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CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Fall 2004 VAC Supplement includes final regulations published through *Virginia Register* Volume 20, Issue 24, dated August 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
Title 1. Administration			
1 VAC 75-40-10 through 1 VAC 75-40-60	Added	20:25 VA.R. 3082	9/22/04
Title 2. Agriculture			
2 VAC 5-500	Repealed	21:8 VA.R. 861	1/26/05
2 VAC 5-501-10 through 2 VAC 5-501-110	Added	21:8 VA.R. 861-869	1/26/05
2 VAC 5-530	Repealed	21:8 VA.R. 869	1/26/05
2 VAC 5-531-10 through 2 VAC 5-531-140	Added	21:8 VA.R. 869-908	1/26/05
2 VAC 20-30	Erratum	20:25 VA.R. 3111	--
Title 3. Alcoholic Beverages			
3 VAC 5-30	Erratum	21:1 VA.R. 44	--
3 VAC 5-30	Erratum	21:3 VA.R. 345	--
3 VAC 5-40	Erratum	21:1 VA.R. 44	--
3 VAC 5-40	Erratum	21:3 VA.R. 345	--
3 VAC 5-50-60	Amended	21:7 VA.R. 803	2/26/05
3 VAC 5-70	Erratum	21:1 VA.R. 44	--
3 VAC 5-70	Erratum	21:3 VA.R. 345	--
Title 4. Conservation and Natural Resources			
4 VAC 3-20	Repealed	21:3 VA.R. 317	1/29/05
4 VAC 15-20-100	Amended	21:3 VA.R. 318	10/1/04
4 VAC 15-40-280	Amended	21:1 VA.R. 24	10/20/04
4 VAC 15-260-10	Amended	20:25 VA.R. 3082	7/28/04
4 VAC 15-320-100	Amended	21:1 VA.R. 24	9/20/04
4 VAC 20-25-10 through 4 VAC 20-25-40	Added	21:8 VA.R. 908-909	12/1/04
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 20-564-10 through 4 VAC 20-564-50 emer	Added	20:25 VA.R. 3096	8/16/04-9/3/04
4 VAC 20-650-20	Amended	21:8 VA.R. 909	12/1/04
4 VAC 20-720-20	Amended	21:4 VA.R. 408	10/1/04
4 VAC 20-720-20	Amended	21:8 VA.R. 910	12/1/04
4 VAC 20-720-40 through 4 VAC 20-720-100	Amended	21:4 VA.R. 409-411	10/1/04
4 VAC 20-720-40 through 4 VAC 20-720-90	Amended	21:8 VA.R. 911-913	12/1/04
4 VAC 20-720-75	Added	21:8 VA.R. 912	12/1/04
4 VAC 20-910-45 emer	Amended	21:5 VA.R. 499	11/1/04-11/30/04
4 VAC 20-910-45	Amended	21:8 VA.R. 913	12/1/04
4 VAC 20-920-45	Added	21:8 VA.R. 914	12/1/04
4 VAC 20-950-47	Amended	21:5 VA.R. 497	10/29/04
4 VAC 20-950-48 emer	Amended	21:3 VA.R. 334	9/29/04-10/30/04
4 VAC 20-950-48	Amended	21:5 VA.R. 497	10/29/04
4 VAC 20-950-48.1	Added	21:5 VA.R. 497	10/29/04
4 VAC 20-1045-10	Added	21:4 VA.R. 412	10/1/04
4 VAC 20-1045-20	Added	21:4 VA.R. 412	10/1/04

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-1045-30	Added	21:4 VA.R. 412	10/1/04
4 VAC 25-31 (Forms)	Amended	21:1 VA.R. 28	--
4 VAC 25-130 (Forms)	Amended	21:2 VA.R. 225	--
4 VAC 50-60-10 through 4 VAC 50-60-1240	Added	21:3 VA.R. 317	1/29/05
Title 6. Criminal Justice and Corrections			
6 VAC 20-190-10	Amended	21:2 VA.R. 127	11/3/04
6 VAC 20-190-50	Amended	21:2 VA.R. 127	11/3/04
6 VAC 20-190-150	Amended	21:2 VA.R. 127	11/3/04
6 VAC 20-190-160	Amended	21:2 VA.R. 128	11/3/04
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 35-170-10 through 6 VAC 35-170-230	Added	21:9 VA.R. 1073	2/9/05
Title 8. Education			
8 VAC 20-140-10	Repealed	21:3 VA.R. 332	1/1/05
8 VAC 20-200	Erratum	21:9 VA.R. 1169	--
8 VAC 20-200-10	Repealed	21:7 VA.R. 804	3/1/05
8 VAC 20-210-10	Amended	21:4 VA.R. 413	1/1/05
8 VAC 20-260-10 through 8 VAC 20-260-60	Repealed	21:7 VA.R. 805-806	3/1/05
8 VAC 20-360-10	Amended	21:8 VA.R. 1011	3/15/05
8 VAC 20-360-20	Amended	21:8 VA.R. 1012	3/15/05
8 VAC 20-360-30	Repealed	21:8 VA.R. 1012	3/15/05
8 VAC 20-380-10 through 8 VAC 20-380-40	Repealed	21:7 VA.R. 806-807	3/1/05
8 VAC 20-400-10 through 8 VAC 20-400-50	Repealed	21:7 VA.R. 807-808	3/1/05
8 VAC 20-430-10 through 8 VAC 20-430-50	Repealed	21:7 VA.R. 808-809	3/1/05
8 VAC 20-470-10	Repealed	21:4 VA.R. 423	3/1/05
8 VAC 20-480-10	Repealed	21:7 VA.R. 809	3/1/05
8 VAC 40-30 emer	Repealed	21:6 VA.R. 684	11/8/04-11/7/05
8 VAC 40-31-10 through 8 VAC 40-31-320 emer	Added	21:6 VA.R. 684-698	11/8/04-11/7/05
Title 9. Environment			
9 VAC 5-20	Erratum	21:9 VA.R. 1169	--
9 VAC 5-20-204	Erratum	20:26 VA.R. 3210-3211	--
9 VAC 5-20-204	Amended	21:7 VA.R. 790	1/12/05
9 VAC 5-20-205	Erratum	20:26 VA.R. 3210-3211	--
9 VAC 5-50-400	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-60-60	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-60-90	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-60-91	Repealed	21:7 VA.R. 791	1/12/05
9 VAC 5-60-100	Amended	21:7 VA.R. 791	1/12/05
9 VAC 5-80-2000	Amended	21:4 VA.R. 413	12/1/04
9 VAC 5-80-2010	Amended	21:4 VA.R. 414	12/1/04
9 VAC 5-80-2250	Amended	21:4 VA.R. 419	12/1/04
9 VAC 25-31-10	Amended	21:2 VA.R. 128	11/3/04
9 VAC 25-31-10	Amended	21:9 VA.R. 1073	2/9/05
9 VAC 25-31-30	Amended	21:2 VA.R. 139	11/3/04
9 VAC 25-31-100	Amended	21:2 VA.R. 140	11/3/04
9 VAC 25-31-100	Amended	21:9 VA.R. 1084	2/9/05
9 VAC 25-31-120	Amended	21:9 VA.R. 1100	2/9/05
9 VAC 25-31-121	Repealed	21:9 VA.R. 1111	2/9/05
9 VAC 25-31-130	Amended	21:2 VA.R. 158	11/3/04
9 VAC 25-31-130	Amended	21:9 VA.R. 1117	2/9/05
9 VAC 25-31-170	Amended	21:2 VA.R. 160	11/3/04
9 VAC 25-31-170	Amended	21:9 VA.R. 1119	2/9/05
9 VAC 25-31-200	Amended	21:2 VA.R. 162	11/3/04
9 VAC 25-31-200	Amended	21:9 VA.R. 1121	2/9/05
9 VAC 25-31-220	Amended	21:9 VA.R. 1123	2/9/05
9 VAC 25-31-390	Amended	21:9 VA.R. 1128	2/9/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-71-10	Amended	21:2 VA.R. 165	11/3/04
9 VAC 25-71-60	Amended	21:2 VA.R. 166	11/3/04
9 VAC 25-101-30	Amended	21:2 VA.R. 166	11/3/04
9 VAC 25-101-35	Added	21:2 VA.R. 167	11/3/04
9 VAC 25-101-40	Amended	21:2 VA.R. 167	11/3/04
9 VAC 25-101-45	Added	21:2 VA.R. 170	11/3/04
9 VAC 25-101-50	Amended	21:2 VA.R. 170	11/3/04
9 VAC 25-101-60	Amended	21:2 VA.R. 172	11/3/04
9 VAC 25-101-70	Amended	21:2 VA.R. 172	11/3/04
9 VAC 25-151-140	Amended	21:2 VA.R. 173	11/3/04
9 VAC 25-151-150	Amended	21:2 VA.R. 175	11/3/04
9 VAC 25-151-160	Amended	21:2 VA.R. 179	11/3/04
9 VAC 25-151-180	Amended	21:2 VA.R. 179	11/3/04
9 VAC 25-151-230	Amended	21:2 VA.R. 181	11/3/04
9 VAC 25-151-280	Amended	21:2 VA.R. 182	11/3/04
9 VAC 25-191	Erratum	21:9 VA.R. 1170	--
9 VAC 25-191-10 through 9 VAC 25-191-50	Added	21:2 VA.R. 183-198	11/3/04
9 VAC 25-192-10	Amended	21:2 VA.R. 199	11/3/04
9 VAC 25-192-20	Amended	21:2 VA.R. 200	11/3/04
9 VAC 25-192-30	Repealed	21:2 VA.R. 200	11/3/04
9 VAC 25-192-40	Repealed	21:2 VA.R. 200	11/3/04
9 VAC 25-192-50	Amended	21:2 VA.R. 200	11/3/04
9 VAC 25-192-60	Amended	21:2 VA.R. 201	11/3/04
9 VAC 25-192-70	Amended	21:2 VA.R. 202	11/3/04
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 25-590-10 through 9 VAC 25-590-100	Amended	21:8 VA.R. 915-919	1/26/05
9 VAC 25-590-120	Amended	21:8 VA.R. 919	1/26/05
9 VAC 25-590-120	Repealed	21:8 VA.R. 919	1/26/05
9 VAC 25-590-140 through 9 VAC 25-590-210	Amended	21:8 VA.R. 919-923	1/26/05
9 VAC 25-590-260	Amended	21:8 VA.R. 924	1/26/05
9 VAC 25-630	Erratum	21:9 VA.R. 1170	--
9 VAC 25-630-10	Amended	21:2 VA.R. 211	11/3/04
9 VAC 25-630-20	Amended	21:2 VA.R. 212	11/3/04
9 VAC 25-630-30	Amended	21:2 VA.R. 212	11/3/04
9 VAC 25-630-50	Amended	21:2 VA.R. 212	11/3/04
9 VAC 25-660-10 through 9 VAC 25-660-100	Amended	21:8 VA.R. 929-940	1/26/05
9 VAC 25-670-10 through 9 VAC 25-670-100	Amended	21:8 VA.R. 940-957	1/26/05
9 VAC 25-680-10 through 9 VAC 25-680-100	Amended	21:8 VA.R. 957-976	1/26/05
9 VAC 25-690-10 through 9 VAC 25-690-100	Amended	21:8 VA.R. 976-997	1/26/05
9 VAC 25-720-50	Amended	21:9 VA.R. 1130	2/9/05
9 VAC 25-720-60	Amended	21:9 VA.R. 1136	2/9/05
9 VAC 25-720-80	Amended	21:9 VA.R. 1143	2/9/05
9 VAC 25-720-90	Amended	21:9 VA.R. 1152	2/9/05
Title 10. Finance and Financial Institutions			
10 VAC 5-100-10	Repealed	21:6 VA.R. 630	6/30/05
10 VAC 5-100-20	Repealed	21:6 VA.R. 630	6/30/05
10 VAC 5-100-30	Repealed	21:6 VA.R. 630	6/30/05
10 VAC 5-110-10	Added	21:6 VA.R. 631	11/15/04
10 VAC 5-110-20	Added	21:6 VA.R. 631	11/15/04
Title 11. Gaming			
11 VAC 10-20-200	Amended	20:25 VA.R. 3083	9/23/04
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	--

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 12. Health			
12 VAC 5-90-10 emer	Amended	21:6 VA.R. 699	11/5/04-11/4/05
12 VAC 5-90-40 emer	Amended	21:6 VA.R. 702	11/5/04-11/4/05
12 VAC 5-90-90 emer	Amended	21:6 VA.R. 703	11/5/04-11/4/05
12 VAC 5-90-100 emer	Amended	21:6 VA.R. 705	11/5/04-11/4/05
12 VAC 5-90-105 emer	Added	21:6 VA.R. 705	11/5/04-11/4/05
12 VAC 5-90-110 emer	Amended	21:6 VA.R. 706	11/5/04-11/4/05
12 VAC 5-90-120 emer	Added	21:6 VA.R. 708	11/5/04-11/4/05
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 5-410	Erratum	21:8 VA.R. 1016	--
12 VAC 5-410-440	Amended	21:6 VA.R. 665	2/14/05
12 VAC 5-410-441 through 12 VAC 5-410-447	Added	21:6 VA.R. 666-681	2/14/05
12 VAC 5-590-505 emer	Added	21:9 VA.R. 1165	12/21/04-12/20/05
12 VAC 30-10-650	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-50-210	Amended	21:6 VA.R. 632	1/3/05
12 VAC 30-70-331	Amended	21:6 VA.R. 683	7/1/05
12 VAC 30-80-30	Amended	21:7 VA.R. 797	1/12/05
12 VAC 30-80-40	Amended	21:6 VA.R. 632	1/3/05
12 VAC 30-80-40 emer	Amended	21:6 VA.R. 709	12/1/04-11/30/05
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 30-80-190	Amended	21:7 VA.R. 800	1/12/05
12 VAC 30-90-29	Amended	21:2 VA.R. 223	11/3/04
12 VAC 30-120-211 emer	Amended	21:6 VA.R. 711	12/1/04-11/30/05
12 VAC 30-120-213 emer	Amended	21:6 VA.R. 714	12/1/04-11/30/05
12 VAC 30-120-215 emer	Amended	21:6 VA.R. 715	12/1/04-11/30/05
12 VAC 30-120-219 emer	Amended	21:6 VA.R. 718	12/1/04-11/30/05
12 VAC 30-120-223 emer	Amended	21:6 VA.R. 719	12/1/04-11/30/05
12 VAC 30-120-225 emer	Amended	21:6 VA.R. 720	12/1/04-11/30/05
12 VAC 30-120-227 emer	Amended	21:6 VA.R. 724	12/1/04-11/30/05
12 VAC 30-120-229 emer	Amended	21:6 VA.R. 725	12/1/04-11/30/05
12 VAC 30-120-233 emer	Amended	21:6 VA.R. 726	12/1/04-11/30/05
12 VAC 30-120-237 emer	Amended	21:6 VA.R. 728	12/1/04-11/30/05
12 VAC 30-120-241 emer	Amended	21:6 VA.R. 729	12/1/04-11/30/05
12 VAC 30-120-243 emer	Amended	21:6 VA.R. 730	12/1/04-11/30/05
12 VAC 30-120-245 emer	Amended	21:6 VA.R. 732	12/1/04-11/30/05
12 VAC 30-120-247 emer	Amended	21:6 VA.R. 733	12/1/04-11/30/05
12 VAC 30-120-249 emer	Amended	21:6 VA.R. 734	12/1/04-11/30/05
12 VAC 30-130-290	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-310	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-320	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-330	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-335	Added	21:6 VA.R. 631	1/3/05
12 VAC 30-130-400	Amended	21:6 VA.R. 631	1/3/05
12 VAC 30-130-1000	Added	21:6 VA.R. 633	1/3/05
Title 13. Housing			
13 VAC 5-62-260	Amended	20:25 VA.R. 3084	9/8/04
Title 14. Insurance			
14 VAC 5-90-10 through 14 VAC 5-90-50	Amended	20:25 VA.R. 3090-3091	8/4/04
14 VAC 5-90-55	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

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
14 VAC 5-90 (Forms)	Amended	20:25 VA.R. 3092	8/4/04
Title 16. Labor and Employment			
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	Erratum	21:1 VA.R. 44	--
16 VAC 25-90-1910.103	Amended	20:26 VA.R. 3202	10/15/04
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 25-90-1926.307	Amended	20:26 VA.R. 3202	10/15/04
16 VAC 25-155-10	Added	21:6 VA.R. 634	1/1/05
16 VAC 25-175-1926	Erratum	21:1 VA.R. 44	--
16 VAC 25-175-1926.950(c)(1)	Repealed	21:6 VA.R. 634	1/1/05
Title 18. Professional and Occupational Licensing			
18 VAC 5-30	Repealed	21:3 VA.R. 318	11/3/04
18 VAC 10-20-60	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-90	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-170	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-280	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-400	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-520	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-565	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-580	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-625	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-630	Amended	21:3 VA.R. 318	12/1/04
18 VAC 10-20-665	Amended	21:3 VA.R. 318	12/1/04
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 62-20	Erratum	21:1 VA.R. 44	--
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 85-15-10	Added	21:1 VA.R. 26	9/1/04-8/31/05
18 VAC 85-15-20	Added	21:1 VA.R. 26	9/1/04-8/31/05
18 VAC 85-15-30	Added	21:1 VA.R. 26	9/1/04-8/31/05
18 VAC 85-80-61 emer	Added	20:25 VA.R. 3105	7/27/04-7/26/05
18 VAC 90-15-10	Added	21:1 VA.R. 27	9/1/04-8/31/05
18 VAC 90-15-20	Added	21:1 VA.R. 27	9/1/04-8/31/05
18 VAC 90-15-30	Added	21:1 VA.R. 27	9/1/04-8/31/05
18 VAC 90-20-361 through 18 VAC 90-20-364	Repealed	21:9 VA.R. 1156-1157	3/26/05
18 VAC 90-25-15	Added	21:9 VA.R. 1157	3/26/05
18 VAC 90-25-100	Amended	21:9 VA.R. 1158	3/26/05
18 VAC 90-25-110 through 18 VAC 90-25-140	Added	21:9 VA.R. 1158-1160	3/26/05
18 VAC 95-20-471 emer	Added	20:25 VA.R. 3105	7/28/04-7/27/05
18 VAC 105-20-5 emer	Added	21:6 VA.R. 735	12/8/04-12/7/05
18 VAC 105-20-10 emer	Amended	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-15 emer	Amended	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-16 emer	Added	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-20 emer	Amended	21:6 VA.R. 736	12/8/04-12/7/05
18 VAC 105-20-46	Added	21:8 VA.R. 998	12/8/04
18 VAC 105-20-47	Added	21:8 VA.R. 998	12/8/04
18 VAC 105-20-70 emer	Amended	21:6 VA.R. 737	12/8/04-12/7/05
18 VAC 105-30 emer	Repealed	21:6 VA.R. 735	12/8/04-12/7/05
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

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 145-20-151	Amended	21:3 VA.R. 319	12/1/04
18 VAC 160-20-102	Amended	21:3 VA.R. 319	12/1/04
Title 19. Public Safety			
19 VAC 30-70-1	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-2	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-6	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-7	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-8	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-9	Added	21:4 VA.R. 420	9/22/04
19 VAC 30-70-10	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-30 through 19 VAC 30-70-110	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-130 through 19 VAC 30-70-170	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-190 through 19 VAC 30-70-230	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-250 through 19 VAC 30-70-300	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-340	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-350	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-360	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-400	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-430 through 19 VAC 30-70-560	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-580	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-600	Amended	21:4 VA.R. 420	9/22/04
19 VAC 30-70-650	Amended	21:4 VA.R. 420	9/22/04
Title 22. Social Services			
22 VAC 40-141-10 through 22 VAC 40-141-40	Amended	21:6 VA.R. 635	2/1/05
22 VAC 40-141-60 through 22 VAC 40-141-130	Amended	21:6 VA.R. 635	2/1/05
22 VAC 40-141-87	Added	21:6 VA.R. 634	2/1/05
22 VAC 40-141-150	Amended	21:6 VA.R. 636	2/1/05
22 VAC 40-141-170 through 22 VAC 40-141-210	Amended	21:6 VA.R. 636-638	2/1/05
22 VAC 40-705-30	Amended	21:4 VA.R. 421	12/1/04
Title 24. Transportation and Motor Vehicles			
24 VAC 20-70	Repealed	20:25 VA.R. 3092	9/22/04
24 VAC 30-90	Repealed	21:6 VA.R. 643	1/1/05
24 VAC 30-91-10 through 24 VAC 30-91-160	Added	21:6 VA.R. 643-663	1/1/05
24 VAC 30-120-170	Amended	21:3 VA.R. 330	11/17/04

PETITIONS FOR RULEMAKING

TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

Initial Agency Notice

Title of Regulation: **9 VAC 25-260. Water Quality Standards.**

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

Name of Petitioner: Amherst County Service Authority.

Nature of Petitioner's Request: Designate as an exceptional state surface water Cove Creek, Little Cove Creek and its tributaries, Rocky Branch, North Fork of the Buffalo River from its confluence with Rocky Branch downstream to the National Forest boundary, Roberts Creek, and Shady Mountain Creek all of which are within Amherst County.

Agency's Plan for Disposition of Request: The State Water Control Board has delegated to the director to proceed to the Notice of Intended Regulatory Action if no adverse comments are received on the petition from the potentially impacted localities and riparian landowners. If adverse comments are received, the board will decide whether or not to move forward with the rulemaking at their first quarterly meeting of 2005.

Public comments may be submitted until February 14, 2005.

Agency Contact: Jean W. Gregory, Environmental Manager II, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113, FAX (804) 698-4522, 1-800-592-5482, or e-mail jwgregory@deq.virginia.gov.

VA.R. Doc. No. R05-103; Filed December 28, 2004, 2:37 p.m.

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

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

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

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 Education intends to consider promulgating regulations entitled **8 VAC 20-660, Regulations Governing Reenrollment Plans**. The purpose of the proposed action is to establish regulations regarding the transfer of students between public schools, detention homes and juvenile correctional centers. The regulation will establish a reenrollment plan to share information about a student's public and correctional education and to facilitate a student's reenrollment in public schools upon release from commitment.

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

Statutory Authority: §§ 22.1-17.1, 22.1-343 and 16.1-293 of the Code of Virginia.

Public comments may be submitted until February 10, 2005.

Contact: Dr. Cynthia Cave, Director of Student Services, Department of Education, P.O. Box 2120, Richmond, VA 23218, telephone (804) 225-2818, FAX (804) 225-2524 or e-mail ccave@mail.vak12ed.edu.

VA.R. Doc. No. R05-93; Filed December 14, 2004, 12:22 p.m.

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 25-210, Virginia Water Protection Permit Regulation**. The purpose of the proposed action is to (i) incorporate changes to the Code of Virginia relating to the emergency permitting of water withdrawal projects; (ii) incorporate the U.S. Supreme Court's ruling in *Virginia vs. Maryland*; (iii) include changes already made to the general permit regulations that corrected administrative procedures, clarified application and permitting requirements, and allowed for a more efficient application review process; (iv) implement a formal preapplication scoping process for water supply projects; (v) clarify the requirement for cumulative impact assessment for water supply projects; (vi) clarify requirements for alternative analysis for water

supply projects; (vii) investigate ways to simplify, clarify and improve coordination of state agency reviews and comments for water supply projects; (viii) clarify who does and does not need a permit for a water withdrawal by more clearly defining certain terms in light of the statutory "grandfathering" of certain withdrawals; and (ix) clarify the process and criteria for establishing minimum instream flow requirements and evaluation of responses during drought conditions.

