salem District Auditorium, 731 Harrison Avenue, Salem, Virginia. 

VDOT, Central Auditorium, 1221 East Broad Street, Richmond, Virginia. 

† **September 29, 2004 - 5 p.m.** -- Public Hearing  
VDOT, Culpeper District Auditorium, 1601 Orange Road, Culpeper, Virginia.


VDOT, Fredericksburg District Auditorium, 87 Deacon Road, Fredericksburg, Virginia. 

VDOT, Central Auditorium, 1221 East Broad Street, Richmond, Virginia. 

A videoconference from VDOT's central office in Richmond for public hearings at multiple locations. Open forum from 5 p.m. to 6 p.m., formal comment period beginning at 6 p.m. until completed. CTB representatives will attend. For information contact Donna Mayes in Public Affairs at (804) 786-2717.

**Contact:** Katherine Tracy, Assistant Secretary of the CTB, Commonwealth Transportation Board, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-3090, FAX (804) 225-4700, e-mail Katherine.Tracy@VDOT.Virginia.gov.

## TREASURY BOARD

**October 20, 2004 - 9 a.m.** -- Open Meeting  
101 North 14th Street, 3rd Floor, Treasury Board Room, Richmond, Virginia. 

A regular meeting.

**Contact:** Melissa Mayes, Secretary, Department of the Treasury, 101 N. 14th St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-6011, FAX (804) 225-3187, e-mail melissa.mayes@trs.virginia.gov.

## BOARD OF VETERANS SERVICES

**September 27, 2004 - 1 p.m.** -- Open Meeting  
American Legion Building, 1708 Commonwealth Avenue, Richmond, Virginia.

A regular meeting. A public comment period is scheduled at the end of the meeting.

**Contact:** Steven Combs, Assistant to the Commissioner, Department of Veterans Services, 900 E. Main St., Richmond VA 23219, telephone (804) 786-0286, e-mail steven.combs@dvs.virginia.gov.

## DEPARTMENT OF VETERANS SERVICES

### Veterans Services Foundation

**September 30, 2004 - 11:30 a.m.** -- Open Meeting  
American Legion Department of VA Building, 1708 Commonwealth Avenue, Richmond, Virginia.

A regular meeting.

**Contact:** Steven Combs, Assistant to the Commissioner, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, Richmond VA 23219, telephone (804) 786-0286, e-mail steven.combs@dvs.virginia.gov.

## BOARD OF VETERINARY MEDICINE

NOTE: CHANGE IN MEETING DATE

**October 7, 2004 - 8:30 a.m.** -- Public Hearing  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.

**October 8, 2004** - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Veterinary Medicine intends to amend regulations entitled **18 VAC 150-20, Regulations Governing the Practice of Veterinary Medicine**. The purpose of the proposed action is to amend definitions of "immediate and direct supervision" and "surgery" for consistency with current board policies.

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


Public comments may be submitted until October 8, 2004, to Elizabeth A. Carter, Ph.D., Executive Director, Board of Veterinary Medicine, 6603 West Broad Street, Richmond, VA 23230.

**Contact:** Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St.,

Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or email Elaine.yeatts@dhp.virginia.gov.


**October 7, 2004 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. 

Informal hearings (disciplinary proceedings). These are public meetings, but public comment will not be received.

**Contact:** Terri H. Behr, Administrative Assistant, Board of Veterinary Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9915, FAX (804) 662-7098, (804) 662-7197/TTY , e-mail terri.behr@dhp.virginia.gov.

## VIRGINIA WASTE MANAGEMENT BOARD


**November 17, 2004 - 1 p.m.** -- Open Meeting

**November 18, 2004 - 9 a.m.** -- Open Meeting  
Williamsburg, Virginia area; location to be determined. 

A meeting of representatives of the three regulatory citizen boards: State Air Pollution Control Board, Virginia Waste Management Board and the State Water Pollution Control Board.


**Contact:** Cindy Berndt, Regulatory Coordinator, State Air Pollution Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail cumberland@deq.virginia.gov.

## STATE WATER CONTROL BOARD

**September 20, 2004 - 8:30 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A meeting of the Steering Committee of the Water Policy Technical Advisory Committee.


**Contact:** Scott W. Kudlas, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4456, FAX (804) 698-4347, e-mail swkudlas@deq.virginia.gov.