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

Statutory Authority: § 62.1-44.15 of the Code of Virginia and § 401 of the Clean Water Act.

Public comments may be submitted until March 4, 2005.

Contact: Scott Kudlas, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4456, FAX (804) 698-4456 or e-mail swkudlas@deq.virginia.gov.

VA.R. Doc. No. R05-106; Filed January 5, 2005, 11:42 a.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

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 Health intends to consider amending regulations entitled **12 VAC 5-590, Waterworks Regulations**. The purpose of the proposed action is to require waterworks (public water systems) to have an emergency management plan for use during power outages.

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

Statutory Authority: § 32.1-170 of the Code of Virginia.

Public comments may be submitted until February 10, 2005.

Contact: Chris Adkins, Geologist Supervisor, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-7495, FAX (804) 864-7521 or e-mail chris.adkins@vdh.virginia.gov.

VA.R. Doc. No. R05-96; Filed December 21, 2004, 11 a.m.

TITLE 17. LIBRARIES AND CULTURAL RESOURCES

STATE LIBRARY BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Library Board intends to considering promulgating regulations entitled **17 VAC 15-120, Regulations Governing the Destruction of Public Records Containing Social Security Numbers**. The purpose of the proposed action is to curb the growing problem of identity theft. Identity theft occurs when a criminal uses another person's personal information to take on that person's identity. The intent of the regulation is to protect individuals from identity theft by eliminating unauthorized access to social security numbers in public records. The regulation will address best methods for destruction of public records containing social security numbers so that the social security numbers cannot be found and used for identity theft.

Any public records, regardless of media, that contain social security numbers are to be destroyed in a manner that protects the confidentiality of the information. These records are to be destroyed, made electronically inaccessible or erased so as to make social security numbers unreadable by any means.

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

Statutory Authority: § 42.1-82 of the Code of Virginia.

Public comments may be submitted until February 10, 2005.

Contact: Robert Nawrocki, Director, Records Management and Imaging Services, Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3505, FAX (804) 692-3603 or e-mail mawrocki@va.lib.va.us.

VA.R. Doc. No. R05-95; Filed December 17, 2005, 1:20 p.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

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 clarify educational requirements for initial licensure, authorize additional credit for work experience and education

for the administrator-in-training program and amend requirements for preceptors.

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

Statutory Authority: § 54.1-2400 and Chapter 31 (§ 54.1-3100 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until February 23, 2005.

Contact: Sandra Reen, Executive Director, Board of Nursing Home Administrators, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7457, FAX (804) 662-9943 or e-mail sandra.reen@dhp.virginia.gov.

VA.R. Doc. No. R05-104; Filed January 4, 2005, 9:46 a.m.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Professional and Occupational Regulation intends to consider amending regulations entitled **18 VAC 120-30, Regulations Governing Polygraph Examiners**. The purpose of the proposed action is to review and, where necessary, amend current regulations to reflect statutory changes, industry changes (especially those that involve technological advances in equipment and training), and changes suggested by licensees and members of the public during the board's normal course of operations.

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

Statutory Authority: § 54.1-1802 of the Code of Virginia.

Public comments may be submitted until February 23, 2005.

Contact: Kevin Hoeft, Regulatory Board Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-6166, FAX (804) 367-2474 or e-mail polygraph@dpor.virginia.gov.

VA.R. Doc. No. R05-100; Filed December 23, 2004, 12:01 p.m.

PROPOSED REGULATIONS

For information concerning Proposed Regulations, see Information Page.

Symbol Key

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

TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

Title of Regulation: **9 VAC 25-260. Water Quality Standards (amending 9 VAC 25-260-30).**

Statutory Authority: § 62.1-44.15 of the Code of Virginia, the federal Clean Water Act (33 USC 1251 et seq.), and 40 CFR Part 131.

Public Hearing Date: March 7, 2005 - 2 p.m.

Public comments may be submitted until April 1, 2005.
(See Calendar of Events section for additional information)

Agency Contact: Jean W. Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113, or e-mail jwggregory@deq.virginia.gov.

Basis: Section 62.1-44.15 (3a) of the Code of Virginia mandates and authorizes the board to establish water quality standards and policies for any state waters consistent with the purpose and general policy of the State Water Control Law, and to modify, amend or cancel any such standards or policies established. The federal Clean Water Act at § 303(c) mandates the State Water Control Board to review and, as appropriate, modify and adopt water quality standards. The corresponding federal water quality standards regulation at 40 CFR 131.6 describes the minimum requirements for water quality standards. The minimum requirements are use designations, water quality criteria to protect the designated uses and an antidegradation policy. All of the citations mentioned describe mandates for water quality standards.

The EPA Water Quality Standards regulation (40 CFR 131.12) is the regulatory basis for the EPA requiring the states to establish within the antidegradation policy the exceptional state waters category and the eligibility decision criteria for these waters. EPA retains approval/disapproval oversight, but delegates to the states the election and designation of specific water bodies as exceptional state waters.

Purpose: These proposed amendments are a necessary revision to the state water quality standards regulation. The State Water Control Board took action on these department initiated candidates for proposed designation because department staff had concluded, based on the information available at the time of the preliminary evaluation, that the proposed designation met the eligibility requirements that a water body must meet before it can be afforded the extra point source protection provided by such a designation. The exceptional state waters category of the antidegradation policy allows the board to designate waters which display exceptional environmental settings and either exceptional aquatic communities or exceptional recreational opportunities

for added protection. Once designated, the antidegradation policy provides that no water quality degradation would be allowed in the exceptional state waters. The only exception would be temporary, limited impact activities. By ensuring that no water quality degradation is allowed to occur in waters with exceptional environmental settings and either exceptional recreational opportunities or exceptional aquatic communities, the board is protecting these special waters at their present quality for use and enjoyment by future generations of Virginians.

Substance: The amendments to the Antidegradation Policy of the Water Quality Standards designate portions of Big Run, Doyles River, East Hawksbill Creek, Jeremys Run, East Branch Naked Creek, Piney River, and North Fork Thornton River for special protection as exceptional state waters.

Issues: Upon permanent regulatory designation of a water body as an exceptional state water, the quality of that water body will be maintained and protected by not allowing any degradation except on a very short-term basis. No new, additional or increased point source discharge of sewage, industrial wastes or other pollution would be allowed into waters designated. In addition, no new mixing zones would be allowed in the Exceptional State Water and mixing zones from upstream or tributary waters could not extend into the Exceptional State Water section.

A potential disadvantage to the public may be the prohibition of new or expanded permanent point source discharges imposed within the segment once the regulatory designation is effective that would cause riparian landowners within the designated segment to seek alternatives to discharging to the designated segment and, therefore, to have additional financial expenditures associated with wastewater or storm water treatment. However, the only riparian landowner for each of these waters is a federal agency (National Park Service) and none of these waters contain any permitted point source discharges nor is any anticipated by the federal agency.

The primary advantage to the public is that these waters will be protected at their present high level of quality for the use and enjoyment of current and future generations of Virginians.

The factors to be considered in determining whether a nominated water body meets the eligibility decision criteria of exceptional environmental settings and possessing outstanding recreational opportunities and/or exceptional aquatic communities are described in the department's revised April 25, 2001 "Guidance for Exceptional Surface Waters Designations in Antidegradation Policy Section of Virginia Water Quality Standards Regulation (9 VAC 25-260-30 A 3). Although all of these waters proposed for designation are located on public (federal) land, those localities and businesses located near the designated waters may experience financial benefits through an increase in eco-

tourism to the area because of the exceptional nature of the water body that lead to its designation.

There is no disadvantage to the agency or the Commonwealth that will result from the adoption of these amendments.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. The General Assembly mandates in § 62.1-44.15 of the Code of Virginia that the State Water Control Board establish standards of quality and policies for any state waters consistent with the purpose and general policy of the State Water Control Law. The code also mandates that the State Water Control Board modify, amend, or cancel any such standards or policies and take all appropriate steps to prevent an alteration to water quality contrary to the public interest or contrary to established standards and policies.

The proposed regulation amends the anti-degradation section of the state's water quality standards to designate seven surface waters within the Shenandoah National Park for special protection as exceptional state waters. These waters, located in the counties of Albemarle, Page, Rappahannock, and Rockingham, include portions of Big Run, Doyles River, East Hawksbill Creek, Jeremys Run, East Branch Naked Creek, Piney River, and North Fork Thornton River.

Estimated economic impact. The proposed regulation designates seven surface waters within the Shenandoah National Park for special protection as exceptional state waters. These waters include portions of Big Run, Doyles River, East Hawksbill Creek, Jeremys Run, East Branch Naked Creek, Piney River, and North Fork Thornton River. The waters to be designated are located in the counties of Albemarle, Page, Rappahannock, and Rockingham. An exceptional water quality designation provides extra protection against water quality degradation due to point source discharges. No new or increased point source discharge of sewage, industrial waste, or other pollution are allowed into the water once it has been designated as an exceptional state water. In addition, no new mixing zones are allowed in the designated waters and mixing zones from upstream or tributary waters are not allowed to extend into these designated waters. The designation only makes an exception in the case of temporary, limited impact activities and discharges.

By designating these waters as exceptional state waters, the proposed regulation will prohibit riparian landowners from new

or expanded permanent point source discharges. Moreover, by prohibiting new mixing zones in these waters and by restricting mixing zones upstream from expanding into these waters, the proposed change could also affect discharges directly upstream or in tributary waters upstream to the designated water. Under these circumstances, riparian landowners and affected entities upstream of the designation would have to seek alternatives (such as treating the water to a higher degree or using diffusers to reduce the size of upstream mixing zones) to discharging into the stream as currently allowed. Thus, the designation of these waters as exceptional state waters could have a negative impact on future economic activity in the area. However, the designation is also likely to produce some economic benefits. By designating these waters as exceptional state waters, the proposed change is likely to encourage tourism in the surrounding areas and counties. The designation is likely to increase the number of people coming to the area seeking recreational outdoor activities such as fishing, camping, hiking, and kayaking. This, in turn, is likely to boost economic activity in the area.

The net impact of the proposed change will depend on whether the negative impact of the proposed change on some types of economic activity will be greater than or less than its positive impact on other types of activity. There are no precise estimates available at this time of the net economic impact of the proposed change. According to the Department of Environmental Quality (DEQ), there is only one riparian landowner, the National Park Service. The head of the Shenandoah National Park has indicated to DEQ that the waters to be designated are not near any visitor or research stations and that no development has been planned in the vicinity of the waters to be designated. There are currently no Virginia Pollution Discharge Elimination System (VPDES) permittees located on these waters and none are anticipated by the National Park Service. Moreover, according to DEQ, the waters to be designated are headwaters, i.e., the source of a river or stream. Thus, the mixing zone restrictions associated with the designation are not relevant to these waters. The fact that the land adjacent to these waters is owned by the National Park Service and that the waters to be designated are headwaters indicate that the negative impact of the proposed change on future economic activity in the area is likely to be limited and quite possibly outweighed by the positive impact on tourism and related economic activity.

Businesses and entities affected. The exceptional state waters designation prohibits new or expanded point source discharges and mixing zones in the designated waters and restricts the size of mixing zones directly upstream or in tributary waters upstream. These restrictions will have a negative effect on any businesses and entities seeking new or expanded point source discharges into or upstream of the designated waters. These businesses and entities will be required to seek alternatives to discharging as currently allowed. However, as the only riparian landowner is the National Park Service and the waters to be designated are headwaters, the number of such entities is likely to be limited.

Other businesses and entities affected by the proposed regulation include those involved in the tourism industry in areas surrounding the waters to be designated. By

Proposed Regulations

encouraging outdoor recreational activities in the area, the proposed change will have a positive economic impact on these businesses.

According to DEQ, there is only one riparian landowner, the National Park Service. There are currently no VPDES permittees located on these waters and none are anticipated by the National Park Service. Moreover, as the waters to be designated are headwaters, there are no VPDES permits upstream of these waters and none are anticipated.

Localities particularly affected. The proposed regulation will affect the counties of Albemarle, Page, Rappahannock, and Rockingham in areas surrounding the waters to be designated.

Projected impact on employment. Designating waters as exceptional state waters is likely to restrict employment growth in industries that would require discharging into or upstream of the designated waters. However, as the National Park Service is the only riparian landowner and the waters to be designated are headwaters, the number of such industries is likely to be limited.

On the other hand, by encouraging outdoor recreational activities, the proposed designation is likely to encourage employment growth in the industries related to tourism and outdoor recreation.

Effects on the use and value of private property. Restrictions associated with the exceptional state waters designation will have a negative effect on any businesses and entities seeking new or expanded point source discharges into or upstream of the designated waters. These businesses and entities will be required to seek alternatives to discharging as currently allowed. However, as the only riparian landowner is the National Park Service and the waters to be designated are headwaters, the number of such entities is likely to be limited.

On the other hand, an increase in the number of people seeking outdoor recreational activities in the area is likely to increase revenues and hence the asset value of firms involved in the tourism and outdoor recreation industry. The proposed designation and any subsequent increase in economic activity could also have a positive impact on property values in the area.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The department has reviewed the economic impact analysis prepared by the Department of Planning and Budget and has no comment.

Summary:

The proposed amendments designate seven surface waters for protection as exceptional state waters as follows: portions of Big Run, Doyles River, East Hawksbill Creek, Jeremys Run, East Branch Naked Creek, Piney River, and North Fork Thornton River.

9 VAC 25-260-30. Antidegradation policy.

A. All surface waters of the Commonwealth shall be provided one of the following three levels, or tiers, of antidegradation protection. This antidegradation policy shall be applied

whenever any activity is proposed that has the potential to affect existing surface water quality.

1. As a minimum, existing instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected.

2. Where the quality of the waters exceed water quality standards, that quality shall be maintained and protected unless the board finds, after full satisfaction of the intergovernmental coordination and public participation provisions of the Commonwealth's continuing planning process, that allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located. In allowing such degradation or lower water quality, the board shall assure water quality adequate to protect existing uses fully. Further, the board shall assure that there shall be achieved the highest statutory and regulatory requirements applicable to all new or existing point source discharges of effluent and all cost-effective and reasonable best management practices for nonpoint source control.

3. Surface waters, or portions of these, which provide exceptional environmental settings and exceptional aquatic communities or exceptional recreational opportunities may be designated and protected as described in subdivisions 3 a, b and c of this subsection.

a. Designation procedures.

(1) Designations shall be adopted in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia) and the board's public participation guidelines.

(2) Upon receiving a nomination of a waterway or segment of a waterway for designation as an exceptional state water pursuant to the board's antidegradation policy, as required by 40 CFR 131.12, the board shall notify each locality in which the waterway or segment lies and shall make a good faith effort to provide notice to impacted riparian property owners. The written notice shall include, at a minimum: (i) a description of the location of the waterway or segment; (ii) the procedures and criteria for designation as well as the impact of the designation; (iii) the name of the person making the nomination; and (iv) the name of a contact person at the Department of Environmental Quality who is knowledgeable about the nomination and the waterway or segment. Notice to property owners shall be based on names and addresses taken from local tax rolls. Such names and addresses shall be provided by the Commissioners of the Revenue or the tax assessor's office of the affected jurisdiction upon request by the board. After receipt of the notice of the nomination, localities shall be provided 60 days to comment on the consistency of the nomination with the locality's comprehensive plan. The comment period established by subdivision 3 a (2) of this subsection shall in no way impact a locality's ability to comment during any additional comment periods established by the board.

b. Implementation procedures.

(1) The quality of waters designated in subdivision 3 c of this subsection shall be maintained and protected to prevent permanent or long-term degradation or impairment.

(2) No new, additional, or increased discharge of sewage, industrial wastes or other pollution into waters designated in subdivision 3 c of this subsection shall be allowed.

(3) Activities causing temporary sources of pollution may be allowed in waters designated in subdivision 3 c of this subsection even if degradation may be expected to temporarily occur provided that after a minimal period of time the waters are returned or restored to conditions equal to or better than those existing just prior to the temporary source of pollution.

c. Surface waters designated under this subdivision are as follows:

(1) (Reserved.)

(2) (Reserved.)

(3) (Reserved.)

(4) North Creek in Botetourt County from the first bridge above the United States Forest Service North Creek Camping Area to its headwaters.

(5) (Reserved.)

(6) (Reserved.)

(7) (Reserved.)

(8) (Reserved.)

(9) (Reserved.)

(10) (Reserved.)

(11) (Reserved.)

(12) *Big Run in Rockingham County from its headwaters downstream to the first crossing with the Shenandoah National Park boundary and all tributaries to this segment of Big Run within the confines of Shenandoah National Park.*

(13) *Doyles River in Albemarle County from its headwaters to the first crossing with the Shenandoah National Park boundary and Jones Falls Run from its headwaters to its confluence with Doyles River and all tributaries to these segments of Doyles River and Jones Fall Run within the confines of Shenandoah National Park.*

(14) *East Hawksbill Creek in Page County from its headwaters downstream to the first crossing with the Shenandoah National Park boundary and all tributaries to this segment of East Hawksbill Creek within the confines of Shenandoah National Park.*

(15) *Jeremys Run in Page County from its headwaters downstream to the first crossing with the Shenandoah*

National Park boundary and all tributaries to this segment of Jeremys Run within the confines of Shenandoah National Park.

(16) *East Branch Naked Creek in Page County from its headwaters downstream to the first crossing with the Shenandoah National Park boundary and all tributaries to this segment of East Branch Naked Creek within the confines of Shenandoah National Park.*

(17) *Piney River in Rappahannock County from its headwaters downstream to the first crossing with the Shenandoah National Park boundary and all tributaries to this segment of the Piney River within the confines of Shenandoah National Park.*

(18) *North Fork Thornton River in Rappahannock County from its headwaters downstream to the first crossing with the Shenandoah National Park boundary and all tributaries to this segment of the North Fork Thornton River within the confines of Shenandoah National Park.*

B. Any determinations concerning thermal discharge limitations made under § 316(a) of the Clean Water Act will be considered to be in compliance with the antidegradation policy.

VA.R. Doc. No. R04-110; Filed December 30, 2004, 11:05 a.m.

◆ ————— ◆

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD FOR FUNERAL DIRECTORS AND EMBALMERS

Title of Regulation: 18 VAC 65-20. Regulations of the Board of Funeral Directors and Embalmers (adding 18 VAC 65-20-15).

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

Public Hearing Date: February 9, 2005 - 8:45 a.m.

Public comments may be submitted until March 25, 2005.
(See Calendar of Events section for additional information)

Agency Contact: Elizabeth Young, Executive Director, Board for Funeral Directors and Embalmers, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9943, or e-mail elizabeth.young@dhp.virginia.gov.

Basis: Section 54.1-2400 of the Code of Virginia provides the Board of Funeral Directors and Embalmers the authority to promulgate regulations to administer the regulatory system and to delegate informal fact finding to an agency subordinate.

Purpose: One of the most important functions of the Department of Health Professions is the investigation and adjudication of disciplinary cases to ensure that the public is adequately protected if a health care professional violates a

Proposed Regulations

law or regulation. The law enacted by the 2004 General Assembly and adoption of these proposed rules give another tool to health regulatory boards seeking to bring closure to cases in a timely manner by allowing cases to be delegated to an agency subordinate, who could be a single board member trained and qualified to conduct a fact-finding proceeding.

In § 2.2-4019 of the Administrative Process Act (APA), provisions for an informal fact-finding proceeding establish the rights of parties to a disciplinary case including the right to "appear in person or by counsel or other qualified representative before the agency or its subordinates, or before a hearing officer for the informal presentation of factual data, argument, or proof in connection with any case." A "subordinate" is defined in the APA as "(i) one or more but less than a quorum of the members of a board constituting an agency, (ii) one or more of its staff members or employees, or (iii) any other person or persons designated by the agency to act in its behalf." The proposed regulations specify that health regulatory boards can conduct fact-finding proceedings by delegation to a subordinate, the types of cases that are not appropriate for delegation and the criteria for a subordinate.

The board will retain the authority to determine whether to delegate any proceedings, the type of disciplinary case that could be delegated and who would serve as its subordinate. While certain standard of care cases may continue to be heard by board members appointed to a special conference committee, other disciplinary matters could be delegated to a person qualified by knowledge and background to determine the facts in the case. Delegation to an agency subordinate will be available to address cases that may arise from audits for continuing education compliance, or inspection-related violations. Proposed regulations state the types of cases that may not be heard by a subordinate. The ability of a board to delegate certain cases through a proceeding conducted by a subordinate will alleviate the disciplinary burden for board members, ensure resolution in a timelier manner and reserve board member time for hearing more serious matters.

Substance: 18 VAC 65-20-15 is added to Part I, General Provisions, in order to establish in regulation the criteria for delegation, including the decision to delegate at the time of a probable cause determination, the types of cases that cannot be delegated, and the individuals who may be designated as agency subordinates.

Issues: The only advantage to the public may be a speedier resolution of disciplinary cases, but the cases that would likely be heard by a subordinate of the Board of Funeral Directors and Embalmers would probably not involve standard of care for patients. It is likely that the board will delegate cases that involve such violations as failure to obtain continuing education or certain inspection violations. Therefore, there may not be any real advantage or disadvantage to the public.

There are no disadvantages to the agency or the Commonwealth. If adjudication of certain types of cases could be handled with the use of a subordinate rather than a committee of the board, there may be some advantages in resolution of cases and a modest reduction in costs for informal fact finding. Scheduling a single board member to sit as an agency subordinate will be easier than scheduling for

two or more members, so it may be possible for cases to be heard more quickly. On the other hand, recommendations of the subordinate will have to be ratified by the board, so resolution of the case may be somewhat delayed until the next scheduled meeting at which a quorum of the board can be present.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. Pursuant to House Bill 577 of the 2004 General Assembly, the Board of Funeral Directors and Embalmers (board) proposes to delineate the criteria for delegation of informal fact-finding proceedings to an agency subordinate.

Estimated economic impact. Section 54.1-2400 of the Code of Virginia (Code) describes the general powers and duties of health regulatory boards. Among the powers and duties listed is to appoint a special conference committee upon receipt of information that a practitioner of the board in question may be subject to disciplinary action. "The special conference committee may (i) exonerate the practitioner; (ii) reinstate the practitioner; (iii) place the practitioner on probation with such terms as it may deem appropriate; (iv) reprimand the practitioner; (v) modify a previous order; and (vi) impose a monetary penalty ..." House Bill 577 of the 2004 General Assembly added the following language to this section of the Code: "This subdivision shall not be construed to limit the authority of a board to delegate to an appropriately qualified agency subordinate, as defined in § 2.2-4001, the authority to conduct informal fact-finding proceedings ..., upon receipt of information that a practitioner may be subject to disciplinary action. Criteria for the appointment of an agency subordinate shall be set forth in regulations adopted by the board."