**September 30, 2004 - 2:30 p.m.** -- Open Meeting  
Albemarle County Office Building, Lane Auditorium, 401 McIntire Road, Charlottesville, Virginia. 

A public meeting to receive comments on a notice of intent to adopt a general Virginia Water Protection permit for minor water withdrawals. The NOIRA will appear in the Virginia Register on August 23, 2004. The comment period will run from August 23, 2004, until October 8, 2004.

**Contact:** Ellen Gilinsky, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4375, FAX (804) 698-4347, e-mail egilinsky@deq.virginia.gov.

**November 17, 2004 - 1 p.m.** -- Open Meeting

**November 18, 2004 - 9 a.m.** -- Open Meeting  
Williamsburg, Virginia area; location to be determined. 

A meeting of representatives of the three regulatory citizen boards: State Air Pollution Control Board, Virginia Waste


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## Calendar of Events

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Management Board and the State Water Pollution Control Board.


**Contact:** Cindy Berndt, Regulatory Coordinator, State Air Pollution Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail [cmberndt@deq.virginia.gov](mailto:cmberndt@deq.virginia.gov).

**December 2, 2004 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 


A regular board meeting.


**Contact:** Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail [cmberndt@deq.virginia.gov](mailto:cmberndt@deq.virginia.gov).

### BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS


† **November 10, 2004 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

An informal fact-finding conference.


**Contact:** David E. Dick, Assistant Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail [waterwasteoper@dpor.state.va.us](mailto:waterwasteoper@dpor.state.va.us).

† **December 8, 2004 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business.

**Contact:** David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail [waterwasteoper@dpor.state.va.us](mailto:waterwasteoper@dpor.state.va.us).

### VIRGINIA WORKFORCE COUNCIL


**October 18, 2004 - Noon** -- Open Meeting  
Richmond Marriott Hotel, 500 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A business meeting. Public comment will be scheduled and limited to five minutes per person and a written copy of comments is required. The agenda will be announced at a later date.

**Contact:** Gail Robinson, Workforce Council Liaison, Virginia Employment Commission, 703 E. Main St., Richmond, VA 23219, telephone (804) 225-3070, FAX (804) 225-2190, toll-free (800) 828-1120, e-mail [grobinson@vec.state.va.us](mailto:grobinson@vec.state.va.us).

## INDEPENDENT


### STATE LOTTERY BOARD

**September 29, 2004 - 9:30 a.m.** -- Open Meeting  
Virginia Lottery, 900 East Main Street, 13th Floor, Richmond, Virginia. 


A regular meeting to conduct routine business. There will be an opportunity for public comment shortly after the meeting is convened.

**Contact:** Frank S. Ferguson, Director, Legislative and Regulatory Affairs, State Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7901, FAX (804) 692-7905, e-mail [fferguson@valottery.state.va.us](mailto:fferguson@valottery.state.va.us).

### VIRGINIA RETIREMENT SYSTEM

**October 6, 2004 - 2:30 p.m.** -- Open Meeting  
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. 

A regular meeting of the Benefits and Actuarial Committee. No public comment will be received at the meeting.


**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3124/TTY , e-mail [lking@vrs.state.va.us](mailto:lking@vrs.state.va.us).

NOTE: CHANGE IN MEETING DATE AND TIME


**October 20, 2004 - 10:30 a.m.** -- Open Meeting

**November 24, 2004 - 9 a.m.** -- Open Meeting

† **December 16, 2004 - 9 a.m.** -- Open Meeting


Virginia Retirement System Headquarters Building, 1200 E. Main Street, Richmond, Virginia. 


A regular meeting of the Board of Trustees. No public comment will be received at the meeting.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , or e-mail [lking@vrs.state.va.us](mailto:lking@vrs.state.va.us).

**November 16, 2004 - Noon** -- Open Meeting  
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. 

A meeting of the Optional Retirement Plan Advisory Committee. No public comment will be received.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail [lking@vrs.state.va.us](mailto:lking@vrs.state.va.us).

**November 17, 2004 - 11 a.m.** -- Open Meeting  
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. 

Meetings of the following committees:

11 a.m. -- Investment Advisory Committee  
2:30 p.m. - Benefits and Actuarial  
4 p.m. - Administration and Personnel  
4 p.m. - Audit and Compliance

No public comment will be received.