In response, the board proposes regulations that specify criteria for delegation of informal fact-finding proceedings to an agency subordinate. Section 2.2-4001 of the Code defines "subordinate" to mean "(i) one or more but less than a quorum of the members of a board constituting an agency, (ii) one or more of its staff members or employees, or (iii) any other person or persons designated by the agency to act in its behalf." According to the Department of Health Professions (department), the board has not been delegating to an agency subordinate the authority to conduct informal fact-finding proceedings upon receipt of information that a practitioner may be subject to disciplinary action. The department believes that the introduced clarifying language in the Code and the proposed criteria for delegation of informal fact-finding

proceedings to an agency subordinate in the regulations will make it more likely that the board will delegate to an agency subordinate the authority to conduct informal fact-finding proceedings. The department also believes that it is more likely that such agency subordinates will consist of current or past board members than department staff.

It is generally easier for smaller groups (including just one individual) to schedule the time necessary to conduct fact-finding proceedings than for larger groups, i.e., the entire board. Thus, to the extent that the adoption of the proposed criteria in the regulations paired with the clarifying language in the Code make it more likely that the board will delegate to an agency subordinate the task to conduct informal fact-finding proceedings, closure may be brought to some disciplinary cases in a more timely manner. Since the board must still ratify recommendations of the subordinate, the subject of the potential disciplinary action will still be under the judgment of the entire board, rather than just a subset. Therefore, since the proposal produces no significant cost and the potential for disciplinary cases to be concluded in a timelier manner is created, the proposed amendment to the regulations will likely produce a net benefit.

Businesses and entities affected. The proposed criteria potentially affect the 1,439 funeral service providers, 131 funeral directors, 6 embalmers, 520 funeral establishments, 48 surface transportation and removal service firms, 70 crematories, 183 resident trainees, and 109 courtesy card holders regulated by the board,¹ as well as their clients.

Localities particularly affected. The proposed regulations affect all Virginia localities.

Projected impact on employment. The proposed amendments will not significantly affect employment levels.

Effects on the use and value of private property. The proposed amendments will not have a large impact on the use and value of private property.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Board of Funeral Directors and Embalmers concurs with the analysis of the Department of Planning and Budget for the proposed regulation, 18 VAC 65-20, relating to delegation of informal fact finding to an agency subordinate.

Summary:

The proposed amendments establish the criteria for delegation of informal fact-finding proceedings to an agency subordinate, including the decision to delegate at the time of a probable cause determination, the types of cases that cannot be delegated, and the individuals who may be designated as agency subordinates. The proposed regulation will replace emergency regulations that have been in effect since July 15, 2004.

¹ Source: Department of Health Professions.

18 VAC 65-20-15. Criteria for delegation of informal fact-finding proceedings to an agency subordinate.

A. 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.

B. Criteria for delegation. Cases that may not be delegated to an agency subordinate are those that involve:

- 1. Intentional or negligent conduct that causes or is likely to cause injury;*
- 2. Conducting the practice of funeral services in such a manner as to constitute a danger to the health, safety, and well-being of the staff or the public;*
- 3. Impairment with an inability to practice with skill and safety;*
- 4. Inappropriate handling of dead human bodies;*
- 5. Sexual misconduct;*
- 6. Misappropriation of funds; or*
- 7. Aiding or abetting unauthorized practice.*

C. Criteria for an agency subordinate.

1. An agency subordinate authorized by the board to conduct an informal fact-finding proceeding may include board members deemed knowledgeable by virtue of their training and experience in administrative proceedings involving the regulation and discipline of health professionals.

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

3. 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.

VA.R. Doc. No. R04-254; Filed January 4, 2005, 9:46 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.

Public Hearing Date: January 25, 2005 - 1:30 p.m.

Public comments may be submitted until March 25, 2005.

(See Calendar of Events section for additional information)

Agency Contact: Jay P. Douglas, R.N., Executive Director, Board of Nursing, 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.

Proposed Regulations

Basis: Section 54.1-2400 of the Code of Virginia provides the Board of Nursing the authority to promulgate regulations to administer the regulatory system and to delegate informal fact-finding to an agency subordinate.

Purpose: One of the most important functions of the Department of Health Professions is the investigation and adjudication of disciplinary cases to ensure that the public is adequately protected if a health care professional violates a law or regulation. The law enacted by the 2004 General Assembly and adoption of these proposed rules give another tool to health regulatory boards seeking to bring closure to cases in a timely manner by allowing cases to be delegated to an agency subordinate, who could be a single board member trained and qualified to conduct a fact-finding proceeding.

In § 2.2-4019 of the Administrative Process Act (APA), provisions for an informal fact-finding proceeding establish the rights of parties to a disciplinary case including the right to "appear in person or by counsel or other qualified representative before the agency or its subordinates, or before a hearing officer for the informal presentation of factual data, argument, or proof in connection with any case." A "subordinate" is defined in the APA as "(i) one or more but less than a quorum of the members of a board constituting an agency, (ii) one or more of its staff members or employees, or (iii) any other person or persons designated by the agency to act in its behalf." The proposed regulations specify that health regulatory boards can conduct fact-finding proceedings by delegation to a subordinate, the types of cases that are not appropriate for delegation and the criteria for a subordinate.

The board will retain the authority to determine whether to delegate any proceedings, the type of disciplinary case that could be delegated and who would serve as its subordinate. While certain standard of care cases may continue to be heard by board members appointed to a special conference committee, other disciplinary matters could be delegated to a person qualified by knowledge and background to determine the facts in the case. Delegation to an agency subordinate will be available to address cases that may arise from application denial or other violations. Proposed regulations state the types of cases that may not be heard by a subordinate but leave the final decision of delegation to the board president. The ability of a board to delegate certain cases through a proceeding conducted by a subordinate will alleviate the disciplinary burden for board members, ensure resolution in a timelier manner and reserve board member time for hearing more serious matters.

Substance: New regulations are established in order to set in regulation the criteria for delegation, including the decision to delegate at the time of a probable cause determination, the types of cases that cannot be delegated except as may be approved by the board president, and the individuals who may be designated as agency subordinates.

Issues: The only advantage to the public may be a speedier resolution of disciplinary cases. Initially, the cases that would likely be heard by a subordinate of the Board of Nursing would probably not involve standard of care for patients. Therefore, there may not be any real advantage or disadvantage to the public.

There are no disadvantages to the agency or the Commonwealth. If adjudication of certain types of cases could be handled with the use of a subordinate rather than a committee of the board, there may be some advantages in resolution of cases and a modest reduction in costs for informal fact finding. Scheduling a single board member to sit as an agency subordinate will be easier than scheduling for two or more members, so it may be possible for cases to be heard more quickly. On the other hand, recommendations of the subordinate will have to be ratified by the board, so resolution of the case may be somewhat delayed until the next scheduled meeting at which a quorum of the board can be present. Since the board meets at least six times per year, there would be no significant delays.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. Pursuant to House Bill 577 of the 2004 General Assembly, the Board of Nursing (board) proposes to delineate the criteria for delegation of informal fact-finding proceedings to an agency subordinate.

Estimated economic impact. Section 54.1-2400 of the Code of Virginia (Code) describes the general powers and duties of health regulatory boards. Among the powers and duties listed is to appoint a special conference committee upon receipt of information that a practitioner of the board in question may be subject to disciplinary action. "The special conference committee may (i) exonerate the practitioner; (ii) reinstate the practitioner; (iii) place the practitioner on probation with such terms as it may deem appropriate; (iv) reprimand the practitioner; (v) modify a previous order; and (vi) impose a monetary penalty ..." House Bill 577 of the 2004 General Assembly added the following language to this section of the Code: "This subdivision shall not be construed to limit the authority of a board to delegate to an appropriately qualified agency subordinate, as defined in § 2.2-4001, the authority to conduct informal fact-finding proceedings ..., upon receipt of information that a practitioner may be subject to disciplinary action. Criteria for the appointment of an agency subordinate shall be set forth in regulations adopted by the board."

In response, the board proposes regulations that specify criteria for delegation of informal fact-finding proceedings to an agency subordinate. Section 2.2-4001 of the Code defines "subordinate" to mean "(i) one or more but less than a quorum of the members of a board constituting an agency, (ii) one or more of its staff members or employees, or (iii) any other person or persons designated by the agency to act in its

behalf." According to the Department of Health Professions (department), the board has not been delegating to an agency subordinate the authority to conduct informal fact-finding proceedings upon receipt of information that a practitioner may be subject to disciplinary action. The department believes that the introduced clarifying language in the Code and the proposed criteria for delegation of informal fact-finding proceedings to an agency subordinate in the regulations will make it more likely that the board will delegate to an agency subordinate the authority to conduct informal fact-finding proceedings. The department also believes that it is more likely that such agency subordinates will consist of current or past board members than department staff.

It is generally easier for smaller groups (including just one individual) to schedule the time necessary to conduct fact-finding proceedings than for larger groups, i.e., the entire board. Thus, to the extent that the adoption of the proposed criteria in the regulations paired with the clarifying language in the Code make it more likely that the board will delegate to an agency subordinate the task to conduct informal fact-finding proceedings, closure may be brought to some disciplinary cases in a more timely manner. Since the board must still ratify recommendations of the subordinate, the subject of the potential disciplinary action will still be under the judgment of the entire board, rather than just a subset. Therefore, since the proposal produces no significant cost and the potential for disciplinary cases to be concluded in a timelier manner is created, the proposed amendment to the regulations will likely produce a net benefit.

Businesses and entities affected. The proposed criteria potentially affect the 87,414 registered nurses, 28,579 practical nurses, 463 clinical nurse specialists, 4,955 licensed nurse practitioners, 3,863 certified massage therapists, and 40,680 certified nurse aids¹ in the Commonwealth, as well as their patients.

Localities Particularly Affected. The proposed regulations affect all Virginia localities.

Projected Impact on Employment. The proposed amendments will not significantly affect employment levels.

Effects on the Use and Value of Private Property. The proposed amendments will not have a large impact on the use and value of private property.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Board of Nursing concurs with the analysis of the Department of Planning and Budget for the proposed regulation, 18 VAC 90-15, relating to delegation of informal fact finding to an agency subordinate.

Summary:

The proposed regulation establishes the criteria for delegation of informal fact-finding proceedings to an agency subordinate, including 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. The proposed regulation will replace emergency regulations that have been in effect since September 1, 2004.

CHAPTER 15.
REGULATIONS GOVERNING DELEGATION 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.

VA.R. Doc. No. R05-03; Filed January 4, 2005, 9:43 a.m.

JOINT BOARDS OF NURSING AND MEDICINE

Title of Regulation: **18 VAC 90-30. Regulations Governing the Licensure of Nurse Practitioners (amending 18 VAC 90-30-120).**

Statutory Authority: §§ 54.1-2400 and 54.1-2957 of the Code of Virginia.

Public Hearing Date: January 25, 2005 - 1:30 p.m.

Public comments may be submitted until March 25, 2005.
(See Calendar of Events section
for additional information)

Agency Contact: Jay P. Douglas, R.N., Executive Director, Board of Nursing, 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.

Basis: Section 54.1-2400 provides the Boards of Nursing and Medicine the authority to promulgate regulations to administer the regulatory system.

¹ Source: Department of Health Professions.

Proposed Regulations

The specific legal mandate to promulgate the regulation for the licensure of nurse practitioners is found in §§ 54.1-2957 and 54.1-2957.02 of the Code of Virginia.

Purpose: The purpose of the legislation and the enabling regulation is to permit licensed nurse practitioners to sign various forms and certificates and provide medical information or treatment in certain situations, including situations involving the immunization of children, examination of persons suspected of having tuberculosis, prenatal tests, nursing homes, release of certain privileged medical information, competency for driver licenses, release of certain veterinary records, and assisted living facilities. In many circumstances, it is the nurse practitioner who has performed the evaluation or examination upon which an attestation is made or a form signed. Therefore, it is reasonable that the nurse practitioner rather than the physician (who has not seen the patient) be the one authorized to sign certain papers. Public health and safety are sufficiently balanced with greater access to health care by nurse practitioners who are practicing within their specialty training and licensure and working in collaboration with supervising physicians who must periodically review their care of the patients.

Substance: Proposed regulations require that the written protocol between the supervising physician and the nurse practitioner must include the nurse practitioner's authority for signatures, certifications, stamps, verifications, affidavits and endorsements provided the signing of documents is (i) in accordance with the specialty license of the nurse practitioner and with the scope of practice of the supervising physician; (ii) permitted by § 54.1-2957.02 or applicable sections of the Code of Virginia; and (iii) not in conflict with federal law or regulation.

Issues: There are no disadvantages to the public; the proposed rules will allow a nurse practitioner to sign certain documents and attestations on which previous law required the signature of a physician. Provided the nurse practitioner is the one that has performed the physical or treated the patient, it is logical that he or she be the person who signed the appropriate form since the physician may not have personal knowledge of the patient's condition. Proposed rules will ensure that there is a clear understanding, as reflected in the written protocol, about which documents requiring a signature may be signed by the nurse practitioner instead of the supervising physician. The only disadvantage may be a lack of understanding on the part of practitioners about the statutory responsibilities of a physician, who may mistakenly believe he can delegate certain medical acts that are specifically reserved for a licensed physician.

There are no specific advantages or disadvantages to the agency or the Commonwealth. Rules about the written protocol would appear to be understandable and provide appropriate guidance to licensees.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H requires that such economic impact analyses include, but

need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. Pursuant to Chapter 855 of the 2004 Acts of the Assembly, the Board of Nursing (board) proposes to amend these regulations so as to indicate that the written protocol between the supervising physician and the nurse practitioner include the nurse practitioner's authority for signatures, certifications, stamps, verifications, affidavits and endorsements. The board also proposes to clarify that this authority must be in accordance with the specialty license of the nurse practitioner and with the scope of practice of the supervising physician.

Estimated economic impact. Chapter 855 of the 2004 Acts of the Assembly introduced § 54.1-2957.02 to the Code of Virginia. Section 54.1-2957.02 in its entirety is as follows: "Whenever any law or regulation requires a signature, certification, stamp, verification, affidavit or endorsement by a physician, it shall be deemed to include a signature, certification, stamp, verification, affidavit or endorsement by a nurse practitioner." Prior to this legislative act, nurse practitioners were not permitted to sign various forms and certificates and provide medical information or treatment in certain situations, including situations involving the immunization of children, examination of persons suspected of having tuberculosis, prenatal tests, nursing homes, release of certain privileged medical information, competency for driver licenses, release of certain veterinary records, and assisted living facilities. The patient was required to wait for the nurse practitioner's supervising physician to be available to sign, etc. In many circumstances, it is the nurse practitioner who has performed the evaluation or examination upon which an attestation is made or a form signed.

By permitting nurse practitioners to provide the signature, certification, stamp, verification, affidavit or endorsement, patients will have shorter waits before the procedures, actions, etc. that necessitated the approval can be performed. This can potentially result in real health benefits. For example, patients who need authorization to receive the flu shot or flu mist may be able to avoid contracting the disease because they are able to get authorization sooner.

Chapter 855 also indicates that the board shall amend these regulations to "require inclusion of the nurse practitioner's authority for signatures, certifications, stamps, verifications, affidavits and endorsements in the written protocol between the supervising physician and the nurse practitioner." Pursuant to Chapter 855, the board proposes to require that the written protocol between the supervising physician and the nurse practitioner include the nurse practitioner's authority for signatures, certifications, stamps, verifications, affidavits and endorsements, provided it is "In accordance with the specialty license of the nurse practitioner and with the scope of practice of the supervising physician." The board's proposal to add the

language specifying that the authority for signatures, etc., be in accordance with the nurse practitioner's specialty license and with the supervising physician's scope of practice is for clarification and does not provide any additional restriction. Thus, the board's proposed language has no effect, beyond clarification.

Businesses and entities affected. The proposed amendments concern the 4,925 licensed nurse practitioners in the Commonwealth,¹ as well as their patients and supervising physicians.

Localities particularly affected. The proposed amendments affect all Virginia localities.

Projected impact on employment. The proposed amendments to the regulations will not affect employment.

Effects on the use and value of private property. The proposed amendments will not affect the use and value of private property.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Boards of Nursing and Medicine concur with the analysis of the Department of Planning and Budget for the proposed action on the written protocol for regulation, 18 VAC 90-30, Regulations Governing the Practice of Nurse Practitioners.

Summary:

The proposed amendments require that the written protocol between the supervising physician and the nurse practitioner must include the nurse practitioner's authority for signatures, certifications, stamps, verifications, affidavits and endorsements provided the signing of documents is (i) in accordance with the specialty license of the nurse practitioner and with the scope of practice of the supervising physician; (ii) permitted by § 54.1-2957.02 or applicable sections of the Code of Virginia; and (iii) not in conflict with federal law or regulation.

18 VAC 90-30-120. Practice of licensed nurse practitioners.

A. A licensed nurse practitioner shall be authorized to engage in practices constituting the practice of medicine in collaboration with and under the medical direction and supervision of a licensed physician.

B. The practice of licensed nurse practitioners shall be based on specialty education preparation as a nurse practitioner in accordance with standards of the applicable certifying organization and written protocols as defined in 18 VAC 90-30-10.

C. *The written protocol shall include the nurse practitioner's authority for signatures, certifications, stamps, verifications, affidavits and endorsements provided it is:*

1. In accordance with the specialty license of the nurse practitioner and with the scope of practice of the supervising physician;

2. Permitted by § 54.1-2957.02 or applicable sections of the Code of Virginia; and

3. Not in conflict with federal law or regulation.

~~G.~~ D. A certified registered nurse anesthetist shall practice in accordance with the functions and standards defined by the American Association of Nurse Anesthetists (Guidelines and Standards for Nurse Anesthesia Practice, Revised 1998) and under the medical direction and supervision of a doctor of medicine or a doctor of osteopathy or the medical direction and supervision of a dentist in accordance with rules and regulations promulgated by the Board of Dentistry.

~~D.~~ E. A certified nurse midwife shall practice in accordance with the Standards for the Practice of Nurse-Midwifery (Revised 1993) defined by the American College of Nurse-Midwives.

VA.R. Doc. No. R04-233; Filed January 5, 2005, 11:02 a.m.

BOARD OF SOCIAL WORK

Title of Regulation: **18 VAC 140-20. Regulations Governing the Practice of Social Work (adding 18 VAC 140-20-171).**

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

Public Hearing Date: February 25, 2005 - 10 a.m.

Public comments may be submitted until March 25, 2005.

(See Calendar of Events section for additional information)

Agency Contact: Evelyn B. Brown, Executive Director, Board of Social Work, 6603 West Broad Street, 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9914, FAX (804) 662-9943, or e-mail evelyn.brown@dhp.virginia.gov.

Basis: Section 54.1-2400 of the Code of Virginia provides the Board of Social Work the authority to promulgate regulations to administer the regulatory system and to delegate informal fact-finding to an agency subordinate.

Purpose: One of the most important functions of the Department of Health Professions is the investigation and adjudication of disciplinary cases to ensure that the public is adequately protected if a health care professional violates a law or regulation. The law enacted by the 2004 General Assembly and adoption of these proposed rules give another tool to health regulatory boards seeking to bring closure to cases in a timely manner by allowing cases to be delegated to an agency subordinate, who could be a single board member trained and qualified to conduct a fact-finding proceeding.

In § 2.2-4019 of the Administrative Process Act (APA), provisions for an informal fact-finding proceeding establish the rights of parties to a disciplinary case including the right to "appear in person or by counsel or other qualified representative before the agency or its subordinates, or before a hearing officer for the informal presentation of factual data, argument, or proof in connection with any case." A "subordinate" is defined in the APA as "(i) one or more but less than a quorum of the members of a board constituting an agency, (ii) one or more of its staff members or employees, or (iii) any other person or persons designated by the agency to

¹ Source: Department of Health Professions

Proposed Regulations

act in its behalf." The proposed regulations specify that health regulatory boards can conduct fact-finding proceedings by delegation to a subordinate, the types of cases that are not appropriate for delegation and the criteria for a subordinate.

The board will retain the authority to determine whether to delegate any proceedings, the type of disciplinary case that could be delegated and who would serve as its subordinate. While certain standard of care cases may continue to be heard by board members appointed to a special conference committee, other disciplinary matters could be delegated to a person qualified by knowledge and background to determine the facts in the case. Delegation to an agency subordinate will be available to address cases that may arise from audits for continuing education compliance or other cases not involving patient care. Proposed regulations state the types of cases that may not be heard by a subordinate but leave the final decision of delegation to the probable cause committee in consultation with the board chair. The ability of a board to delegate certain cases through a proceeding conducted by a subordinate will alleviate the disciplinary burden for board members, ensure resolution in a timelier manner and reserve board member time for hearing more serious matters.

Substance: The amendments establish in regulation the criteria for delegation, including the decision to delegate at the time of a probable cause determination, the types of cases that cannot be delegated except as may be approved by a committee of the board, and the individuals who may be designated as agency subordinates.

Issues: The only advantage to the public may be a speedier resolution of disciplinary cases, but the cases that would likely be heard by a subordinate of the Board of Social Work would probably not involve standard of care for patients. It is likely that the board will delegate cases that involve such violations as failure to obtain continuing education. Therefore, there may not be any real advantage or disadvantage to the public.

There are no disadvantages to the agency or the Commonwealth. If adjudication of certain types of cases could be handled with the use of a subordinate rather than a committee of the board, there may be some advantages in resolution of cases and a modest reduction in costs for informal fact finding. Scheduling a single board member to sit as an agency subordinate will be easier than scheduling for two or more members, so it may be possible for cases to be heard more quickly. On the other hand, recommendations of the subordinate will have to be ratified by the board, so resolution of the case may be somewhat delayed until the next scheduled meeting at which a quorum of the board can be present.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and

employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. Pursuant to House Bill 577 of the 2004 General Assembly, the Board of Social Work (board) proposes to delineate the criteria for delegation of informal fact-finding proceedings to an agency subordinate.

Estimated economic impact. Section 54.1-2400 of the Code of Virginia (Code) describes the general powers and duties of health regulatory boards. Among the powers and duties listed is to appoint a special conference committee upon receipt of information that a practitioner of the board in question may be subject to disciplinary action. "The special conference committee may (i) exonerate the practitioner; (ii) reinstate the practitioner; (iii) place the practitioner on probation with such terms as it may deem appropriate; (iv) reprimand the practitioner; (v) modify a previous order; and (vi) impose a monetary penalty ..." House Bill 577 of the 2004 General Assembly added the following language to this section of the Code: "This subdivision shall not be construed to limit the authority of a board to delegate to an appropriately qualified agency subordinate, as defined in § 2.2-4001, the authority to conduct informal fact-finding proceedings ..., upon receipt of information that a practitioner may be subject to disciplinary action. Criteria for the appointment of an agency subordinate shall be set forth in regulations adopted by the board."

In response, the board proposes regulations that specify criteria for delegation of informal fact-finding proceedings to an agency subordinate. Section 2.2-4001 of the Code defines "subordinate" to mean "(i) one or more but less than a quorum of the members of a board constituting an agency, (ii) one or more of its staff members or employees, or (iii) any other person or persons designated by the agency to act in its behalf." According to the Department of Health Professions (department), the board has not been delegating to an agency subordinate the authority to conduct informal fact-finding proceedings upon receipt of information that a practitioner may be subject to disciplinary action. The department believes that the introduced clarifying language in the Code and the proposed criteria for delegation of informal fact-finding proceedings to an agency subordinate in the regulations will make it more likely that the board will delegate to an agency subordinate the authority to conduct informal fact-finding proceedings. The department also believes that it is more likely that such agency subordinates will consist of current or past board members than department staff.

It is generally easier for smaller groups (including just one individual) to schedule the time necessary to conduct fact-finding proceedings than for larger groups, i.e., the entire board. Thus, to the extent that the adoption of the proposed criteria in the regulations paired with the clarifying language in the Code make it more likely that the board will delegate to an agency subordinate the task to conduct informal fact-finding proceedings, closure may be brought to some disciplinary cases in a more timely manner. Since the board must still ratify recommendations of the subordinate, the subject of the potential disciplinary action will still be under the judgment of

the entire board, rather than just a subset. Therefore, since the proposal produces no significant cost and the potential for disciplinary cases to be concluded in a timelier manner is created, the proposed amendment to the regulations will likely produce a net benefit.

Businesses and entities affected. The proposed criteria potentially affect the 4,527 licensed clinical social workers, 354 licensed social workers, 75 registered social workers, and 6 associate social workers¹ in the Commonwealth, as well as their patients.

Localities particularly affected. The proposed regulations affect all Virginia localities.

Projected impact on employment. The proposed amendments will not significantly affect employment levels.

Effects on the use and value of private property. The proposed amendments will not have a large impact on the use and value of private property.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Board of Social Work concurs with the analysis of the Department of Planning and Budget for the proposed regulation, 18 VAC 140-20, relating to delegation of informal fact finding to an agency subordinate.

Summary:

The amendments establish in regulation the criteria for delegation, including the decision to delegate at the time of a probable cause determination, the types of cases that cannot be delegated, and the individuals who may be designated as agency subordinates. The proposed regulations will replace emergency regulations that have been in effect since August 25, 2004.

18 VAC 140-20-171. Criteria for delegation of informal fact-finding proceedings to an agency subordinate.

A. 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.

B. Criteria for delegation. Cases that may not be delegated to an agency subordinate include violations of standards of practice as set forth in 18 VAC 140-20-150, except as may otherwise be determined by the probable cause committee in consultation with the board chair.

C. Criteria for an agency subordinate.

1. An agency subordinate authorized by the board to conduct an informal fact-finding proceeding may include 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.

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

3. 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.

VA.R. Doc. No. R04-206; Filed January 4, 2005, 9:44 a.m.

TITLE 20. PUBLIC UTILITIES AND TELECOMMUNICATIONS

STATE CORPORATION COMMISSION

REGISTRAR'S NOTICE: The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 2.2-4002 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency that by the Constitution is expressly granted any of the powers of a court of record.

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

Title of Regulation: 20 VAC 5-315. Regulations Governing Net Energy Metering (amending 20 VAC 5-315-20, 20 VAC 5-315-30, 20 VAC 5-315-40 and 20 VAC 5-315-90).

Statutory Authority: §§ 12.1-13, 56-576 and 56-594 of the Code of Virginia.

Public Hearing Date: A public hearing will be scheduled upon request -- Public comments may be submitted until February 14, 2005.

Agency Contact: Kara Hart, Attorney, Office of General Counsel, 1300 East Main Street, P.O. Box 1197, Richmond, VA 23218, telephone (804) 371-9671, FAX (804) 371-9240, or e-mail kara.hart@scc.virginia.gov.

Summary:

The proposed amendments (i) change the definition of "renewable fuel generator" by increasing the upper limit for nonresidential customers from 25 kilowatts to 500 kilowatts; (ii) change requirements for the completion of the commission-approved notification form that must be filed by the prospective net metering customer in accordance with 20 VAC 5-315-30 depending on whether the renewable fuel generator has an alternating current capacity of 25 kilowatts or less or an alternating current capacity greater than 25

¹ Source: Department of Health Professions.

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kilowatts; and (iii) add as a condition of interconnection that the vendor has certified that the renewable fuel generator being installed is in compliance with IEEE Standard 1547. The proposed amendments also add, in the case of renewable fuel generators with an alternating current capacity greater than 25 kilowatts, certain requirements that must be met before interconnection may occur. These requirements include electric distribution facilities and customer impact limitations; secondary, service and service entrance limitations; transformer loading limitations; integration with electric distribution company facilities grounding; and balance limitation. The interconnection form contained in 20 VAC 5-315-90 is also amended.

AT RICHMOND, DECEMBER 23, 2004

COMMONWEALTH OF VIRGINIA ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUE-2004-00060

Ex Parte: In the matter of amending regulations governing net energy metering

ORDER FOR NOTICE AND INVITING COMMENTS AND REQUESTS FOR HEARING

On May 25, 2000, the State Corporation Commission ("Commission") adopted Regulations Governing Net Energy Metering, 20 VAC 5-315-10 et seq. ("Net Energy Metering Rules"), pursuant to § 56-594 of the Virginia Electric Utility Restructuring Act, Chapter 23 (§ 56-576 et seq.) of Title 56 of the Code of Virginia ("Restructuring Act"), to permit eligible customer-generators to engage in net energy metering by interconnecting their electrical generating facilities with a utility's electric grid and receiving credit for electricity generated and fed back to the electric grid.

Chapter 827 of the 2004 Acts of Assembly amended § 56-594 of the Restructuring Act to revise the definition of eligible customer-generator. Eligible customer-generator has been revised to mean a customer that owns and operates an electrical generating facility that, among other things, has a capacity of not more than 10 kW for residential customers and 500 kW for nonresidential customers. The current Net Energy Metering Rules reflect the previous capacity limit for nonresidential customers of 25 kW.

On June 3, 2004, the Commission entered an Order Establishing Proceeding to amend the Net Energy Metering Rules. Notice of this proceeding was published in the Virginia Register and in newspapers of general circulation throughout the Commonwealth. Interested persons were directed to file comments and comments were filed by Appalachian Power Company ("APCO"); Virginia Department of Environmental Quality ("DEQ"); Virginia Electric and Power Company ("Dominion Virginia Power"); Maryland, District of Columbia, Virginia Solar Energy Industries Association ("MDV-SEIA"); and the Virginia Wind Energy Collaborative ("VWEC"). The Staff was directed to investigate the matter and to file a report with the Commission presenting its recommendations.

On August 5, 2004, Dominion Virginia Power filed a motion for leave to file reply comments and for modification of the

procedural schedule ("Motion"). The Motion requested the Commission to allow for a work group to be convened before the Staff filed its Report and that the parties be allowed an additional opportunity to comment on the Staff Report.

On August 11, 2004, the Commission entered an Order permitting responses to the Motion, permitting Dominion Virginia Power to reply to those responses, and suspending the procedural schedule. The Commission received responses from APCO, MDV-SEIA, and VWEC supporting a work group. On August 27, 2004, Dominion Virginia Power filed a reply renewing its request for a work group to be convened.

On September 17, 2004, the Commission issued an Order finding it appropriate to convene a work group and granting the Motion. The Staff was directed to convene a work group on October 6, 2004. The work group was directed to focus on developing amendments to the Net Energy Metering Rules that are essential to implementing the statutory change; in other words, those revisions directly related to increasing the capacity limit for nonresidential customer generators from 25 kW to 500 kW. The Staff was directed to file a report that included proposed rules and interested parties were afforded the opportunity to comment on the Staff Report.

On November 19, 2004, the Staff filed its report. The Staff Report notes that APCO, DEQ, Dominion Virginia Power, MDV-SEIA, VWEC, as well as Old Mill Power Company and the Virginia, Maryland & Delaware Association of Electric Cooperatives participated in the work group. The Staff Report summarizes the proposals made by the various work group participants and indicates how such proposals were incorporated into the proposed rules accompanying the Staff Report as Exhibit A ("Proposed Rules").

Among other things, the Proposed Rules amend the definition of "renewable fuel generator" to reflect the statutory change in capacity limit to 500 kW for nonresidential generators. Nonresidential generators with capacity in excess of 25 kW must submit notification to the electric distribution provider and/or energy service provider at least 60 days prior to the date of interconnection. Renewable fuel generators are required to be in compliance with the requirements of IEEE Standard 1547 or its successor. Additional requirements for interconnection for nonresidential systems with capacity in excess of 25 kW include: electric distribution facilities and customer impact limitations; secondary, service, and service entrance limitations; transformer loading limitations; integration with electric distribution company facilities grounding; and balance limitations. The Interconnection Notification form is revised to include a recommendation that a prospective net metering customer contact the electric distribution company prior to making financial commitments to the project.

The Staff declined to incorporate proposals by the work group participants regarding, among other things, application and study fees, increased insurance limits, time-of-use metering, and additional information requirements. The Staff determined that certain proposals would increase requirements on the class of net metering customers currently subject to the Net Energy Metering Rules, were not essential

to implementing the statutory change, required more specific support or evidence to implement, or were too open-ended.

The Staff Report also makes two suggestions to clarify the Net Energy Metering Rules and assure consistency with the Code. These proposals would not be directly related to increasing the capacity limit for nonresidential customer generators from 25 kW to 500 kW. The Staff proposes to make clear that the 0.1% limit on the total renewable fuel generator capacity in a customer's electric distribution company's service territory was intended to apply only to renewable fuel generators that net meter, rather than all solar, wind, and hydro generators. The Staff further proposes to make clear that the phrase "customer's electric distribution company's service territory" applies only to the Virginia portion of the service territory. The Staff did not include these proposals in the Proposed Rules, but requests the Commission consider such suggestions.

Comments on the Staff Report were received from APCO, which indicates satisfaction with the Proposed Rules, and Dominion Virginia Power, which supports the Staff's Proposed Rules and does not oppose the suggestions made by the Staff for the Commission's consideration. MDV-SEIA and VWEC MDV-SEIA filed comments providing several additional proposals for amending the Net Energy Metering Rules. Both MDV-SEIA and VWEC also comment on the prohibition on net metering customer generators using time-of-meters. MDV-SEIA and VWEC argue that this restriction should be eliminated since the change in the law was intended to encompass larger commercial systems and many such generators are required to be on a time-of-use meter based on their peak load. Mr. Alden M. Hathaway, who lives in a solar powered home and is net-metered, also filed comments requesting the opportunity to be on a time-of-use meter.

NOW THE COMMISSION, upon consideration of the initial comments filed herein, the work group deliberations, the Staff Report and Proposed Rules, and the comments filed thereto, finds that the attached Proposed Rules should be published in the Virginia Register and that public notice be given. We will direct interested persons to file written comments on, propose modifications or supplements to, or to request a hearing on the Proposed Rules. As we have indicated before, this proceeding is intended to consider revisions only directly related to increasing the capacity limit for nonresidential customer generators from 25 kW to 500 kW. Issues outside the scope of implementing this modification will not be open for consideration. We ask that interested persons specifically address the issue of time-of-use metering.

Accordingly, IT IS ORDERED THAT:

- (1) A copy of this Order and the attached Proposed Rules shall be delivered forthwith to the Registrar of Regulations for publication in the Virginia Register.
- (2) On or before January 24, 2005, the Commission's Division of Information Resources shall publish the following notice as classified advertising in newspapers of general circulation throughout the Commonwealth of Virginia:

NOTICE TO THE PUBLIC OF A PROCEEDING
TO AMEND REGULATIONS FOR NET ENERGY METERING
PURSUANT TO § 56-594 OF THE CODE OF VIRGINIA
CASE NO. PUE-2004-00060

On May 25, 2000, the State Corporation Commission ("Commission") adopted Regulations Governing Net Energy Metering, 20 VAC 5-315-10 et seq. ("Net Energy Metering Rules"), pursuant to § 56-594 of the Virginia Electric Utility Restructuring Act, Chapter 23 (§ 56-576 et seq.) of Title 56 of the Code of Virginia ("Restructuring Act"), to permit eligible customer-generators to engage in net energy metering by interconnecting their electrical generating facilities with a utility's electric grid and receiving credit for electricity generated and fed back to the electric grid.

Chapter 827 of the 2004 Acts of Assembly amended § 56-594 of the Restructuring Act to revise the definition of eligible customer-generator. Eligible customer-generator has been revised to mean a customer that owns and operates an electrical generating facility that, among other things, has a capacity of not more than 10 kW for residential customers and 500 kW for nonresidential customers. The current Net Energy Metering Rules reflect the previous capacity limit for nonresidential customers of 25 kW.

The Commission established this proceeding and requested comment on how the Net Energy Metering Rules should be amended to implement the legislation. The Commission convened a work group to facilitate the development of amendments. Based on the comments previously filed and the deliberations of the work group, the Commission Staff filed a report along with proposed rules. A copy of the Staff Report and the proposed rules is available for public inspection at the Commission's Document Control Center, Tyler Building, First Floor, 1300 East Main Street, Richmond, Virginia 23219, Monday through Friday, 8:15 a.m. to 5:00 p.m., or may be downloaded from the Commission's website: <http://www.scc.virginia.gov/caseinfo.htm>.

The Commission has issued an order in this proceeding directing that on or before February 14, 2005, any interested person may file an original and fifteen (15) copies of any comments on the proposed rules with the Clerk of the Commission at the address set forth below. Comments should be directly related to increasing the capacity limit for nonresidential customer generators from 25 kW to 500 kW. The Commission also requests comments on the issue of time-of-use metering. Interested persons desiring to

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submit comments electronically may do so by following the instructions available at the Commission's website.

On or before February 14, 2005, any interested person also may file an original and fifteen (15) copies of any requests for hearing on the proposed rules with the Clerk of the Commission at the address set forth below. Any request for hearing shall state with specificity why the issues raised in the request for hearing cannot be adequately addressed in written comments. If sufficient request for hearing is not received, the Commission may enter an order based upon the papers filed. Persons expecting to participate as a respondent in any hearing that may be scheduled shall include with their request for hearing an original and fifteen (15) copies of a notice of participation in accordance with 5 VAC 5-20-80 of the Commission Rules of Practice and Procedure.

All filings in this proceeding shall be directed to Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and shall refer to Case No. PUE-2004-00060.

(3) On or before February 14, 2005, any interested person may comment or request a hearing by filing an original and fifteen (15) copies of such comments or requests with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Any request for hearing shall state with specificity why the issues raised in the request for hearing cannot be adequately addressed in written comments. If a sufficient request for hearing is not received, the Commission may consider the matter and enter an order based upon the papers filed herein. Interested parties shall refer in their comments or requests to Case No. PUE-2004-00060. Interested persons desiring to submit comments electronically may do so by following the instructions available at the Commission's website: <http://www.scc.virginia.gov/caseinfo.htm>.

(4) On or before February 14, 2005, persons filing a request for hearing and expecting to participate as a respondent in any hearing that may be scheduled in this matter shall file an original and fifteen (15) copies of a notice of participation in accordance with 5 VAC 5-20-80 of the Commission Rules of Practice and Procedure. Interested parties shall refer in their notices to Case No. PUE-2004-00060. All notices of participation shall be filed with the Clerk of the Commission at the address set forth in Paragraph (4) above.

(5) This matter is continued for further order of the Commission.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: All electric cooperatives and electric companies in Virginia as listed on Attachment A to this Order; all persons included on Attachment B to this Order; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of

Consumer Counsel, Office of the Attorney General, 900 East Main Street, Richmond, Virginia 23219; and the Commission's Divisions of Economics and Finance and Energy Regulation.

20 VAC 5-315-20. Definitions.

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

"Billing period" means, as to a particular customer, the time period between the dates on which the electric distribution company or energy service provider, as the case may be, issues the customer's bills.

"Electric distribution company" means the entity that owns and/or operates the distribution facilities delivering electricity to the net metering customer's premises.

"Energy service provider" means the entity providing electric energy to a net metering customer, either as a tariffed, competitive, or default service pursuant to § 56-585 of the Code of Virginia.

"Net metering customer" means a customer owning and operating a renewable fuel generator under a net metering service arrangement.

"Net metering period" means each successive 12-month period beginning with the first meter reading date following the date of final interconnection of the renewable fuel generator with the electric distribution company's facilities.

"Net metering service" means measuring the difference, over the net metering period between electricity supplied to a net metering customer from the electric grid and the electricity generated and fed back to the electric grid by the net metering customer, using a single meter or, as provided in 20 VAC 5-315-70, additional meters.

"Renewable fuel generator" means an electrical generating facility that:

1. Has an alternating current capacity of not more than 10 kilowatts for residential customers and not more than ~~25~~ 500 kilowatts for nonresidential customers;
2. Uses as its total fuel source solar, wind, or hydro energy;
3. Is owned and operated by the net metering customer and is located on the customer's premises;
4. Is interconnected and operated in parallel with the electric distribution company's facilities; and
5. Is intended primarily to offset all or part of the net metering customer's own electricity requirements.

20 VAC 5-315-30. Company notification.

A. The prospective net metering customer shall submit a completed commission-approved notification form, as provided in 20 VAC 5-315-90, to the electric distribution company and, if different from the electric distribution company, the energy service provider, *according to the following time limits*.

1. For a renewable fuel generator with an alternating current capacity of 25 kilowatts or less, the notification form shall be submitted at least 30 days prior to the date the customer intends to interconnect his renewable fuel generator to the electric distribution company's facilities. A—Such net metering customer shall have all equipment necessary to complete the grid interconnection installed prior to such notification. The electric distribution company shall have 30 days from the date of notification to determine whether the requirements contained in 20 VAC 5-315-40 have been met. The date of notification shall be considered to be the third day following the mailing of such notification form by the prospective net metering customer.

2. For a renewable fuel generator with an alternating current capacity greater than 25 kilowatts, the notification form shall be submitted at least 60 days prior to the date the customer intends to interconnect his renewable fuel generator to the electric distribution company's facilities. Such net metering customer shall have all equipment necessary to complete the grid interconnection installed prior to such notification. Such net metering customer should contact his electric distribution company prior to making financial commitments. The electric distribution company shall have 60 days from the date of notification to determine whether the requirements contained in 20 VAC 5-315-40 have been met. The date of notification shall be considered to be the third day following the mailing of such notification form by the prospective net metering customer.

B. Thirty-one days after the date of notification for renewable fuel generators with a rated capacity of 25 kilowatts or less, and 61 days after the date of notification for renewable fuel generators with an alternating current capacity greater than 25 kilowatts, a net metering customer may interconnect his renewable fuel generator and begin operation of said renewable fuel generator unless the electric distribution company or the energy service provider requests a waiver of this requirement under the provisions of 20 VAC 5-315-80, prior to said 31st or 61st day, respectively. In cases where the electric distribution company or energy service provider requests a waiver, a copy of the request for waiver must be mailed simultaneously by the requesting party to the net metering customer and to the commission's Division of Energy Regulation.

C. The electric distribution company shall file with the commission's Division of Energy Regulation a copy of each completed notification form within 30 days of final interconnection.

20 VAC 5-315-40. Conditions of interconnection.

A. A prospective net metering customer may begin operation of his renewable fuel generator on an interconnected basis when:

1. The net metering customer has properly notified both the electric distribution company and energy service provider (in accordance with 20 VAC 5-315-30) of his intent to interconnect;

2. If required by the electric distribution company's net metering tariff, the net metering customer has installed a

lockable, electric distribution company accessible, load breaking manual disconnect switch;

3. A licensed electrician has certified, by signing the commission-approved notification form as provided in 20 VAC 5-315-90, that any required manual disconnect switch has been installed properly and that the renewable fuel generator has been installed in accordance with the manufacturer's specifications as well as all applicable provisions of the National Electrical Code;

4. The vendor has certified, by signing the commission-approved notification form as provided in 20 VAC 5-315-90, that the renewable fuel generator being installed is in compliance with the requirements established by Underwriters Laboratories or other national testing laboratories in accordance with IEEE Standard 1547, Standard for Interconnecting Distributed Resources with Electric Power Systems, July 2003;

5. In the case of static inverter-connected renewable fuel generators with an alternating current capacity in excess of 10 kilowatts, the net metering customer has had the inverter settings inspected by the electric distribution company. The inspecting electric distribution company may impose a fee on the net metering customer of no more than \$50 for such inspection;

6. In the case of nonstatic inverter-connected renewable fuel generators, the net metering customer has interconnected according to the electric distribution company's interconnection guidelines and the electric distribution company has inspected all protective equipment settings. The inspecting electric distribution company may impose a fee on the net metering customer of no more than \$50 for such inspection.

7. In the case of renewable fuel generators with an alternating current capacity greater than 25 kilowatts, the following requirements shall be met before interconnection may occur:

a. Electric distribution facilities and customer impact limitations. A renewable fuel generator shall not be permitted to interconnect to distribution facilities if the interconnection would reasonably lead to damage to any of the electric distribution company's facilities or would reasonably lead to voltage regulation or power quality problems at other customer revenue meters due to the incremental effect of the generator on the performance of the electric distribution system, unless the customer reimburses the electric distribution company for its cost to modify any facilities needed to accommodate the interconnection.

b. Secondary, service, and service entrance limitations. The capacity of the renewable fuel generator shall be less than the capacity of the electric distribution company-owned secondary, service, and service entrance cable connected to the point of interconnection, unless the customer reimburses the electric distribution company for its cost to modify any facilities needed to accommodate the interconnection.

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c. Transformer loading limitations. The renewable fuel generator shall not have the ability to overload the electric distribution company transformer, or any transformer winding, beyond manufacturer or nameplate ratings, unless the customer reimburses the electric distribution company for its cost to modify any facilities needed to accommodate the interconnection.

d. Integration with electric distribution company facilities grounding. The grounding scheme of the renewable fuel generator shall comply with IEEE 1547, Standard for Interconnecting Distributed Resources with Electric Power Systems, July 2003, and the electric distribution company shall assist the net metering customer in selecting a grounding scheme that coordinates with its distribution system.

e. Balance limitation. The renewable fuel generator shall not create a voltage imbalance of more than 3.0% at any other customer's revenue meter if the electric distribution company transformer, with the secondary connected to the point of interconnection, is a three-phase transformer, unless the customer reimburses the electric distribution company for its cost to modify any facilities needed to accommodate the interconnection.

B. A prospective net metering customer shall not be allowed to interconnect a renewable fuel generator if doing so will cause the total rated generating alternating current capacity of all interconnected renewable fuel generators within that customer's electric distribution company's service territory to exceed 0.1% of that company's Virginia peak-load forecast for the previous year. In any case where a prospective net metering customer has submitted a notification form required by 20 VAC 5-315-30 and that customer's interconnection would cause the total rated generating alternating current capacity of all interconnected renewable fuel generators within that electric distribution company's service territory to exceed 0.1% of that company's Virginia peak-load forecast for the previous year, the electric distribution company shall, at the time it becomes aware of the fact, send written notification to such prospective net metering customer and to the commission's Division of Energy Regulation that the interconnection is not allowed. In addition, upon request from any customer, the electric distribution company shall provide to the customer the amount of capacity still available for interconnection pursuant to § 56-594 D of the Code of Virginia.

C. Neither the electric distribution company nor the energy service provider shall impose any charges upon a net metering customer for any interconnection requirements specified by this chapter, except as provided under subdivisions A 5 and 6 of this section, and 20 VAC 5-315-50 as related to off-site metering.

20 VAC 5-315-90. Commission-approved interconnection notification form.

The following commission-approved interconnection notification form shall be used as specified in this chapter.

Effective ~~7/2000~~ 11/2004

INTERCONNECTION NOTIFICATION ¹

PURSUANT TO COMMISSION REGULATION 20 VAC 5-315-30, APPLICANT HEREBY GIVES NOTICE OF INTENT TO OPERATE A GENERATING FACILITY.