**Contact:** LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail lking@vrs.state.va.us.

† **December 15, 2004 - 3 p.m.** -- Open Meeting  
Bank of America Building, 1111 East Main Street, Virginia Retirement System Investment Department, Pavilion, 4th Floor, Richmond, Virginia. ♿

A regular meeting of the Investment Advisory Committee. No public comment will be received at the meeting.

**Contact:** Phyllis Henderson, Executive Assistant, Virginia Retirement System, 1111 E. Main St., Richmond, VA 23219, telephone (804) 697-6675, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail lking@vrs.state.va.us

## LEGISLATIVE

### VIRGINIA CODE COMMISSION

**October 20, 2004 - 10 a.m.** -- Open Meeting  
**November 17, 2004 - 10 a.m.** -- Open Meeting  
**December 15, 2004 - 10 a.m.** -- Open Meeting  
General Assembly Building, 910 Capitol Street, 6th Floor, Speaker's Conference Room, Richmond, Virginia. ♿

A meeting to continue with the revisions of Titles 1, 3.1 and 37.1 and to conduct any other business that may come before the commission. A brief public comment period is scheduled at the end of the meeting.

**Contact:** Jane Chaffin, Registrar of Regulations, Virginia Code Commission, 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.

### HOUSE FINANCE COMMITTEE

**September 21, 2004 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, 2nd Floor, Richmond, Virginia. ♿

A meeting of the Special Finance Subcommittee for House Bill 1486 (Virginia Income Tax Checkoffs). Questions regarding the meeting should be directed to Joan Putney or David Rosenberg, Division of Legislative Services, telephone (804) 786-3591.

**Contact:** William L. Owen, Committee Operations, telephone (804) 698-1540.

### VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

**December 2, 2004 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

A regular meeting.

**Contact:** Lynda Waddill, Administrative Assistant, or Lisa Wallmeyer, Assistant Director, Virginia Freedom of Information Advisory Council, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 225-3056, FAX (804) 371-0169, toll-free (866) 448-4100, e-mail foiaacouncil@leg.state.va.us.

### JOINT COMMISSION ON TECHNOLOGY AND SCIENCE

NOTE: CHANGE IN MEETING TIME

**September 21, 2004 - 1 p.m.** -- Open Meeting  
**October 19, 2004 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

A meeting of the JCOTS Computer Crimes Advisory Committee.

**Contact:** Mitchell Goldstein, Director, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169, e-mail jcots@leg.state.va.us.

**September 22, 2004 - 1:30 p.m.** -- Open Meeting  
**October 20, 2004 - 1:30 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

A meeting of the JCOTS Nanotechnology Advisory Committee.

**Contact:** Eric Link, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169, e-mail jcots@leg.state.va.us.

**October 5, 2004 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

A meeting of the JCOTS's Integrated Government Advisory Committee.

**Contact:** Eric Link, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169, e-mail jcots@leg.state.va.us.

**October 6, 2004 - 1:30 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿


A meeting of the JCOT's Privacy Advisory Committee.

**Contact:** Mitchell Goldstein, Director, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169, e-mail jcots@leg.state.va.us.

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# Calendar of Events

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**December 1, 2004 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House  
Room D, Richmond, Virginia. 

A full commission meeting to discuss 2005 legislative proposals.

**Contact:** Mitchell Goldstein, Director, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169, e-mail [jcots@leg.state.va.us](mailto:jcots@leg.state.va.us).

## CHRONOLOGICAL LIST

### OPEN MEETINGS

#### September 20

† Funeral Directors and Embalmers, Board of  
Library Board, State  
Medical Assistance Services, Department of  
- Pharmacy and Therapeutics Committee  
Nursing, Board of  
Professional and Occupational Regulation, Board for  
Real Estate Board  
Water Control Board, State

#### September 21

Contractors, Board for  
Environmental Quality, Department of  
House Finance Committee  
- House Bill 1486 Subcommittee  
Housing Development Authority, Virginia  
Medicine, Board of  
- Advisory Board of Occupational Therapy  
- Advisory Board on Respiratory Care  
† Mines, Minerals and Energy, Department of  
- Virginia Gas and Oil Board  
Museum of Fine Arts, Virginia  
Nursing, Board of  
Resources Authority, Virginia  
Technology and Science, Joint Commission on