Section 1. Applicant Information

Name: _____

Mail Address: _____

City: _____ State: _____ Zip Code: _____

Facility Location (if different from above): _____

Daytime Phone Number: _____

Distribution Utility: _____ Account Number : _____

Energy Service Provider (ESP): _____ Account Number : _____

(if different than electric distribution company)

Proposed Interconnection Date: _____

Section 2. Generating Facility Information

Generator Type (check one): Solar _____, Wind _____, Hydro _____

Generator Manufacturer, Model Name & Number: _____

_____ Power Rating in Kilowatts: AC: _____ DC: _____

Inverter Manufacturer, Model Name & Number: _____

_____ Battery Backup? (yes or no) _____

Section 3. Installation Information

Installation Date: _____ Proposed Interconnection Date: _____

Section 3. Information for Renewable Fuel Generators with an Alternating Current Capacity in Excess of 25 Kilowatts

Type (____ inverter, ____ induction, ____ synchronous), frequency ____ Hz, number of phases _____,

Capacity: DC power ____, AC apparent power ____, AC real power ____, power factor __%, AC voltage ____, AC amperage __

Facility schematic and equipment layout must be attached to this form.

Section 4. ~~Certifications~~ Vendor Certification

4. The system hardware is listed by Underwriters Laboratories to be in compliance with UL 1741:

Signed (Vendor): _____ Date: _____

Name (printed): _____ Company: _____

Phone Number: _____

Proposed Regulations

Section 5. Electrician Certification

2- The system has been installed in accordance with the manufacturer's specifications as well as all applicable provisions of the National Electrical Code.

Signed (Licensed Electrician): _____ Date: _____

License Number: _____ Phone Number: _____

Mail Address: _____

City: _____ State: _____ Zip Code: _____

3- Utility signature signifies only receipt of this form, in compliance with the Commission's net energy metering regulations, Regulation 20 VAC 5-315-30.

Signed (Utility Representative): _____ Date: _____

I hereby certify that, to the best of my knowledge, all of the information provided in this Notice is true and correct.

Signature of Applicant _____

¹ Prospective net metering customers considering installing a renewable fuel generator with a capacity in excess of 25 kilowatts are strongly encouraged to contact his electric distribution company prior to making financial commitments to the project.

DOCUMENTS INCORPORATED BY REFERENCE

1547, *IEEE Standard for Interconnecting Distributed Resources with Electric Power Systems*, July 2003, The Institute of Electrical and Electronics Engineers, Inc.

VA.R. Doc. No. R05-105; Filed January 4, 2005, 4:14 p.m.



FINAL REGULATIONS

For information concerning Final Regulations, see Information Page.

Symbol Key

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

TITLE 4. CONSERVATION AND NATURAL RESOURCES

VIRGINIA SOIL AND WATER CONSERVATION BOARD

Notice of Effective Date

Titles of Regulations: **4 VAC 3-20. Stormwater Management Regulations (REPEALED).**

4 VAC 50-60. Virginia Stormwater Management Program (VSMP) Permit Regulations (adding 4 VAC 50-60-10 through 4 VAC 50-60-1240).

Statutory Authority: § 10.1-603.2:1 of the Code of Virginia.

Effective Date: January 29, 2005.

On September 16, 2004, the Virginia Soil and Water Conservation Board adopted revisions to the Stormwater Management Regulations (4 VAC 50-60) pursuant to Chapter 372 of the 2004 Virginia Acts of Assembly (HB1177). These revisions consolidated Virginia's stormwater management programs within the Department of Conservation and Recreation including elements of the State Water Control Board's regulations related to federal NPDES permit issuance for Municipal Separate Storm Sewer Systems (MS4s) and construction activities. The final amendments to the Virginia Soil and Water Conservation Board regulations were published in 21:3 VA.R. 317 (summary only) October 18, 2004, with an effective date of January 1, 2005, or 30 days after the U.S. Environmental Protection Agency's authorization for delegation of program authority for administering the issuance of national pollutant discharge elimination system permits for the control of stormwater discharges from MS4 and construction activities to the Virginia Soil and Water Conservation Board, whichever is the latter.

The Virginia Soil and Water Conservation Board and the State Water Control Board hereby notice EPA approval of the program revision transferring the permitting program for construction and MS4 stormwater discharges from the Department of Environmental Quality to the Department of Conservation and Recreation via a letter dated December 30, 2004, from Donald S. Welsh, Regional Administrator, EPA Region 3 to The Honorable W. Tayloe Murphy, Jr., Secretary of Natural Resources, with copies to Mr. Joseph H. Maroon, Director of VADCR and to Mr. Robert Burnley, Director of VADEQ.

Copies of the Virginia Soil and Water Conservation Board regulations are available online at

<http://legis.state.va.us/codecomm/register/vol21/iss03/f4v5060full.doc>

or call (804) 786-2291, or make a written request to David C. Dowling at the Department of Conservation and Recreation, 203 Governor Street, Suite 302, Richmond, VA 23219 or e-mail request to david.dowling@dcr.virginia.gov.

VA.R. Doc. No. R05-38; Filed January 5, 2005, 11:04 a.m.

MARINE RESOURCES COMMISSION

REGISTRAR'S NOTICE: The following regulation filed by the Marine Resources Commission is exempt from the Administrative Process Act in accordance with § 2.2-4006 A 12 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4 VAC 20-620. Pertaining to Summer Flounder (amending 4 VAC 20-620-40).**

Statutory Authority: §§ 28.2-201 and 28.2-204 of the Code of Virginia.

Effective Date: January 1, 2005.

Agency Contact: Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail debbie.cawthon@mrc.virginia.gov.

Summary:

The amendments (i) change certain time frames for harvesting, possessing, and landing Summer Flounder and (ii) increase vessel possession and landing limits during certain time frames.

4 VAC 20-620-40. Commercial vessel possession limitations.

A. From ~~the first Monday in January 1~~ through the ~~first Sunday in February~~ *fourth Monday in January*, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.

B. From the ~~first Monday in February~~ *fourth Monday in January* through March 31 of each year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia waters to do any of the following:

1. Possess aboard any vessel in Virginia waters an amount of Summer Flounder in excess of ~~7,500~~ 12,500 pounds.
2. Land Summer Flounder in Virginia for commercial purposes more than twice within each consecutive 10-day period, with the first 10-day period beginning on the ~~first Monday in February~~ *fourth Monday in January*.

Final Regulations

3. Land in Virginia more than a total of ~~7,500~~ 12,500 pounds of Summer Flounder during each consecutive 10-day period, with the first 10-day period beginning on the ~~first Monday in February~~ fourth Monday in January.
- C. When it is projected and announced that 85% of the quota for the period from the first Monday in January through March 31 has been taken, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.
- D. During the period of April 1 through June 30 of each calendar year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of ~~2,500~~ 5,000 pounds, except that when it is projected and announced that 85% of the quota for this period has been taken, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.
- E. From July 1 through the day preceding the last Monday in October of each calendar year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.
- F. From the last Monday in October through December 31 of each year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia waters to do any of the following:
1. Possess aboard any vessel in Virginia waters an amount of Summer Flounder in excess of 10,000 pounds.
 2. Land Summer Flounder in Virginia for commercial purposes more than twice within each consecutive 10-day period, with the first 10-day period beginning on the last Monday in October.
 3. Land in Virginia more than a total of 10,000 pounds of Summer Flounder during each consecutive 10-day period, with the first 10-day period beginning on the last Monday in October.
- G. For each of the time periods set forth in subsections A, B, C, D, E and F of this section, the Marine Resources Commission will give timely notice of any changes in possession limits.
- H. Each possession limit described in subsections A, B, C, D, E and F of this section shall be determined by the net weight of Summer Flounder as customarily packed, boxed and weighed by the seafood buyer or processor. The net weight of any Summer Flounder found in excess of this possession limit described in subsections A, B, C, D, E and F of this section shall be prima facie evidence of violation of this chapter. Persons in possession of Summer Flounder, aboard any vessel, in excess of the possession limit shall be in violation of this chapter. Any buyer or processor offloading or accepting any quantity of Summer Flounder from any vessel in excess of the possession limit shall be in violation of this chapter.
- I. If a person violates the possession limits described in this section, the entire amount of Summer Flounder in that person's possession shall be confiscated. Any confiscated Summer Flounder shall be considered as a removal from the appropriate commercial harvest or landings quota. Upon confiscation, the marine patrol officer shall inventory the confiscated Summer Flounder and, at a minimum, secure two bids for purchase of the confiscated Summer Flounder from approved and licensed seafood buyers. The confiscated fish will be sold to the highest bidder and all funds derived from such sale shall be deposited for the Commonwealth pending court resolution of the charge of violating the possession limits established by this chapter. All of the collected funds will be returned to the accused upon a finding of innocence or forfeited to the Commonwealth upon a finding of guilty.
- J. It shall be unlawful for a licensed seafood buyer or federally permitted seafood buyer to fail to contact the Marine Resources Commission Operation Station prior to a vessel offloading Summer Flounder harvested outside of Virginia. The buyer shall provide to the Marine Resources Commission the name of the vessel and its captain and the anticipated or approximate offloading time. Once offloading of any vessel is complete and the weight of the landed Summer Flounder has been determined, the buyer shall contact the Marine Resources Commission Operations Station and report the vessel name and corresponding weight of Summer Flounder landed. It shall be unlawful for any person to offload from a boat or vessel for commercial purposes any Summer Flounder during the period of 10 p.m. to 7 a.m.
- K. Any boat or vessel possessing more than the lawful limit of Summer Flounder that has entered Virginia waters for safe harbor shall not offload any Summer Flounder.
- L. After any commercial harvest or landing quota as described in 4 VAC 20-620-30 has been attained and announced as such, any boat or vessel possessing Summer Flounder on board may enter Virginia waters for safe harbor but shall contact the Marine Resources Commission Operation Center in advance of such entry into Virginia waters.

VA.R. Doc. No. R05-102; Filed December 29, 2004, 10:57 a.m.



TITLE 9. ENVIRONMENT

STATE WATER CONTROL BOARD

Notice of Effective Date

Title of Regulation: **9 VAC 25-31. Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation (amending 9 VAC 25-31-10, 9 VAC 25-31-100, 9 VAC 25-31-120, 9 VAC 25-31-130, 9 VAC 25-31-170, 9 VAC 25-31-200, 9 VAC 25-31-220, and 9 VAC 25-31-390; repealing 9 VAC 25-31-121.)**

Statutory Authority: § 62.1-44.15 of the Code of Virginia; 40 CFR Parts 122, 123, 124, 403 and 503.

Effective Date: February 9, 2005.

On December 2, 2004, the State Water Control Board adopted amendments to the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation (9 VAC 25-31) pursuant to Chapter 372 of the 2004 Virginia Acts of Assembly (HB1177). These revisions deleted elements of the State Water Control Board's regulations related to federal National Pollutant Discharge Elimination System permit issuance for Municipal Separate Storm Sewer System (MS4s) and construction activities. The final amendments to the State Water Control Board regulations were published in 21:9 VA.R 1073-1154 January 10, 2005, with an effective date of February 9, 2005, or 30 days after the U.S. Environmental Protection Agency's authorization for delegation of program authority for administering the issuance of national pollutant discharge elimination system permits for the control of stormwater discharges from MS4 and construction activities to the State Water Control Board, whichever is the latter.

The Virginia Soil and Water Conservation Board and the State Water Control Board hereby notice EPA approval of the program revision transferring the permitting program for construction and MS4 stormwater discharges from the Department of Environmental Quality to the Department of Conservation and Recreation via a letter dated December 30, 2004, from Donald S. Welsh, Regional Administrator, EPA Region 3, to The Honorable W. Tayloe Murphy, Jr., Secretary of Natural Resources, with copies to Mr. Joseph H. Maroon, Director of VADCR and to Mr. Robert Burnley, Director of VADEQ.

Copies of State Water Control Board regulations are available online at

<http://legis.state.va.us/codecomm/register/vol21/iss09/f9v2531.doc>

or call (804) 698-4086, or make a written request to Burton R. Tuxford at the Department of Environmental Quality, 629 East Main Street, P.O. Box 10009, Richmond, VA 23240 or e-mail request to brtuxford@deq.virginia.gov.

VA.R. Doc. No. R05-94; Filed January 5, 2005, 11:04 a.m.



EMERGENCY REGULATIONS

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

Title of Regulation: **4 VAC 20-910. Pertaining to Scup (Porgy) (amending 4 VAC 20-910-45).**

Statutory Authority: §§ 28.2-201 and 28.2-210 of the Code of Virginia.

Effective Dates: January 1, 2005, through January 30, 2005.

Agency Contact: Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002 or e-mail debbie.cawthon@mrc.virginia.gov.

Summary:

The amendments increase the possession and landing limit in Virginia to 30,000 pounds of scup during each consecutive 14-day landing period starting the 14-day period beginning on January 2.

The amendments eliminate the seven-day period time frame when it has been projected that 80% of the coastwide quota for the period has been attained and tied to the 1,000 pound possession limit of scup.

Commercial harvest and landing of scup in Virginia is decreased to 5,040 pounds during the May 1 through October 31 time period.

4 VAC 20-910-45. Possession limits and harvest quotas.

A. During the period January 1 through April 30 of each year, it shall be unlawful for any person to do any of the following:

1. Possess aboard any vessel in Virginia more than ~~45,000~~ 30,000 pounds of scup.
2. Land in Virginia more than a total of ~~45,000~~ 30,000 pounds of scup during each consecutive ~~seven day~~ 14-day landing period, with the first ~~seven day~~ 14-day period beginning on January 4 2.

B. When it is projected and announced that 80% of the coastwide quota for this period has been attained, it shall be unlawful for any person to ~~do any of the following:~~ 1. possess aboard any vessel *or to land* in Virginia more than ~~a total of~~ 1,000 pounds of scup.

- ~~2. Land in Virginia more than a total of 1,000 pounds of scup during each seven day landing period, with the first seven day landing period beginning upon the announcement that 80% of the coastwide quota has been projected to be attained.~~

C. During the period November 1 through December 31 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more 3,500 pounds of scup.

D. During the period May 1 through October 31 of each year, the commercial harvest and landing of scup in Virginia shall be limited to ~~7,944~~ 5,040 pounds.

E. For each of the time periods set forth in this section, the Marine Resources Commission will give timely notice to the industry of calculated poundage possession limits and quotas and any adjustments thereto. It shall be unlawful for any person to possess or to land any scup for commercial purposes after any winter period coastwide quota or summer period Virginia quota has been attained and announced as such.

F. It shall be unlawful for any buyer of seafood to receive any scup after any commercial harvest or landing quota has been attained and announced as such.

G. It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig or other recreational gear to possess more than 50 scup. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by 50. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any scup taken after the possession limit has been reached shall be returned to the water immediately.

VA.R. Doc. No. R05-101; Filed December 29, 2004, 10:56 a.m.

GENERAL NOTICES/ERRATA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Total Maximum Daily Load (TMDL) for Lower Blackwater River Basin and Its Tributaries

The Virginia Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of an Implementation Plan (IP) for the Total Maximum Daily Load (TMDL) to address multiple impairments in the Lower Blackwater River Basin and its tributaries. The affected streams were identified as impaired due to violations of Virginia's water quality standards for fecal coliform bacteria and therefore do not support the Primary Contact (swimming) Designated Use. The impaired stream segments are located in Franklin County and include 20.0 miles of the Lower Blackwater River, 21.3 miles of Maggoodee Creek and 27.9 miles of Gills Creek. TMDLs for these impairments were completed and approved by EPA in 2001 and 2002 and are available on DEQ's website at <http://www.deq.virginia.gov/tmdl>.

Section 62.1-44.19.7 C of the Code of Virginia requires the development of an IP for approved TMDLs. The IP should provide measurable goals and the date of expected achievement of water quality objectives. The IP should also include the corrective actions needed and their associated costs, benefits and environmental impacts.

The first public meeting on the development of the IP for the Lower Blackwater River Basin impairments will be held on Wednesday, February 2, 2005, at 1:30 p.m. at the Antioch Church of the Brethren, located at 2996 Callaway Road (Route 641) in Rocky Mount, Virginia. The purpose of the meeting is to discuss the proposed reductions in fecal bacteria needed in the Lower Blackwater River watershed and to solicit public participation for the IP development.

The public comment period for this public meeting will end on March 3, 2005. A fact sheet on the development of an IP for the Lower Blackwater River Basin TMDLs is available upon request. Questions or information requests should be addressed to Jason Hill. Written comments and inquiries should include the name, address, and telephone number of the person submitting the comments and should be sent to Jason R. Hill, Virginia Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6860, or e-mail jrhill@deq.virginia.gov.

Total Maximum Daily Load (TMDL) for Lynnhaven Bay, Broad Bay and Linkhorn Bay in Virginia Beach

The Department of Environmental Quality (DEQ), the Department of Conservation and Recreation, the Hampton Roads Planning District Commission, and the City of Virginia Beach seek written and oral comments from interested persons on the development of an Implementation Plan to begin to achieve the Total Maximum Daily Load (TMDL) established for fecal coliform bacteria in Lynnhaven Bay, Broad Bay and Linkhorn Bay in Virginia Beach, Virginia.

The final bacteria TMDL report that establishes the loading limits for the Lynnhaven, Broad and Linkhorn Bays is available on DEQ's website at <http://www.deq.virginia.gov>. These waters are identified in Virginia's 1998 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria in shellfish waters.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia, require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report. The Code of Virginia further requires DEQ to prepare implementation plans for the TMDL and take measures to implement those plans.

The first public meeting on the development of the Lynnhaven, Broad and Linkhorn Bays TMDL Implementation Plan will be held on Thursday, February 3, 2004, at 7 p.m. at the Advanced Technology Center, 1800 College Crescent, Virginia Beach, Virginia. Public input to the preparation of the Implementation Plan for the Shellfish Bacteria TMDL for the greater Lynnhaven River Watershed in Virginia Beach will be solicited at this meeting.

The public comment period will begin on Friday, February 4, 2004, and end on March 7, 2004. Questions or information requests should be addressed to Chester Bigelow and should include the name, address, and telephone number of the person submitting the comments. Requests should be sent to Chester Bigelow, Department of Environmental Quality, 629 East Main Street, Richmond, VA 23240, telephone (804) 698-4554, FAX (804) 698-4116, or e-mail cbbigelow@deq.virginia.gov or John M. Carlock, Hampton Roads Planning District Commission, 723 Woodlake Drive, Chesapeake, VA 23320, telephone (757) 420-8300, FAX (757) 523-4881, email jcarlock@hrpdc.org.

Total Maximum Daily Load (TMDL) for Middlesex County

The Department of Environmental Quality (DEQ), Virginia Department of Health and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of a Total Maximum Daily Load (TMDL) for fecal coliform bacteria in shellfish propagation waters located in Middlesex County, Virginia.

All impaired segments are located wholly within Middlesex County with the exception of the Piankatank River segments, these are in part located in Mathews County. These areas are described in the following publications:

- 1) Growing Area 27 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Numbers 90 and 202, Rappahannock River: Mud and Parrotts Creek, effective 27 April 1989 and 8 October 1996 respectively.
- 2) Growing Area 28 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Numbers 127 and 177, Rappahannock River: LaGrange and Robinson Creeks, effective 11 June 1996 and 28 May 1997 respectively.

General Notices/Errata

3) Growing Area 29 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Number 42, Rappahannock River: Urbanna Creek, effective 17 September 1993.

4) Growing Area 30 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Numbers 51 and 179, Rappahannock River: Whiting and Meachin Creeks, effective 7 June 1994 and 9 December 1996 respectively.

5) Growing Area 34 as described in Virginia Department of Health, Notice and Description of Shellfish Area Condemnation Numbers 126, 129 and 170, Piankatank River, Lower, Wilton, Healy and Cobbs Creeks, effective 2 March 1993, 3 March 1997, and 2 March 1993 respectively.

The affected water body segments are identified in Virginia's 1998 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria in shellfish waters. Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia, require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

The final public meeting on the development of the fecal coliform TMDLs will be held on February 17, 2005, from 7 p.m. to 9 p.m. at the Cooks Corner Community Center, 2893 General Puller Highway, Saluda, Virginia. Directions can be obtained by calling Chris French at (804) 521-5124.

The public comment period will begin on February 17, 2005, and end on March 19, 2005. Questions or information requests should be addressed to Chester Bigelow and should include the name, address, and telephone number of the person submitting the comments. Requests should be sent to Chester Bigelow, Department of Environmental Quality, 629 East Main Street, Richmond, Virginia, 23240, telephone (804) 698-4554, FAX (804) 698-4116, or e-mail cbbigelow@deq.state.va.us.

STATE CORPORATION COMMISSION

January 3, 2005

ADMINISTRATIVE LETTER 2005-4

TO: All Insurers Licensed to Write Accident and Sickness Insurance in Virginia, and All Health Services Plans and Health Maintenance Organizations Licensed In Virginia

RE: 14 VAC 5-190-10 et seq.: Rules Governing the Reporting of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers Notification of Additional Reporting Requirement for the 2004 Reporting Period

The purpose of this letter is to alert carriers to an additional category of coverage for which cost and utilization information must be reported to the State Corporation Commission ("Commission"), on Form MB-1, due on or before May 1, 2005. Carriers are responsible for making necessary

adjustments to their data capturing systems to ensure that Form MB-1 accurately reflects cost and utilization data relating to this additional reporting category for the 2004 reporting period (calendar year).

In accordance with the provisions of § 38.2-3418.14 of the Code of Virginia, insurers, health services plans and health maintenance organizations are required to provide coverage for lymphedema. The requirements of this mandated benefit apply to all insurance policies, contracts and plans delivered, issued for delivery, reissued, or extended in Virginia on and after January 1, 2004, or at any time thereafter when any term of the policy, plan or contract was or is changed, or any premium adjustment was or is made. Carriers should review § 38.2-3418.14 of the Code of Virginia in its entirety for additional guidance concerning coverage requirements.

Carriers are encouraged to review all requirements applicable to mandated benefits and mandated providers as well as the associated reporting requirements to determine the extent to which this new reporting requirement affects their organization and to ensure compliance with all existing mandated benefit and provider requirements.

In order to avoid confusion and to facilitate the capturing of appropriate data relating to the coverage requirement for lymphedema, the Bureau of Insurance has identified CPT and ICD-9-CM codes for this requirement. The codes on the attached listing supplement the CPT and ICD-9-CM codes furnished to carriers previously. Carriers should refer to the complete listing of CPT and ICD-9-CM codes to ensure compliance with all reporting requirements.

Please refer any questions regarding this matter to Mary Ann Mason, Senior Insurance Market Examiner, State Corporation Commission, Bureau of Insurance – Life and Health Division, P. O. Box 1157, Richmond, VA 23218, telephone (804) 371-9348, FAX (804) 371-9944.

/s/ Alfred W. Gross
Commissioner of Insurance

Virginia Code Section 38.2-3418.14: Lymphedema

ICD-9-CM Codes

457.0	Postmastectomy lymphedema syndrome
457.1	Other lymphedema
757.0	Hereditary edema of legs

CPT Codes

97124	Massage, compression
97140	Manual lymphatic drainage
97535	Self-care/home management training

STATE LOTTERY DEPARTMENT

Director's Orders

The following Director's Orders of the State Lottery Department were filed with the Virginia Registrar of Regulations on December 27, 2004, and January 3, 2005. The orders may be viewed at the State Lottery Department, 900 E. Main Street, Richmond, Virginia, or at the office of the Registrar of Regulations, 910 Capitol Street, 2nd Floor, Richmond, Virginia.

Final Rules for Game Operation:

Director's Order Number Sixty (04)

Virginia's Instant Game Lottery 633; "Casino Cash," (effective 11/24/04)

Director's Order Number Sixty-Four (04)

Virginia's Instant Game Lottery 635; "Cash Spectacular," (effective 12/27/04)

Director's Order Number Sixty-Five (04)

Virginia's Instant Game Lottery 267; "Grand Hand," (effective 12/27/04)

Director's Order Number Sixty-Six (04)

Virginia's Instant Game Lottery 636; "\$100,000 Hot Streak," (effective 12/27/04)

Director's Order Number Sixty-Seven (04)

Virginia's Instant Game Lottery 622; "Fabulous Fortune," (effective 12/27/04)

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

CALENDAR OF EVENTS

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 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

COMMONWEALTH COUNCIL ON AGING

January 26, 2005 - 11 a.m. -- Open Meeting
Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A regular business meeting. Public comments are welcome.

Contact: Marsha Mucha, Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-9312.

January 26, 2005 - 1 p.m. -- Open Meeting
Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A meeting of the Legislative Committee and Planning and Development Committee. Public comments are welcome.

Contact: Marsha Mucha, Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-9312.

BOARD OF AGRICULTURE AND CONSUMER SERVICES

† **March 17, 2005 - 9 a.m.** -- Open Meeting
Washington Building, 1100 Bank Street, 2nd Floor, Boardroom, 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 roy.seward@vdacs.virginia.gov.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Virginia State Apple Board

† **January 27, 2005 - 11 a.m.** -- Open Meeting
Holiday Inn Select-Koger South, 10800 Midlothian Turnpike, Richmond, Virginia.♿

A meeting to (i) approve the minutes of the last meeting held on November 23, 2004; (ii) review the financial statement; (iii) discuss old business arising from the last meeting; and (iv) discuss any new business to come before the board. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Dave Robishaw at least three days before the meeting date so that suitable arrangements can be made.

Contact: Dave Robishaw, Secretary, Virginia State Apple Board, 900 Natural Resources Dr., Suite 300, Charlottesville, VA 22903, telephone (434) 984-0573, FAX (434) 984-4156, e-mail David.Robishaw@vdacs.virginia.gov.

Virginia Aquaculture Advisory Board

NOTE: CHANGE IN MEETING DATE


† **February 7, 2005 - 1 p.m.** -- Open Meeting
Virginia Farm Bureau Federation, 12580 West Creek Parkway, Conference 3C, Third Floor, Richmond, Virginia.♿

A meeting to discuss issues related to Virginia aquaculture. For directions call 800-768-8323, extension 1155. 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 T. Robins Buck at

least five days before the meeting date so that suitable arrangements can be made.

Contact: T. Robins Buck, Board Secretary, Department of Agriculture and Consumer Services, 1100 Bank St., 2nd Floor, Richmond, VA 23219, telephone (804) 371-6094, FAX (804) 371-2945, e-mail Robins.Buck@vdacs.virginia.gov.


Virginia Corn Board

February 21, 2005 - 8 a.m. -- Open Meeting
DoubleTree Hotel, Richmond Airport, 5501 Eubank Street, Richmond, Virginia 

A meeting to (i) discuss checkoff revenues resulting from sales of the 2004 corn crop and approve the previous meeting minutes; (ii) hear FY 2004-2005 project reports and receive FY 2005-2006 project proposals; and (iii) make funding decisions for the fiscal year beginning July 1, 2005. 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 Philip T. Hickman at least five days before the meeting date so that suitable arrangements can be made.

Contact: Philip T. Hickman, Program Director, Department of Agriculture and Consumer Services, 1100 Bank St., Room 906, Richmond, VA 23219, telephone (804) 371-6157, FAX (804) 371-7786, e-mail Phil.Hickman@vdacs.virginia.gov.


Virginia Marine Products Board

January 25, 2005 - 6 p.m. -- Open Meeting
Dolphin Cove Restaurant, Route 17, 4329 George Washington Memorial Highway, Gloucester, Virginia 

A meeting to read and approve minutes of the previous board meeting, if appropriate. In addition, the board expects to hear reports on finance, trade shows, festivals, industry tours, and calendar sales. Cooperative programs with the Virginia Department of Agriculture and Consumer Services and croaker exports will be discussed. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: Shirley Estes, Executive Director, Department of Agriculture and Consumer Services, 554 Denbigh Blvd., Suite B, Newport News, VA, telephone (757) 874-3474, FAX (757) 886-0671, e-mail Shirley.Estes@vdacs.virginia.gov.

Virginia Pork Industry Board


January 26, 2005 - 4:30 p.m. -- Open Meeting
Paul D. Camp Community College, Franklin, Virginia 

A meeting to (i) review and approve the board's minutes of the last meeting; (ii) review the financial statement; (iii) review and approve promotion, research, and education and projects/grants; (iv) select National Pork Board committee candidates; and (v) conduct the general

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

Contact: John H. Parker, Executive Director, Department of Agriculture and Consumer Services, 1100 Bank St., 9th Floor, Richmond, VA 23219, telephone (804) 786-7092, FAX (804) 371-7786, e-mail John.Park@vdacs.virginia.gov.


Virginia Soybean Board

March 10, 2005 - 8 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia 

A meeting to (i) discuss checkoff revenues resulting from sales of the 2004 soybean crop and approve previous meeting minutes; (ii) hear project reports for FY 2004-2005 and project proposals for FY 2005-2006; and (iii) make funding decisions for the fiscal year beginning July 1, 2005. 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 Philip T. Hickman at least five days before the meeting date so that suitable arrangements can be made.

Contact: Philip T. Hickman, Program Director, Department of Agriculture and Consumer Services, 1100 Bank St., Room 906, Richmond, VA 23219, telephone (804) 371-6157, FAX (804) 371-7786, e-mail Phil.Hickman@vdacs.virginia.gov.

Virginia Wine Board


February 24, 2005 - 11 a.m. -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia 

A meeting to (i) approve the minutes of the last meeting held on November 18, 2004; (ii) review its financial statement; and (iii) discuss old business arising from the last meeting and any new business to come before the board. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact David Robishaw at least five days before the meeting date so that suitable arrangements can be made.

Contact: David Robishaw, Board Secretary, Virginia Wine Board, 900 Natural Resources Dr., Suite 300, Charlottesville, VA 22903, telephone (434) 984-0573, FAX (434) 984-4156, e-mail David.Robishaw@vdacs.virginia.gov.

STATE AIR POLLUTION CONTROL BOARD

NOTE: CHANGE IN MEETING DATE

January 26, 2005 - 6 p.m. -- Open Meeting
Paul D. Camp Workforce Development Center, Franklin, Virginia 

Calendar of Events

International Paper will host a public information meeting on a variance to the regulations for the control and abatement of air pollution establishing a site wide emissions cap.

Contact: Laurel D. Corl, Department of Environmental Quality, 5636 Southern Blvd., Virginia Beach, VA 23462, telephone (757) 518-2178, FAX (757) 518-2009, e-mail ldcorl@deq.virginia.gov.

March 2, 2005 - 9:30 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. ♿

A regular meeting of the 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 cmb Berndt@deq.virginia.gov.

ALCOHOLIC BEVERAGE CONTROL BOARD

February 11, 2005 - 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 5-50, Retail Operations**. The purpose of the proposed action is to prescribe the conditions under which restaurants holding mixed beverage licenses may serve bottles of soju in the original container for on-premises consumption.

Statutory Authority: §§ 4.1-103, 4.1-111 and 4.1-221 of the Code of Virginia.

Contact: W. Curtis Coleburn, III, Chief Operating Officer, 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.

† **January 31, 2005 - 9 a.m.** -- Open Meeting
† **February 14, 2005 - 9 a.m.** -- Open Meeting
† **February 28, 2005 - 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.

ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

March 22, 2005 - 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, Department for the Aging, 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.

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

February 3, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Architects Section 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 interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, 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.state.va.us.

February 8, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Professional Engineers Section 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 interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, 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.state.va.us.

February 10, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Landscape Architects Section 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

interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, 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.state.va.us.

March 17, 2005 - 9 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 interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, 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.state.va.us.

ART AND ARCHITECTURAL REVIEW BOARD

† **February 4, 2005 - 10 a.m.** -- Open Meeting
† **March 4, 2005 - 10 a.m.** -- Open Meeting
† **April 1, 2005 - 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 Center at www.dgs.state.va.us. Request form #DGS-30-905 or submittal instructions #DGS-30-906. The deadline for submitting project datasheets and other required information is two weeks prior to the meeting date.

Contact: Richard L. Ford, AIA Chairman, Art and Architectural Review Board, 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.

VIRGINIA COMMISSION FOR THE ARTS

March 31, 2005 - 9 a.m. -- Open Meeting
Location to be determined. 📍

A quarterly meeting.

Contact: Peggy Baggett, Executive Director, Virginia Commission for the Arts, 223 Governor St., Richmond, VA

23219, telephone (804) 225-3132, FAX (804) 225-4327, (804) 225-3132/TTY ☎, e-mail peggy.baggett@arts.virginia.gov.

VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

February 16, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 📍

A meeting to conduct board business. The board will consider and may adopt amendments to the Asbestos Licensing Regulations and the Lead-Based Paint Activities Regulations.

Contact: David E. 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.

† **February 16, 2005 - 2 p.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 📍

A meeting to conduct an informal fact-finding conference.

Contact: David E. 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.

BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

February 11, 2005 - 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 Audiology and Speech-Language Pathology intends to amend regulations entitled **18 VAC 30-20, Regulations of the Board of Audiology and Speech-Language Pathology**. The purpose of the proposed action is to establish criteria for delegation of certain informal fact-finding proceedings to an agency subordinate.

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

Public comments may be submitted until February 11, 2005, Elizabeth Young, Executive Director, Board of Audiology and Speech-Language Pathology, 6603 West Broad Street, Richmond, VA 23230-1712.

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.

February 24, 2005 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Room 3, Richmond, Virginia. 📍

Calendar of Events

A meeting to discuss issues and matters related to board business.

Contact: Elizabeth Young, Executive Director, Board of Audiology and Speech-Language Pathology, 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.

BOARD FOR BARBERS AND COSMETOLOGY

January 24, 2005 - 9 a.m. -- Open Meeting

April 4, 2005 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Conference Room 4W, 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. Person 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 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 barbercosmo@dpor.virginia.gov.

BOARD FOR BRANCH PILOTS

February 1, 2005 - 8:30 a.m. -- Open Meeting

Virginia Pilot Association, 3329 Shore Drive, Virginia Beach, Virginia. ♿

A meeting of the examination administrators to conduct examinations.

Contact: Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail branchpilots@dpor.virginia.gov.

February 2, 2005 - 9:30 a.m. -- Open Meeting

Virginia Port Authority, 600 World Trade Center, Norfolk, 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. Person desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St., Richmond, VA 23230,

telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail branchpilots@dpor.virginia.gov.

CEMETERY BOARD

February 24, 2005 - 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: 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.

CHARITABLE GAMING BOARD

March 1, 2005 - 10 a.m. -- Open Meeting

Science Museum of Virginia, 2500 West Broad Street, Discovery Room, Richmond, Virginia. ♿

A regular quarterly meeting.

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

STATE CHILD FATALITY REVIEW TEAM

March 11, 2005 - 10 a.m. -- Open Meeting

Office of the Chief Medical Examiner, 400 East Jackson Street, Richmond, Virginia. ♿

The business portion of the State Child Fatality Review Team meeting, from 10 a.m. to 10:30 a.m., is open to the public. At the conclusion of the open meeting, the team will go into closed session for confidential case review.

Contact: Angela Myrick, Coordinator, Department of Health, 400 E. Jackson St., Richmond, VA 23219, telephone (804) 786-1047, FAX (804) 371-8595, toll-free (800) 447-1708, e-mail Angela.Myrick@vdh.virginia.gov.

STATE BOARD FOR COMMUNITY COLLEGES

March 16, 2005 - 1:30 p.m. -- Open Meeting

Virginia Community College System, James Monroe Building, 101 North 14th Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Meetings of the Academic, Student Affairs, and Workforce Development 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 ☎

March 17, 2005 - 9 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, Godwin-Hamel Board Room, Richmond, 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

January 26, 2005 - 11 a.m. -- Open Meeting
Compensation Board, 202 North 9th Street, 10th Floor, Richmond, Virginia. ♿

A monthly board meeting.

Contact: Cindy P. 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

Virginia Cave Board

March 19, 2005 - 11 a.m. -- Open Meeting
Endless Caverns, New Market, Virginia.

Committee meetings will begin at 11 a.m. A general board meeting will begin at 1 p.m.

Contact: David C. Dowling, Policy and Planning Manager, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

Virginia Soil and Water Conservation Board

† **February 16, 2005 - 10 a.m.** -- Open Meeting
The Science Museum of Virginia 2500 Broad Street, Richmond, Virginia.

† **March 23, 2005 - 10 a.m.** -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

A meeting of the Ad Hoc Committee on Dam Safety to be held in support of a July 15, 2004, motion of the Virginia Soil and Water Conservation Board that provides that the Virginia Soil and Water Conservation Board establish an ad Hoc Committee for the expressed purpose of studying the Classes of Impounding Structures (4 VAC 50-20-40), Performance Standards Required for Impounding Structures (4 VAC 50-20-50) and the attendant Table 1

established in the 2004 Virginia Impounding Structures Regulations.

Contact: David C. Dowling, Policy and Planning Manager, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

BOARD FOR CONTRACTORS

January 25, 2005 - 9 a.m. -- Open Meeting
† **February 1, 2005 - 9 a.m.** -- Open Meeting
February 3, 2005 - 9 a.m. -- Open Meeting
February 8, 2005 - 9 a.m. -- Open Meeting
February 9, 2005 - 9 a.m. -- Open Meeting
† **February 10, 2005 - 9 a.m.** -- Open Meeting
February 15, 2005 - 9 a.m. -- Open Meeting
NOTE: CHANGE IN MEETING TIME
February 23, 2005 - 1 p.m. -- Open Meeting
† **February 23, 2005 - 1:30 p.m.** -- Open Meeting
† **March 8, 2005 - 9 a.m.** -- Open Meeting
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.

February 23, 2005 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Tradesman and Education Committee to conduct committee business. 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.

March 1, 2005 - 9 a.m. -- Open Meeting
† **April 19, 2005 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A regular meeting to address policy and procedural issues and review and render 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. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at (804) 367-2785 at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230,

Calendar of Events

telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail contractors@dpor.virginia.gov.

BOARD OF CORRECTIONS

March 15, 2005 - 10 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. 🗺

A meeting of the Liaison Committee to discuss correctional matters of interest to the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail woodhousebl@vadoc.state.va.us.

March 15, 2005 - 1 p.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. 🗺

A meeting of the Correctional Services/Policy and Regulations Committee to discuss correctional services and policy/regulation matters to be considered by the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail woodhousebl@vadoc.state.va.us.

March 16, 2005 - 9:30 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. 🗺

A meeting of the Administration Committee to discuss administrative matters to be considered by the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail woodhousebl@vadoc.state.va.us.

March 16, 2005 - 10 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. 🗺

A regular meeting to discuss matters to be considered by the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail woodhousebl@vadoc.state.va.us.

BOARD OF COUNSELING

February 11, 2005 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. 🗺

A meeting of the Discipline Committee to determine if possible violations of the regulations that govern the practice of counseling in Virginia have occurred.

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.

February 18, 2005 - 9 a.m. -- Public Hearing
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 3, Richmond, Virginia.

February 25, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-2007 of the Code of Virginia that the Board of Counseling intends to adopt regulations entitled **18 VAC 115-15, Regulations Governing Delegation to an Agency Subordinate**. The purpose of the proposed action is to set criteria for the delegation of certain types of cases to an appropriately qualified agency subordinate to conduct informal fact-finding on behalf of the board.

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

Public comments may be submitted until February 25, 2005, to Evelyn B. Brown, Executive Director, Board of Counseling, 6603 West Broad Street, Richmond, VA 23219.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING

February 2, 2005 - 10 a.m. -- Open Meeting
1602 Rolling Hills Drive, 2nd Floor Conference Room, Richmond, Virginia. 🗺 (Interpreter for the deaf provided upon request)

A quarterly meeting of the advisory board.

Contact: Leslie Hutcheson Prince, Policy and Planning Manager, Department for the Deaf and Hard-of-Hearing, 1602 Rolling Hills Dr., Suite 203, Richmond, VA 23235, telephone (804) 662-9703, (804) 662-9703/TTY ☎, e-mail leslie.prince@vddhh.virginia.gov.

BOARD OF DENTISTRY

January 28, 2005 - 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 Dentistry intends to amend regulations entitled **18 VAC 60-20, Regulations Governing the Practice of Dentistry and Dental Hygiene**. The purpose of the proposed action is to update certain requirements and terminology; clarify the board's requirements, especially related to dental education; eliminate a jurisprudence examination; and add requirements for additional training for applicants who have had multiple examination failures. Amendments also modify

educational, monitoring and equipment requirements for administration of various forms of analgesia, sedation and anesthesia as minimally necessary to ensure public safety.

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

Public comments may be submitted until January 28, 2005, to Sandra Reen, Executive Director, Board of Dentistry, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

February 11, 2005 - 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 Dentistry intends to amend regulations entitled **18 VAC 60-20, Regulations Governing the Practice of Dentistry and Dental Hygiene**. The purpose of the proposed action is to establish the criteria for delegation of certain informal fact-finding to an agency subordinate.

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

Public comments may be submitted until February 11, 2005, to Sandra Reen, Executive Director, Board of Dentistry, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

March 11, 2005 - 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 Dentistry intends to amend regulations entitled **18 VAC 60-20, Regulations Governing the Practice of Dentistry and Dental Hygiene**. The purpose of the proposed action is to establish the qualifications for issuance of a temporary resident license in dentistry.

Statutory Authority: §§ 54.1-2400 and 54.1-2711.1 of the Code of Virginia.

Public comments may be submitted until March 11, 2005, to Sandra Reen, Executive Director, Board of Dentistry, 6603 West Broad Street, Richmond, VA 23230-1712.


Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

† **February 17, 2005 - 11 a.m.** -- Open Meeting

† **March 17, 2005 - 11 a.m.** -- Open Meeting

† **April 21, 2005- 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

February 13, 2005 - 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 Education intends to repeal regulations entitled **8 VAC 20-200, Diploma - High School Completion**. The purpose of the proposed action is to repeal this regulation. The requirements for a diploma are prescribed by the Standards of Quality in § 22.1-253.13:4 of the Code of Virginia and by the Board of Education in the Regulations for Establishing Standards for Accrediting Public Schools in Virginia, 8 VAC 20-131-50. Additionally, the Regulations Governing Adult High School Programs, 8 VAC 20-30-20, prescribe the requirements for an adult high school diploma and the Emergency Regulations Governing the General Achievement Diploma, 8 VAC 20-680-10, prescribe the requirements for that diploma. Therefore, this regulation should be repealed because it is no longer necessary.

Statutory Authority: § 22.1-16 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, or e-mail mroberts@mail.vak12ed.edu.

February 14, 2005 - 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 Education intends to repeal regulations entitled **8 VAC 20-260, Regulations Governing Financial Retention Schedule**. The purpose of the proposed action is to repeal the regulation because it is in conflict with the Code of Virginia. Section 42.1-82 of the Code of Virginia vests the Library of Virginia with the authority to set the retention and disposition schedules for

Calendar of Events

public records. The Library of Virginia has developed a retention schedule specific to the maintenance of records in Virginia's public schools. Therefore, the Board of Education no longer has the authority to set this schedule.

Statutory Authority: § 22.1-16 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, or e-mail mroberts@mail.vak12ed.edu.

February 14, 2005 - 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 Education intends to repeal regulations entitled **8 VAC 20-380, Regulations Governing Public School Building Construction (Literary Fund)**. The requirements for literary loans are now prescribed by the Board of Education in the Regulations Governing Literary Loan Applications in Virginia (8 VAC 20-100). Therefore, this regulation should be repealed because the requirements for loans from the literary fund have been promulgated by the Board of Education in another regulation and the provisions in this regulation are no longer correct.

Statutory Authority: § 22.1-16 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, or e-mail mroberts@mail.vak12ed.edu.

February 14, 2005 - 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 Education intends to repeal regulations entitled **8 VAC 20-400, Rules Governing Division Superintendent Salary and Expenses**. Section 22.1-253.13:2 E of the Code of Virginia provides that, pursuant to the appropriation act, support services shall be funded from basic school aid on the basis of prevailing statewide costs. The term "support services" includes those services provided by the superintendent. Therefore, this regulation should be repealed because the requirements are out of date and incorrect.

Statutory Authority: § 22.1-16 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, or e-mail mroberts@mail.vak12ed.edu.

February 14, 2005 - 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 Education intends to repeal regulations entitled **8 VAC 20-430, Regulations Governing Contractual Agreements with Professional Personnel**. The provisions in this regulation are now prescribed by the Board of Education in the Regulations Governing the Employment of Professional Personnel (8 VAC 20-440-10). Therefore, this regulation should be repealed because the requirements have been promulgated by the Board of Education in another regulation making this regulation unnecessary.

Statutory Authority: § 22.1-16 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, or e-mail mroberts@mail.vak12ed.edu.

February 14, 2005 - 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 Education intends to repeal regulations entitled **8 VAC 20-480, Regulations Governing Pupil Rights and Hearings**. This regulation should be repealed because the requirements are unnecessary. The Regulations Governing Management of the Student's Scholastic Record (8 VAC 20-150) require local school divisions to adhere to provisions of the Family Education Rights and Privacy Act (FERPA). FERPA regulations at 34 CFR 99.21 and 99.22, require that school divisions provide a hearing when the parent or eligible student wants to challenge information in the student's educational record. FERPA also includes the process that must be followed. Since school divisions are required to adhere to the board's regulation and to FERPA, this regulation is redundant and unnecessary.

Statutory Authority: § 22.1-16 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, or e-mail mroberts@mail.vak12ed.edu.

February 23, 2005 - 9 a.m. -- Open Meeting
March 23, 2005 - 9 a.m. -- Open Meeting
† April 20, 2005 - 9 a.m. -- Open Meeting
† April 21, 2005 - 9 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, Main Lobby Level, Conference Rooms C and D, Richmond, Virginia. 

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.

February 28, 2005 - 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 Education intends to amend regulations entitled **8 VAC 20-360, Rules Governing General Educational Development Certificates**. The purpose of the proposed action is to increase testing fees, change the language governing to whom a Virginia GED certificate may be issued, and change scoring requirements for issuance of a Virginia GED certificate.

Statutory Authority: §§ 22.1-16 and 22.1-224 of the Code of Virginia.

Contact: Dr. Yvonne Thayer, Director, Adult Education Programs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2293.

DEPARTMENT OF EDUCATION

† **April 15, 2005 - 8:45 a.m.** -- Open Meeting
Tidewater region; location to be announced.

A meeting of the State Special Education Advisory Committee. Agenda to be determined.

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

Advisory Board on Teacher Education and Licensure

January 24, 2005 - 8:45 a.m. -- Open Meeting

March 21, 2005 - 8:45 a.m. -- Open Meeting

† **April 18, 2005 - 8:45 a.m.** -- Open Meeting

Location to be announced.