#### September 22

Cemetery Board  
Education, Board of  
Environmental Quality, Department of  
† Forestry, Board of  
Medicine, Board of  
- Advisory Board of Acupuncture  
- Advisory Board on Radiologic Technology  
† Museum of Fine Arts, Virginia  
Nursing, Board of  
† People with Disabilities, Virginia Board for  
Technology and Science, Joint Commission on

#### September 23

† Assistive Technology Loan Fund Authority  
Auctioneers Board  
Conservation and Recreation, Department of  
- Virginia Scenic River Board  
† Contractors, Board for  
Environmental Quality, Department of  
Medicine, Board of  
- Advisory Board on Athletic Training

- Advisory Board on Physician Assistants  
Mines, Minerals and Energy, Department of  
- Board of Coal Mining Examiners  
Museum of Fine Arts, Virginia  
Nursing, Board of  
Outdoors Foundation, Virginia  
† People with Disabilities, Virginia Board for

#### September 24

Accountancy, Board of  
Agriculture and Consumer Services, Board of  
† Health, Department of  
Medicine, Board of  
Mental Health, Mental Retardation and Substance Abuse  
Services, Department of  
† Physical Therapy, Board of  
Virginia Recycling Markets Development Council

#### September 27

Alcoholic Beverage Control Board  
Barbers and Cosmetology, Board for  
Veterans Services, Board of

#### September 28

Contractors, Board of  
Marine Resources Commission  
† Nursing, Board of

#### September 29

Air Pollution Control Board, State  
Lottery Board, State  
† Medicine, Board of  
† Reforestation of Timberlands Board

#### September 30

Asbestos, Lead, and Home Inspectors, Virginia Board for  
† Blind and Vision Impaired, Department for the  
Contractors, Board for  
Public Guardian and Conservator Advisory Board, Virginia  
Veterans Services, Department of  
- Veteran Services Foundation  
Water Control Board, State

#### October 1

Art and Architectural Review Board  
Dentistry, Board of

#### October 2

† Blind and Vision Impaired, Department for the

#### October 4

Nursing, Board of

#### October 5

Contractors, Board for  
Funeral Directors and Embalmers, Board of  
Museum of Fine Arts, Virginia  
Technology and Science, Joint Commission on

#### October 6

Conservation and Recreation, Department of  
Jamestown-Yorktown Foundation  
† Medicine, Board of  
† Public Broadcasting Board, Virginia  
Retirement System, Virginia  
Technology and Science, Joint Commission on

#### October 7

Contractors, Board for  
Environmental Quality, Department of  
Real Estate Board  
Veterinary Medicine, Board of

**October 8**

Accountancy, Board of  
Health Professions, Department of  
Military Bases, Virginia Commission on

**October 12**

† Alcoholic Beverage Control Board  
† Cemetery Board  
Nursing, Board of  
Psychology, Board of

**October 13**

† Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects,  
Board for  
Contractors, Board for  
Geology, Board for  
Nursing, Board of  
Nursing Home Administrators, Board of

**October 14**

Auctioneers Board  
Medicine, Board of  
Nursing, Board of  
† Real Estate Board  
† Social Services, Department of

**October 15**

Dentistry, Board of  
Medicine, Board of  
Opticians, Board for

**October 16**

Medicine, Board of

**October 18**

† Business Assistance, Department of  
- Small Business Advisory Board  
Old Dominion University  
Workforce Council, Virginia

**October 19**

Contractors, Board for  
† Medicine, Board of  
Nursing, Board of  
† Resources Authority, Virginia  
Technology and Science, Joint Commission on

**October 20**

† Blind and Vision Impaired, Department for the  
Code Commission, Virginia  
† Compensation Board  
Nursing and Medicine, Joint Boards of  
Retirement System, Virginia  
† Social Services, State Board of  
Technology and Science, Joint Commission on  
Treasury Board

**October 21**

Design-Build/Construction Management Review Board  
Health, State Board of  
† Health, Department of  
† Social Services, State Board of

**October 22**

Health, State Board of

**October 25**

† Alcoholic Beverage Control Board

**October 26**

† Contractors, Board for  
Marine Resources Commission

Mental Health, Mental Retardation and Substance Abuse  
Services, Department of  
Nursing, Board of