A regular meeting. 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. Please note that persons requesting the

services of an interpreter for the deaf are asked to do so at least 72 hours in advance so that the appropriate arrangements may be made.

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


January 24, 2005 - 7 p.m. -- Open Meeting

Staunton City Council Chambers, Staunton City Hall, 116 West Beverley Street, Staunton, Virginia. 

The first public meeting on the development of the benthic TMDL for Lewis Creek in Augusta County and the City of Staunton. The public comment period begins on January 24, 2005, and closes on February 24, 2005. The public notice appears in the Virginia Register on January 10, 2005.

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

January 25, 2005 - 7 p.m. -- Open Meeting

Prospect Heights Middle School, 300 Macon Road, Orange, Virginia. 

The second public meeting on the development of the Goldmine Creek, Beaver Creek, Mountain Run, Pamunkey Creek, Terrys Run and Plentiful Creek Bacteria TMDLs. The public comment period will begin on January 25, 2005, and end on February 23, 2005.

Contact: Bryant Thomas, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3843, FAX (703) 583-3841, e-mail bhthomas@deq.virginia.gov.


† **February 2, 2005 - 1:30 p.m.** -- Open Meeting

Antioch Church of the Brethren, 2996 Callaway Road, Route 641, Rocky Mount, Virginia.

A meeting to discuss the proposed reductions in fecal bacteria needed in the Lower Blackwater River watershed and to solicit public participation for the TMDL Implementation Plan development. The public comment period for this public meeting will end on March 3, 2005.

Contact: Jason R. 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.


† **February 3, 2005 - 7 p.m.** -- Open Meeting

Advanced Technology Center, 1800 College Crescent, Virginia Beach, Virginia. 

A meeting to solicit public input to the preparation of the Implementation Plan for the Shellfish Bacteria TMDL for the greater Lynnhaven River Watershed in Virginia Beach. The public notice appears in the Virginia Register of Regulations on January 24, 2005.

Calendar of Events


Contact: Chester Bigelow, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4554, FAX (804) 698-4116, e-mail ccbigelow@deq.virginia.gov.

† **February 17, 2005 - 7 p.m.** -- Open Meeting
Cooks Corner Community Center, 2893 General Puller Highway, Saluda, Virginia. 

The final public meeting on the development of the fecal coliform TMDLs for shellfish propagation waters in Middlesex County. The public notice appears in the Virginia Register of Regulations on January 24, 2005.

Contact: Chester Bigelow, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4554, FAX (804) 698-4116, e-mail ccbigelow@deq.virginia.gov.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS


† **February 9, 2005 - 8:45 a.m.** -- Public Hearing
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

† **March 25, 2005** - 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 Funeral Directors and Embalmers intends to amend regulations entitled **18 VAC 65-20, Regulations of the Board of Funeral Directors and Embalmers**. The purpose of the proposed action is to establish criteria for delegation of certain informal fact finding to an agency subordinate.


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

Public comments may be submitted until March 25, 2005, to Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Building, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, 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.


† **February 9, 2005 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A formal administrative hearing 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, 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.

March 8, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 


A meeting to discuss issues and matters as they relate to the board.

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.

BOARD FOR GEOLOGY

† **April 20, 2005 - 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.

GOVERNOR'S EMERGENCY MEDICAL SERVICES ADVISORY BOARD

February 3, 2005 - 3 p.m. -- Open Meeting
The Place at Innsbrook, Glen Allen, Virginia.

A regular meeting to review suggested changes to specific EMS regulations.

Contact: Michael D. Berg, Manager, Regulation and Policy, Department of Health, 109 Governor St., Suite UB-55, Richmond, VA 23219, telephone (804) 864-7600, FAX (804) 864-7580, toll-free (800) 523-6019, e-mail michael.berg@vdh.virginia.gov.

STATE BOARD OF HEALTH

January 28, 2005 - 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 5-410, Rules and Regulations for the Licensure of Hospitals**. The purpose of the proposed action is to extend the storage time of breastmilk from 24 to 48 hours and to reformat section 440 of the regulations.

Statutory Authority: § 32.1-127 of the Code of Virginia.

Contact: Carrie Eddy, Senior Policy Analyst, Department of Health, Center for Quality Health Care Services, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2157, FAX (804) 367-2149, e-mail carrie.eddy@vdh.virginia.gov.

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February 1, 2005 - 7 p.m. -- Public Hearing
16441 Court Street, Amelia Court House, Virginia.

February 2, 2005 - 7 p.m. -- Public Hearing
109 North Cross Street, Tappahannock, Virginia.

February 3, 2005 - 7 p.m. -- Public Hearing
302 North Main Street, Culpeper, Virginia.

February 28, 2005 - 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 standards for installation and operation of biosolids storage areas on permitted sites.

Contact: C.M. Sawyer, Division Director, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7463, FAX (804) 864-7475, e-mail cal.sawyer@vdh.virginia.gov.


DEPARTMENT OF HEALTH

March 11, 2005 - 10:30 a.m. -- Open Meeting
Virginia Hospital and Healthcare Association, 4200 Innslake Drive, Glen Allen, Virginia. 

A meeting of the Advisory Committee for the Virginia Early Hearing Detection and Intervention Program. The advisory committee meets four times a year.

Contact: Pat T. Dewey, Program Manager, Department of Health, 109 Governor St., 8th Floor, Richmond, VA 23219, telephone (804) 864-7713, FAX (804) 864-7721, toll-free (866) 493-1090, (804) 828-1120/TTY , e-mail pat.dewey@vdh.virginia.gov.


Sewage Handling and Disposal Appeal Review Board

February 23, 2005 - 10 a.m. -- Open Meeting
County of Henrico Government Center, 8600 Dixon Powers Drive, Human Services Board Room, 2nd Floor, Richmond, Virginia 

A meeting to hear appeals of health department denials of septic tank permits and/or Indemnification Fund Claim requests.


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.

DEPARTMENT OF HEALTH PROFESSIONS

February 18, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, Board Room 3, Richmond, Virginia. 

A meeting of the Health Practitioners' Intervention Program Committee.


Contact: Peggy W. Call, Intervention Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9424, FAX (804) 662-7358, e-mail peggy.call@dhp.virginia.gov.

† **March 22, 2005 - 11 a.m.** -- Open Meeting
Virginia State Forensic Science Building, 6600 Northside High School Road, Roanoke, Virginia. 


A working meeting of the Prescription Monitoring Program Advisory Committee for the purpose of reviewing data collected for the program evaluation workplan. Public comments will be received during the meeting.

Contact: Ralph Orr, Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9129, FAX (804) 622-9240.


BOARD FOR HEARING AID SPECIALISTS

March 21, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, 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. Person desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-8590 at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

Contact: 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.


VIRGINIA LATINO ADVISORY COMMISSION

† **January 28, 2005 - 2 p.m.** -- Open Meeting
John Tyler Community College Chester Campus, Nicholas Student Center, Room N102, Chester, Virginia. 

A regular meeting.

Contact: Maribel Ramos, Latino Liaison, Office of Governor, 202 N. 9th St., Richmond, VA 23219, telephone (804) 786-2211, e-mail vlac@governor.virginia.gov.

STATE LIBRARY BOARD

January 27, 2005 - 8:15 a.m. -- Open Meeting
March 14, 2005 - 8:15 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. 

Meetings of the board to discuss matters pertaining to the Library of Virginia and the board. Committees of the board will meet as follows:

Calendar of Events

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.

MARINE RESOURCES COMMISSION

† **January 25, 2005 - 9:30 a.m.** -- Open Meeting
† **February 22, 2005 - 9:30 a.m.** -- Open Meeting
† **March 22, 2005 - 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 meeting.

Contact: Jane 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 jane.mccroskey@mrc.virginia.gov

BOARD OF MEDICAL ASSISTANCE SERVICES

† **March 8, 2005 - 10 a.m.** -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Conference Room, Richmond, Virginia. ♿

A quarterly meeting required in the BMAS bylaws.

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.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

January 28, 2005 - 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 30-141, Family Access to Medical Insurance Security Plan**. The purpose of the proposed action is to implement a program of retrospective and prospective utilization review of pharmacy services for noninstitutionalized fee-for-service

and PCCM FAMIS enrollees who are prescribed more than nine unique prescriptions within a 180-day period.

Statutory Authority: § 32.1-351 of the Code of Virginia; Item 324 H of Chapter 1042 of the 2003 Acts of Assembly.

Contact: Linda Nablo, Director, Child Health Insurance Programs, FAMIS Division, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4212, FAX (804) 786-1680 or e-mail Linda.Nablo@dmas.virginia.gov.

BOARD OF MEDICINE

January 25, 2005 - 9:15 a.m. -- Open Meeting
Clarion Hotel, 3315 Ordway Drive, Roanoke, Virginia.

† **February 1, 2005 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

An informal conference committee will convene informal conferences to inquire into allegations that certain practitioners(s) may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. Further, 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 Dixon, Staff, Board of Medicine, 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.

January 28, 2005 - 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 Medicine intends to amend regulations entitled:

18 VAC 85-20. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, and Chiropractic;

18 VAC 85-40. Regulations Governing the Practice of Respiratory Care Practitioners;

18 VAC 85-50. Regulations Governing the Practice of Physician Assistants;

18 VAC 85-80. Regulations for Licensure of Occupational Therapists;

18 VAC 85-101. Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists Limited;

18 VAC 85-110. Regulations Governing the Practice of Licensed Acupuncturists;

18 VAC 85-120. Regulations Governing the Certification of A7thletic Trainers.

The purpose of the proposed action is to establish or amend standards for professional conduct, to include, but not be limited to, retention and release of patient records; patient confidentiality; practitioner-patient communication and termination of that relationship; sexual contact; and practitioner responsibilities.

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

Public comments may be submitted until January 28, 2005, to William L. Harp, M.D., Executive Director, Board of Medicine, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Regulatory Coordinator, 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.

February 1, 2005 - 9 a.m. -- Public Hearing
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

March 11, 2005 - 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 Medicine intends to amend regulations entitled **18 VAC 85-80, Regulations Governing the Practice of Occupational Therapy**. The purpose of the proposed action is to establish criteria for use of title of OTA.

Statutory Authority: §§ 54.1-2400 and 54.1-2956.5 of the Code of Virginia.

Public comments may be submitted until March 11, 2005, to William L. Harp, M.D., Executive Director, Board of Medicine, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Regulatory Coordinator, 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.

February 11, 2005 - 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 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.virginia.gov.

† **February 11, 2005 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. ♿

The Credentials Committee will meet to consider applicants for licensure matters of the board. Public comments will be taken on agenda items.

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.

† **February 23, 2005 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.

The full board or a panel of the board will convene a formal hearing to inquire into allegations that certain practitioners may have violated laws and regulations concerning the practice of medicine and other healing arts in Virginia. The board may review cases with staff for case disposition including consideration of consent orders for settlement. The board will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

Contact: Renee Dixon, Case Manager, Board of Medicine, 6603 W. Broad St., Richmond, VA, telephone (804) 662-7009, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail Renee.Dixon@dhp.virginia.gov.

March 11, 2005 - 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 Medicine intends to adopt regulations entitled **18 VAC 85-15, Regulations for Delegation to an Agency Subordinate**. The purpose of the proposed action is to establish criteria for the types of cases that may be heard by an agency subordinate in an informal fact-finding proceeding.

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

Public comments may be submitted until March 11, 2005, to William L. Harp, M.D., Executive Director, Board of Medicine, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Regulatory Coordinator, 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.

April 22, 2005 - 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 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

Calendar of Events

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

Advisory Board on Acupuncture

February 2, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 3, 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.

April 6, 2005 - 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

February 3, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 3, 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.

April 7, 2005 - 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 of Occupational Therapy

February 1, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 3, 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.

April 5, 2005 - 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 Physician Assistants

February 3, 2005 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 3, 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.

April 7, 2005 - 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 on Radiologic Technology

February 2, 2005 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 3, Richmond, Virginia.

A meeting to consider issues related to the regulation of radiologic technologists and radiologic technologists-limited. 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.

April 6, 2005 - 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 technologists and radiologic technologists-limited. 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

February 1, 2005 - 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.

April 5, 2005 - 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.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

January 26, 2005 - 1 p.m. -- Open Meeting
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia.

A meeting of the Community Integration Implementation Team.

Contact: Kathie Shifflett, Administrative Assistant, Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, VA 23288, telephone (804) 662-7069, FAX (804) 662-7663, e-mail Kathie.Shifflett@drs.virginia.gov.

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

† January 26, 2005 - 9 a.m. -- Open Meeting
Holiday Inn Central, 3207 North Boulevard, Richmond, Virginia. ♿

A regular meeting.

Contact: Marlene Butler, State Board Secretary, Department of Mental Health, Mental Retardation and Substance Abuse Services, Jefferson Bldg., 1220 Bank St., 13th Floor, Richmond, VA 23219, telephone (804) 786-7945, FAX (804) 371-2308, e-mail marlene.butler@co.dmhmsas.va.gov.

STATE MILK COMMISSION

February 16, 2005 - 10:30 a.m. -- Open Meeting
Department of Mines, Minerals and Energy, Forestry Office Building, 900 Natural Resources Drive, Charlottesville, Virginia. ♿

A regular meeting to consider industry issues, 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 the agency 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 Edward.Wilson@vdacs.virginia.gov.

DEPARTMENT OF MINES, MINERALS AND ENERGY

February 11, 2005 - 1 p.m. -- Open Meeting
Department of Mines, Minerals and Energy, Buchanan-Smith Building, 3405 Mountain Empire Road, Room 116, Big Stone Gap, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to give interested persons an opportunity to be heard in regard to the FY2005 Abandoned Mine Land Consolidated Grant Application to be submitted to the Federal Office of Surface Mining.

Contact: Roger Williams, Abandoned Mine Land Services Manager, Department of Mines, Minerals and Energy, Big Stone Gap, VA 24219, telephone (276) 523-8208, (800) 828-1120/TTY ☎, e-mail roger.williams@dmme.virginia.gov.


Calendar of Events

VIRGINIA MUSEUM OF FINE ARTS


February 1, 2005 - 8 a.m. -- Open Meeting

March 1, 2005 - 8 a.m. -- Open Meeting


April 5, 2005 - 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.

† **February 16, 2005 - 9 a.m.** -- Open Meeting

Virginia Museum of Fine Arts, 200 North Boulevard,
Richmond, Virginia. 

The following committees will meet:


9 a.m. - Expansion Committee - Reynolds Lecture Hall

11 a.m. - Art Acquisitions Subcommittee - Library


12:45 p.m. - Artistic Oversight Committee - CEO Parlor

3:15 p.m. - Government Affairs Committee - CEO Dining
Room


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.


† **February 17, 2005 - 9 a.m.** -- Open Meeting

Virginia Museum of Fine Arts, 200 North Boulevard, CEO 2nd
Floor Conference Room, Richmond, Virginia. 


A meeting of the Fiscal Oversight 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.

† **February 17, 2005 - Noon** -- Open Meeting

Virginia Museum of Fine Arts, 200 North Boulevard, CEO 2nd
Floor Conference Room, Richmond, Virginia. 

A meeting of the Board of Trustees. Part of the meeting will
be in closed session. 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

January 24, 2005 - 9 a.m. -- Open Meeting


January 26, 2005 - 9 a.m. -- Open Meeting

January 27, 2005 - 9 a.m. -- Open Meeting


March 14, 2005 - 9 a.m. -- Open Meeting

March 16, 2005 - 9 a.m. -- Open Meeting

March 17, 2005 - 9 a.m. -- Open Meeting


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

A panel of the board will conduct formal hearings with
licensees and/or certificate holders. Public comment will not
be received.


Contact: 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.

January 25, 2005 - 9 a.m. -- Open Meeting

March 15, 2005 - 9 a.m. -- Open Meeting

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

A general business meeting including committee reports,
consideration of regulatory action and discipline case
decisions as presented on the agenda. Public comment will
be received at 11 a.m.

Contact: Jay P. Douglas, R.N., Executive Director, Board of
Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond,
VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-
9512, (804) 662-7197/TTY , e-mail
jay.douglas@dhp.virginia.gov.

January 25, 2005 - 1:30 p.m. -- Public Hearing

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

March 11, 2005 - 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 Nursing intends to amend
regulations entitled **18 VAC 90-20, Regulations Governing
the Practice of Nursing**, and **18 VAC 90-25, Regulations
Governing Certified Nurse Aides**. The purpose of the
proposed action is to consolidate requirements for
advanced certified nurse aides and for wearing identification
and notifications to the Board of Nursing into 18 VAC 90-25,
regulations for nurse aides.

Statutory Authority: §§ 54.1-2400 and 54.1-3025.1 of the
Code of Virginia.

Public comments may be submitted until March 11, 2005, to
Jay Douglas, R.N., Executive Director, Board of Nursing, 6603
West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Regulatory Coordinator,
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.

† **January 25, 2005 - 1:30 p.m.** -- Public Hearing
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

March 25, 2005 - 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 Nursing intends to amend regulations entitled **18 VAC 90-15, Regulations Governing Delegation to an Agency Subordinate**. The purpose of the proposed action is to establish criteria for delegation of certain informal fact finding to an agency subordinate.

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

Public comments may be submitted until March 25, 2005, to Jay Douglas, R.N., Executive Director, Board of Nursing, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Regulatory Coordinator, 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.

January 25, 2005 - 1:30 p.m. -- Public Hearing
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

March 11, 2005 - 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 Nursing intends to amend regulations entitled **18 VAC 90-20, Regulations Governing the Practice of Nursing**. The purpose of the proposed action is to clarify requirements in the nurse practitioner regulations for consistency with the Nurse Licensure Compact.

Statutory Authority: §§ 54.1-2400 and 54.1-3025.1 of the Code of Virginia.

Public comments may be submitted until March 11, 2005, to Jay Douglas, R.N., Executive Director, Board of Nursing, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Regulatory Coordinator, 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.

February 8, 2005 - 9 a.m. -- Open Meeting
February 14, 2005 - 9 a.m. -- Open Meeting
February 15, 2005 - 9 a.m. -- Open Meeting

February 22, 2005 - 9 a.m. -- Open Meeting

April 5, 2005 - 9 a.m. -- Open Meeting

April 6, 2005 - 9 a.m. -- Open Meeting

† **April 11, 2005 - 9 a.m.** -- Open Meeting

† **April 12, 2005 - 9 a.m.** -- Open Meeting

† **April 19, 2005 - 9 a.m.** -- Open Meeting

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

A Special Conference Committee, comprised of two members of the Virginia Board of Nursing or agency subordinate, 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

January 25, 2005 - 1:30 p.m. -- Public Hearing
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

March 11, 2005 - 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 Nursing intends to amend regulations entitled **18 VAC 90-30, Regulations Governing the Licensure of Nurse Practitioners**. The purpose of the proposed action is to clarify requirements in the nurse practitioner regulations for consistency with the Nurse Licensure Compact.

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

Public comments may be submitted until March 11, 2005, to Jay Douglas, R.N., Executive Director, Board of Nursing, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Regulatory Coordinator, 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.

† **January 25, 2005 - 1:30 p.m.** -- Public Hearing
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

† **March 25, 2005** - 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 Nursing intends to amend regulations entitled **18 VAC 90-30, Regulations Governing the Licensure of Nurse Practitioners**. The purpose of the proposed action is to establish the required content of the

Calendar of Events

written protocol authorizing nurse practitioners to sign a certain document in lieu of the supervising physician.

Statutory Authority: §§ 54.1-2400 and 54.1-2957 of the Code of Virginia.

Public comments may be submitted until March 25, 2005, to Jay Douglas, R.N., Executive Director, Board of Nursing, 6603 West Broad Street, Richmond, VA 23230.

Contact: Elaine J. Yeatts, Regulatory Coordinator, 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.

February 23, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 1, Richmond, Virginia. ♿

† **April 13, 2005 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia. ♿

A meeting of the Joint Boards of Nursing and Medicine.

Contact: Jay P. Douglas, RN, MSM, CSAC, 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.

BOARD OF NURSING HOME ADMINISTRATORS

February 11, 2005 - 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 Nursing Home Administrators intends to amend regulations entitled **18 VAC 95-20, Regulations Governing the Practice of Nursing Home Administrators**. The purpose of the proposed regulation is to establish criteria for delegation of certain informal fact-finding in disciplinary cases to an agency subordinate.

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

Public comments may be submitted until February 11, 2005, to Sandra K. Reen, Executive Director, Board of Nursing Home Administrators, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

OLD DOMINION UNIVERSITY

NOTE: CHANGE IN MEETING DATE

February 14, 2005 - 3 p.m. -- Open Meeting

March 21, 2004 - 3 p.m. -- Open Meeting

Old Dominion University, Webb University Center, 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, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

April 8, 2005 - 1 p.m. -- Open Meeting
Old Dominion University, Webb University Center, 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.

BOARD FOR OPTICIANS

† **April 15, 2005 - 9:30 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, 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. Person 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 Opticians, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail opticians@dpor.virginia.gov.

BOARD OF OPTOMETRY

February 11, 2005 - 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 Optometry intends to amend regulations entitled **18 VAC 105-20, Regulations Governing the Practice of Optometry**. The purpose of the proposed regulation is to establish criteria for delegation of certain informal fact-finding in disciplinary cases to an agency subordinate.

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


Public comments may be submitted until February 11, 2005, to Elizabeth A. Carter Ph.D., Executive Director, Board of Optometry, 6603 West Broad Street, Richmond, VA 23230-1712.


Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES


March 16, 2005 - 10 a.m. -- Open Meeting
202 North 9th Street, 9th Floor, Richmond, Virginia. 

An Executive Committee meeting.


Contact: Sandra Smalls, Executive Assistant, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA, telephone (804) 786-0016, FAX (804) 786-1118, toll-free (800) 846-4464, (800) 846-4464/TTY , e-mail Sandra.Smalls@vbpd.virginia.gov.

March 17, 2005 - 9 a.m. -- Open Meeting
Holiday Inn, 6531 West Broad Street, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A quarterly meeting.

Contact: Sandra Smalls, Executive Assistant, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA, telephone (804) 786-0016, FAX (804) 786-1118, toll-free (800) 846-4464, (800) 846-4464/TTY , e-mail Sandra.Smalls@vbpd.virginia.gov.

BOARD OF PHARMACY


† January 25, 2005 - 1 p.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

A panel of the board will discuss disciplinary matters. No public comments will be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9911, FAX (804) 662-9313.

† February 2, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, Fifth Floor, Conference Room 4, Richmond, Virginia.

A Special Conference Committee meeting to discuss disciplinary matters. Public comments will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY , e-mail scottl.russell@dhp.virginia.gov.

February 11, 2005 - 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 Pharmacy intends to amend regulations entitled **18 VAC 110-20, Regulations Governing the Practice of Pharmacy**. The purpose of the proposed regulation is to establish criteria for delegation of

certain informal fact-finding in disciplinary cases to an agency subordinate.

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

Public comments may be submitted until February 11, 2005, to Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

† February 17, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. 

A meeting of an Informal Conference Committee for approval of pilot program applications. No public comment will be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9911, FAX (804) 662-9313.

March 4, 2005 - 9 a.m. -- Public Hearing
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

March 11, 2005 - 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 Pharmacy intends to amend regulations entitled **18 VAC 110-20, Regulations Governing the Practice of Pharmacy**. The purpose of the proposed regulation is to set requirements that must be met for a dispensing pharmacy to outsource prescription order processing to a remote or centralized pharmacy.