**October 27**

Education, Board of

**October 29**

Medicine, Board of

**November 2**

† Contractors, Board for  
Museum of Fine Arts, Virginia

**November 3**

Air Pollution Control Board, State  
Asbestos, Lead, and Home Inspectors, Board for

**November 4**

Medical Assistance Services, Department of  
- Drug Utilization Review Board  
Counseling, Board of

**November 5**

Art and Architectural Review Board  
Counseling, Board of  
Dentistry, Board of

**November 8**

† Alcoholic Beverage Control Board  
Hearing Aid Specialists, Board for

**November 9**

Real Estate Appraiser Board

**November 10**

† Juvenile Justice, State Board of  
† Motor Vehicles, Department of  
- Medical Advisory Board  
† Waterworks and Wastewater Works Operators, Board for

**November 11**

Audiology and Speech-Language Pathology, Board of  
Medical Assistance Services, Department of  
- Pharmacy Liaison Committee

**November 12**

Dentistry, Board of

**November 15**

Jamestown-Yorktown Foundation  
Library Board, State  
Nursing, Board of  
Old Dominion University  
Professional and Occupational Regulation, Board for

**November 16**

Community Colleges, State Board for  
Jamestown-Yorktown Foundation  
Mental Health, Mental Retardation and Substance Abuse  
Services, Department of  
Nursing, Board of  
Retirement System, Virginia

**November 17**

Air Pollution Control Board, State  
Code Commission, Virginia  
Community Colleges, State Board for  
Education, Board of  
Medical Assistance Services, Department of  
- Medicaid Transportation Advisory Committee  
Nursing, Board of  
Retirement System, Virginia  
Waste Management Board, Virginia  
Water Control Board, State

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# Calendar of Events

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**November 18**

Air Pollution Control Board, State  
Community Colleges, State Board for  
Design-Build/Construction Management Review Board  
Nursing, Board of  
Waste Management Board, Virginia  
Water Control Board, State

**November 19**

Dentistry, Board of  
Medicine, Board of

**November 22**

† Alcoholic Beverage Control Board

**November 24**

Retirement System, Virginia

**December 1**

Jamestown-Yorktown Foundation  
Technology and Science, Joint Commission on

**December 2**

Freedom of Information Advisory Council, Virginia  
Nursing, Board of  
† Polygraph Examiners Advisory Board  
Water Control Board, State

**December 3**

Art and Architectural Review Board  
Dentistry, Board of

**December 6**

† Alcoholic Beverage Control Board

**December 7**

† Alzheimer's Disease and Related Disorders Commission  
† Gaming Board, Charitable  
† Museum of Fine Arts, Virginia  
† Nursing, Board of

**December 8**

† Nursing, Board of  
† Waterworks and Wastewater Works Operators, Board for

**December 9**

† Criminal Justice Services Board  
† Nursing, Board of  
† Public Guardian and Conservator Advisory Board

**December 10**

† Dentistry, Board of  
† Health Professions, Department of  
† Old Dominion University

**December 14**

† Contractors, Board for  
† Medical Assistance Services, Board of

**December 15**

Code Commission, Virginia  
† Milk Commission, State  
† Nursing and Medicine, Committee of the Joint Boards of  
† Retirement System, Virginia  
† Social Services, State Board

**December 16**

† Design-Build/Construction Management Review Board  
† Retirement System, Virginia  
† Social Services, State Board of

**December 17**

† Dentistry, Board of

**December 20**

† Alcoholic Beverage Control Board

**PUBLIC HEARINGS****September 21**

Nursing and Medicine, Joint Boards of  
† Transportation Board, Commonwealth

**September 22**

Education, Board of  
† Transportation Board, Commonwealth

**September 23**

Air Pollution Board, State  
Geology, Board for

**September 24**

Opticians, Board for

**September 27**

Alcoholic Beverage Control Board  
† Mental Health, Mental Retardation and Substance Abuse  
Services, Department of

**September 28**

† Transportation Board, Commonwealth

**September 29**

† Transportation Board, Commonwealth

**October 6**

Fair Housing Board  
† Optometry, Board of

**October 7**

Veterinary Medicine, Board of

**October 14**

Pesticide Control Board

**October 18**

† Health Professions, Department of

**December 9**

Criminal Justice Services Board