Statutory Authority: §§ 54.1-2400 and 54.1-3307 of the Code of Virginia.

Public comments may be submitted until March 11, 2005, to Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

Calendar of Events

BOARD OF PHYSICAL THERAPY

January 28, 2005 - 9 a.m. -- Public Hearing
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 4, Richmond, Virginia. 

February 11, 2005 - 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 Physical Therapy intends to amend regulations entitled **18 VAC 112-20, Regulations Governing the Practice of Physical Therapy**. The purpose of the proposed regulation is to establish criteria for delegation of certain types of cases by an agency subordinate.


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

Public comments may be submitted until February 11, 2005, to Elizabeth Young, Executive Director, Board of Physical Therapy, 6603 West Broad Street, Richmond, VA 23230-1712.


Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

† **January 28, 2005 - 9:15 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia. 


A meeting to discuss general board business.

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.

POLYGRAPH EXAMINERS ADVISORY BOARD

March 3, 2005 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulations,
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 interpreter 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: Kevin Hoeft, Regulatory Boards Administrator, 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 kevin.hoeft@dpor.virginia.gov.

BOARD OF PSYCHOLOGY

February 11, 2005 - 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 Psychology intends to amend regulations entitled **18 VAC 125-15, Regulations Governing Delegation to an Agency Subordinate**. The purpose of the proposed regulation is to establish criteria for delegation of certain types of cases by an agency subordinate.


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

Public comments may be submitted until February 11, 2005, to Evelyn B. Brown, Executive Director, Board of Psychology, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

† **April 12, 2005 - 9:30 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia. 

A business meeting to discuss reports from standing committees and any regulatory and disciplinary 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

† **February 2, 2005 - 11:35 a.m.** -- Open Meeting
Location to be announced.


This meeting is open for public comment.

Contact: Shannon Rainey, Research Assistant, Virginia Public Broadcasting Board, 202 N. 9th St., Richmond VA 23219, telephone (804) 786-1201.

REAL ESTATE APPRAISER BOARD

† **February 22, 2005 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4 West Conference Room,
Richmond, Virginia. 

A meeting to discuss 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.oneal@dpor.virginia.gov.


REAL ESTATE BOARD

January 26, 2005 - 2 p.m. -- Open Meeting


February 3, 2005 - 9 a.m. -- Open Meeting

February 9, 2005 - 9 a.m. -- Open Meeting

† **February 10, 2005 - 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, 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.

† **January 26, 2005 - 3 p.m.** -- Open Meeting

† **March 23, 2005 - 3 pm.** -- Open Meeting


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

A meeting of the Education Committee to review education applications.


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.

† **January 27, 2005 - 8:30 a.m.** -- Open Meeting

† **March 24, 2005 - 8:30 a.m.** -- Open Meeting


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

A meeting of the Fair Housing Committee to review fair housing cases.


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.

† **January 27, 2005 - 9 a.m.** -- Open Meeting

† **March 24, 2005 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 4-West, Richmond, Virginia. 

A meeting to discuss 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.oneal@dpor.virginia.gov.

VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

† **March 23, 2005 - 10 a.m.** -- Open Meeting

Department of Environmental Quality, Southwest Regional Office, 355 Deadmore Street, Abingdon, Virginia.


The council (VRMDC) will meet from 10 a.m. to noon, will break for lunch and then hold a joint meeting of its Local Government Assistance and Recycling Rate Subcommittees from 1 p.m. to 3 p.m. The primary purpose of the meeting is to obtain comments from Southwest Virginia localities, waste management authorities and other interested parties on (i) what, if any, changes are recommended in Virginia's 25% recycling rate mandate (including the statutes and regulations implementing that mandate) and (ii) ways in which the VRMDC and state could assist localities and waste management authorities in meeting the state recycling mandate. The VRMDC is traveling to Southwest Virginia in an effort to make it easier for localities, waste management authorities and members of the public from that region of the state to submit their views and the submission of comments at the meeting is encouraged. Public comments will be sought at the meeting of the full council (to be held from 10 a.m. to noon) and the two subcommittees will then meet jointly (from 1 p.m. to 3 p.m.) to consider the comments received and to discuss their plans for continuing their work in 2005.

Contact: Philip F. Abraham, Virginia Recycling Markets Development Council, 411 E. Franklin St., Suite 602, Richmond, VA 23219, telephone (804) 644-6600, FAX (804) 644-6628, e-mail pabraham@vectrecorp.com.

VIRGINIA RESOURCES AUTHORITY

February 8, 2005 - 9 a.m. -- Open Meeting

March 8, 2005 - 9 a.m. -- Open Meeting

Eighth and Main Building, 707 East Main Street, 2nd Floor, Richmond, Virginia. 

A regular meeting of the Board of Directors to (i) review and, if appropriate, approve the minutes from the most recent monthly meeting; (ii) review the authority's operations for the prior month; (iii) review applications for loans submitted to the authority for approval; (iv) consider loan commitments for approval and ratification under its various programs; (v) approve the issuance of any bonds; (vi) review the results of any bond sales; and (vii) consider such other matters and take such other actions as it may deem appropriate. Various committees of the Board of Directors may also meet immediately before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting and any committee meetings will be available at the offices of the authority one week prior to the date of the meeting. Any person who needs any accommodation in order to participate in the meeting should contact the authority at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Bonnie R. C. McRae, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Richmond, VA 23219,

Calendar of Events

telephone (804) 644-3100, FAX (804) 644-3109, e-mail bmcræ@vra.state.va.us.

STATE BOARD OF SOCIAL SERVICES

January 28, 2005 - 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 amend regulations entitled **22 VAC 40-325, Fraud Reduction/Elimination Effort**. The purpose of the proposed action is to amend the criteria for local departments of social services to receive full reimbursement for program costs, expand the responsibilities of local departments of social services' fraud units and enhance the definitions section of the regulation.

Statutory Authority: §§ 63.2-217 and 63.2-526 of the Code of Virginia.

Contact: S. Michelle Lauter, Manager, Division of Fraud Management, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7679, FAX (804) 726-7669 or e-mail michelle.lauter@dss.virginia.gov.

† **February 16, 2005 - 9 a.m.** -- Open Meeting
Department of Social Services, 7 North 8th Street, 6th Floor, Conference Room, Richmond, Virginia.

A committee work session and business meeting. 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.

† **February 17, 2005 - 9 a.m.** -- Open Meeting
Department of Social Services, 7 North 8th Street, 6th Floor, Conference Room, Richmond, Virginia.

A business 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.

† **March 16, 2005 - 9 a.m.** -- Open Meeting
Department of Social Services, 7 North 8th Street, 6th Floor, Conference Room, Richmond, Virginia.

A work session/roundtable to discuss assisted living facilities.

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.

BOARD OF SOCIAL WORK

January 28, 2005 - 10 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.📍

A meeting of the Ad Hoc Committee on Regulatory Standards to review Standards of Practice (18 VAC 140-20-150) for possible regulatory action.

Contact: Benjamin Foster, Deputy Executive Director, Board of Social Work, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9575, FAX (804) 662-7250, (804) 662-7197/TTY ☎, e-mail benjamin.foster@dhp.virginia.gov.

† **February 25, 2005 - 10 a.m.** -- Public Hearing
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia.📍

† **March 25, 2005** - 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 Social Work intends to amend regulations entitled **18 VAC 140-20, Regulations Governing the Practice of Social Work**. The purpose of the proposed regulation is to establish criteria for delegation of certain informal fact finding to an agency subordinate.

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

Public comments may be submitted until March 25, 2005, to Evelyn B. Brown, Executive Director, Board of Social Work, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

BOARD FOR PROFESSIONAL SOIL SCIENTISTS AND WETLAND PROFESSIONALS

February 1, 2005 - 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. Public comment will be heard at the beginning of the meeting. Person desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Professional Soil Scientists and Wetland Professionals, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail soilscientist@dpor.virginia.gov.

COUNCIL ON THE STATUS OF WOMEN

† **January 27, 2005 - 10:30 a.m.** -- Open Meeting
Department of Social Services, 7 North 8th Street, 6th Floor,
Conference Room A, Richmond, Virginia. ☎

A regular business meeting.

Contact: Jane Brown, Director, Division of Community Programs, Department of Social Services, 7 N. 8th St., 4th Floor, Richmond, VA 23219, telephone (804) 726-7912, FAX (804) 726-7947, e-mail jane.brown@dss.virginia.gov.

TREASURY BOARD

February 16, 2005 - 9 a.m. -- Open Meeting

March 16, 2005 - 9 a.m. -- Open Meeting
James Monroe Building, 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) 225-2142, e-mail melissa.mayes@trs.virginia.gov.

DEPARTMENT OF VETERANS SERVICES

Veterans Services Foundation

March 9, 2005 - 11 a.m. -- Open Meeting
Virginia War Memorial, 621 South Belvidere Street,
Richmond, Virginia. ☎

A meeting of the Board of Trustees.

Contact: Steve 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.

BOARD OF VETERINARY MEDICINE

† **February 2, 2005 - 8:30 a.m.** -- Open Meeting
Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia. ☎

A meeting of the Continuing Education Committee to discuss issues related to medical recordkeeping continuing education.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Veterinary Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9915, FAX (804) 662-7098, (804) 662-7197/TTY ☎, e-mail elizabeth.carter@dhp.virginia.gov.

† **February 2, 2005 - 9 a.m.** -- Open Meeting
Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia. ☎

A meeting to conduct informal hearings (disciplinary proceedings). Public comment will not be received.

Contact: Terri 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.

† **February 3, 2005 - 9:30 a.m.** -- Open Meeting
Hotel Roanoke and Conference Center, 110 Shenandoah Avenue., Roanoke, Virginia. ☎

A meeting to receive a report of the Continuing Education Committee, presentation on Sanction Reference Study, and the executive director's report on statistics and legislation. Discussions will include clinical instructor preceptors, consideration of a regulatory amendment to notify consumers of the waiting period for effectiveness of rabies vaccines, and other general discussions as may be presented.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Veterinary Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9915, FAX (804) 662-7098, (804) 662-7197/TTY ☎, e-mail elizabeth.carter@dhp.virginia.gov.

February 3, 2005 - 9 a.m. -- Public Hearing
Hotel Roanoke, Roanoke, Virginia. ☎

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 regulation is to establish criteria for delegation of certain informal fact-finding in disciplinary cases to an agency subordinate.

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

Public comments may be submitted until February 11, 2005, to Elizabeth Carter, Executive Director, Board of Veterinary Medicine, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

VIRGINIA WASTE MANAGEMENT BOARD

January 28, 2005 - 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 Virginia Waste Management Board intends to amend regulations entitled **9 VAC 20-80, Solid Waste Management Regulations**. The purpose of the proposed action is to establish an expedited process for permitting waste piles.

Statutory Authority: § 10.1-1402 of the Code of Virginia.

Contact: Michael Dieter, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone

Calendar of Events

(804) 698-4146, FAX (804) 698-4327 or e-mail mjdieter@deq.virginia.gov.


STATE WATER CONTROL BOARD

January 31, 2005 - 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 Water Control Board intends to amend regulations entitled **9 VAC 25-260, Water Quality Standards**. The purpose of the proposed action is to include updated numerical and narrative criteria to protect designated uses from the impacts of nutrients and sedimentation. The rulemaking will also include new and revised use designations for the Chesapeake Bay and its tidal tributaries.

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

Contact: Eleanore M. Daub, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4522 or e-mail emdau@deq.virginia.gov.

† February 23, 2005 - 3 p.m. -- Open Meeting
Department of Environmental Quality Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A public meeting to receive comments on the Notice of Intended Regulatory Action (NOIRA) to amend the Virginia Water Protection Permit Regulation. The NOIRA appears in the Virginia Register of Regulations on January 24, 2005.

Contact: Catherine Harold, State Water Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4047, e-mail cmharold@deq.virginia.gov.


† March 7, 2005 - 2 p.m. -- Public Hearing
Luray Fire Station, 1 Firehouse Lane, Luray, Virginia.

† April 1, 2005 - 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 Water Control Board intends to amend regulations entitled **9 VAC 25-260, Water Quality Standards**. The proposed amendment to the Antidegradation Policy, part of the state's Water Quality Standards, would designate portions of Big Run, Brokenback Run, Doyles River, East Branch Naked Creek, East Hawksbill Creek, Hughes River, Jeremys Run, North Fork Thornton River, Piney River, Rose River, and White Oak Canyon Run for special protection as exceptional state waters.

Statutory Authority: § 62.1-44.15 of the Code of Virginia, the federal Clean Water Act (33 USC § 1251 et seq.) and 40 CFR Part 131.


Contact: Jean W. Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4113 or e-mail jwgregory@deq.virginia.gov.

† March 15, 2005 - 9:30 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 


A regular board meeting. Agenda will be posted approximately 10 days before the 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.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS


† February 8, 2005 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5-East, Richmond, Virginia. 


A meeting of the Criminal History Records Check Committee to consider information developed by the board's staff and to develop a report to present to the full board during its meeting scheduled for March 9, 2005.

Contact: David E. Dick, Executive 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.virginia.gov.


† February 8, 2005 - 10:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5-East, Richmond, Virginia. 

A meeting of the Examination Committee to review the board's current examination and develop recommendations and a report to present to the March 9, 2005 meeting of the full board. The committee will review materials from the examination that is still in use and, therefore, excluded from public disclosure under § 2.2-3705 (4) of the Code of Virginia. Much of the committee meeting will take place in closed session under the authority of § 2.2-3711 A 11 of the Code of Virginia.

Contact: David E. Dick, Executive 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.virginia.gov.

March 9, 2005 - 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.virginia.gov.

INDEPENDENT

STATE LOTTERY BOARD

February 9, 2005 - 9:30 a.m. -- Open Meeting
State Lottery Department, 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.

BOARD FOR PROTECTION AND ADVOCACY

January 25, 2005 - 9 a.m. -- Open Meeting
Virginia Office for Protection and Advocacy, Byrd Building, 1910 Byrd Avenue, Suite 5, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Public comment is welcome and will be accepted at the start of the meeting. If you wish to provide public comment via telephone, or if interpreter services or other accommodations are required, please contact Lisa Shehi at 1-800-552-3962 or via e-mail at lisa.shehi@vopa.virginia.gov no later than Tuesday, January 11, 2005.

Contact: Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY ♿, e-mail lisa.shehi@vopa.virginia.gov.

† **January 27, 2005 - 10 a.m.** -- Open Meeting
Virginia Office for Protection and Advocacy, Byrd Building, 1910 Byrd Avenue, Suite 5, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Disabilities Advisory Council. Public comment is welcome and will be received at the beginning of the meeting. For those needing interpreter services or other accommodations, please contact Ms. Delicia (Dee) Vance by January 13, 2005.

Contact: Delicia (Dee) Vance, Outreach Advocate, Virginia Office for Protection and Advocacy, 1910 Byrd Avenue, Ste. 5, Richmond, Virginia 23230, telephone (804) 662-7099, FAX (804) 662-7057, toll-free (800) 552-3962, (804) 225-2042/TTY ♿, e-mail vancedm@vopa.state.va.us.

VIRGINIA RETIREMENT SYSTEM

† **February 9, 2005 - 9 a.m.** -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. ♿

A meeting of the Director's Search 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.

February 15, 2005 - 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.

February 16, 2005 - 11 a.m. -- Open Meeting

March 23, 2005 - 11 a.m. -- Open Meeting
Bank of America, 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, 1200 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 phenderson@vrs.state.va.us.

February 16, 2005 - 2:30 p.m. -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia. ♿

- Meetings of the following committees:
- 2:30 p.m. - Benefits and Actuarial
- 4 p.m. - Audit and Compliance
- 4 p.m. - Administration and Personnel

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.

February 17, 2005 - 9 a.m. -- Open Meeting

March 24, 2005 - 9 a.m. -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East 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.

Calendar of Events

LEGISLATIVE

Notice to Subscribers

Legislative meetings held during the Session of the General Assembly are exempted from publication in the *Virginia Register of Regulations*. You may call Legislative Information for information on standing committee meetings. The number is (804) 698-1500.

CHRONOLOGICAL LIST

OPEN MEETINGS

January 24

Barbers and Cosmetology, Board for
Education, Department of
- Advisory Board on Teacher Education and Licensure
Environmental Quality, Department of
Nursing, Board of

January 25

Agriculture and Consumer Services, Department of
- Virginia Marine Products Board
Contractors, Board for
Environmental Quality, Department of
† Marine Resources Commission
Medicine, Board of
Nursing, Board of
† Pharmacy, Board of
Protection and Advocacy, Board for

January 26

Aging, Commonwealth Council on
Agriculture and Consumer Services, Department of
- Virginia Pork Industry Board
Air Pollution Control Board, State
Compensation Board
Mental Health, Mental Retardation and Substance Abuse
Services, Department of
- Community Integration Implementation Team
† Mental Health, Mental Retardation and Substance Abuse
Services, State Board of
Nursing, Board of
† Real Estate Board

January 27

† Agriculture and Consumer Services, Department of
- Virginia State Apple Board
Library Board, State
Nursing, Board of
† Protection and Advocacy, Virginia Office for
- Disabilities Advisory Council
† Real Estate Board
† Status of Women, Council on the

January 28

† Latino Advisory Commission, Virginia
† Physical Therapy, Board of
Social Work, Board of

January 31

† Alcoholic Beverage Control Board

February 1

Branch Pilots, Board for

† Contractors, Board for
† Medicine, Board of
- Advisory Board on Occupational Therapy
- Advisory Board on Respiratory Care
Museum of Fine Arts, Virginia
Soil Scientists and Wetland Professionals, Board for

February 2

Branch Pilots, Board for
Deaf and Hard-of-Hearing, Department for the
† Environmental Quality, Department of
Medicine, Board of
- Advisory Board on Acupuncture
- Advisory Board on Radiologic Technology
† Pharmacy, Board of
† Public Broadcasting Board, Virginia
† Veterinary Medicine, Board of

February 3

Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Contractors, Board for
† Environmental Quality, Department of
Governor's Emergency Medical Services Advisory Board
Medicine, Board of
- Advisory Board on Athletic Training
- Advisory Board on Physicians Assistants
Real Estate Board
† Veterinary Medicine, Board of

February 4

† Art and Architectural Review Board

February 7

† Agriculture and Consumer Services, Department of
- Virginia Aquaculture Advisory Board

February 8

Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Contractors, Board for
Nursing, Board of
Resources Authority, Virginia
† Waterworks and Wastewater Works Operators, Board for

February 9

Contractors, Board for
† Funeral Directors and Embalmers, Board of
Lottery Board, State
Real Estate Board
† Retirement System, Virginia

February 10

Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
† Contractors, Board for
† Real Estate Board

February 11

Counseling, Board of
† Medicine, Board of
Mines, Minerals and Energy, Department of

February 14

† Alcoholic Beverage Control Board
Nursing, Board of
Old Dominion University

February 15

Contractors, Board for
Nursing, Board of
Retirement System, Virginia

February 16

† Asbestos, Lead, and Home Inspectors, Virginia Board for
† Conservation and Recreation, Department of
- Soil and Water Conservation Board, Virginia
Milk Commission, State
† Museum of Fine Arts, Virginia
Retirement System, Virginia
† Social Services, State Board of
Treasury Board

February 17

† Design-Build/Construction Management Review Board
† Environmental Quality, Department of
† Museum of Fine Arts, Virginia
† Pharmacy, Board of
Retirement System, Virginia
† Social Services, State Board of

February 18

Health Professions, Department of
- Health Practitioners' Intervention Program Committee

February 21

Agriculture and Consumer Services, Department of
- Virginia Corn Board

February 22

† Marine Resources Commission
Nursing, Board of
† Real Estate Appraiser Board

February 23

† Contractors, Board for
Education, Board of
Health, Department of
- Sewage Handling and Disposal Appeal Review Board
† Medicine, Board of
Nursing and Medicine, Joint Boards of
† Water Control Board, State

February 24

Agriculture and Consumer Services, Department of
- Virginia Wine Board
Audiology and Speech-Language Pathology, Board of
Cemetery Board

February 28

† Alcoholic Beverage Control Board

March 1

Contractors, Board for
Charitable Gaming Board
Museum of Fine Arts, Virginia

March 2

Air Pollution Control Board, State

March 3

Polygraph Examiners Advisory Board

March 4

† Art and Architectural Review Board

March 8

† Contractors, Board for
Funeral Directors and Embalmers, Board of
† Medical Assistance Services, Board of
Resources Authority, Virginia

March 9

Veterans Services, Department of

- Veterans Services Foundation
Waterworks and Wastewater Works Operators, Board for

March 10

Agriculture and Consumer Services, Department of
- Virginia Soybean Board

March 11

Child Fatality Review Team, State
Health, Department of
- Virginia Early Hearing Detection and Intervention
Program Advisory Committee

March 14

Library Board, State
Nursing, Board of

March 15

Corrections, Board of
Nursing, Board of
† Water Control Board, State

March 16

Community Colleges, State Board for
Corrections, Board of
Nursing, Board of
People with Disabilities, Virginia Board for
† Social Services, State Board of
Treasury Board

March 17

† Agriculture and Consumer Services, Board of
Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Community Colleges, State Board for
† Design-Build/Construction Management Review Team
Nursing, Board of
People with Disabilities, Virginia Board for

March 19

Conservation and Recreation, Department of
- Virginia Cave Board

March 21

Education, Department of
- Advisory Board on Teacher Education and Licensure
Hearing Aid Specialists, Board for
Old Dominion University

March 22

Alzheimer's Disease and Related Disorders Commission
† Health Professions, Department of
† Marine Resources Commission

March 23

† Conservation and Recreation, Department of
- Soil and Water Conservation Board, Virginia
Education, Board of
† Real Estate Board
† Recycling Markets Development Council
Retirement System, Virginia

March 24

† Real Estate Board
Retirement System, Virginia

March 31

Arts, Virginia Commission for the

April 1

† Art and Architectural Review Board

April 4

Barbers and Cosmetology, Board for

Calendar of Events

April 5

Medicine, Board
- Advisory Board of Occupational Therapy
- Advisory Board on Respiratory Care
Museum of Fine Arts, Virginia
Nursing, Board of

April 6

Medicine, Board of
- Advisory Board on Acupuncture
- Advisory Board on Radiologic Technology
† Nursing, Board of

April 7

Medicine, Board of
- Advisory Board on Athletic Training
- Advisory Board on Physician Assistants

April 8

Old Dominion University

April 11

† Nursing, Board of

April 12

† Nursing, Board of
† Psychology, Board of

April 13

† Nursing and Medicine, Joint Boards of

April 15

† Education, Department of
† Opticians, Board for

April 18

† Education, Department of
- Advisory Board on Teacher Education and Licensure

April 19

† Contractors, Board for
† Nursing, Board of

April 20

† Education, Board of
† Geology, Board for

April 21

† Design-Build/Construction Management Review Team
† Education, Board of

April 22

† Medicine, Board of

PUBLIC HEARINGS

January 25

† Nursing, Board of
Nursing and Medicine, Joint Boards of

January 28

Physical Therapy, Board of

February 1

Health, State Board of
Medicine, Board of

February 2

Health, State Board of

February 3

Health, State Board of
Veterinary Medicine, Board of

February 9

† Funeral Directors and Embalmers, Board of

February 18

Counseling, Board of

February 25

† Social Work, Board of

March 4

Pharmacy, Board of

March 7

† Water Control Board, State