



# Virginia Register of Regulations

VOL. 25 ISS. 13

PUBLISHED EVERY OTHER WEEK BY THE VIRGINIA CODE COMMISSION

MARCH 2, 2009

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# THE VIRGINIA REGISTER INFORMATION PAGE

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**THE VIRGINIA REGISTER OF REGULATIONS** is an official state publication issued every other week throughout the year. Indexes are published quarterly, and are cumulative for the year. The *Virginia Register* has several functions. The new and amended sections of regulations, both as proposed and as finally adopted, are required by law to be published in the *Virginia Register*. In addition, the *Virginia Register* is a source of other information about state government, including petitions for rulemaking, emergency regulations, executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of public hearings and open meetings of state agencies.

## **ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS**

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

The Joint Commission on Administrative Rules (JCAR) or the appropriate standing committee of each house of the General Assembly may meet during the promulgation or final adoption process and file an objection with the Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative body, and the Governor.

When final action is taken, the agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate legislative body and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 21-day objection period; (ii) the Governor exercises his authority to require the agency to

provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period and no earlier than 15 days from publication of the readopted action.

Proposed regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

## **FAST-TRACK RULEMAKING PROCESS**

Section 2.2-4012.1 of the Code of Virginia provides an exemption from certain provisions of the Administrative Process Act for agency regulations deemed by the Governor to be noncontroversial. To use this process, Governor's concurrence is required and advance notice must be provided to certain legislative committees. Fast-track regulations will become effective on the date noted in the regulatory action if no objections to using the process are filed in accordance with § 2.2-4012.1.

## **EMERGENCY REGULATIONS**

Pursuant to § 2.2-4011 of the Code of Virginia, an agency, upon consultation with the Attorney General, and at the discretion of the Governor, may adopt emergency regulations that are necessitated by an emergency situation. An agency may also adopt an emergency regulation when Virginia statutory law or the appropriation act or federal law or federal regulation requires that a regulation be effective in 280 days or less from its enactment. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited to no more than 12 months in duration; however, may be extended for six months under certain circumstances as provided for in § 2.2-4011 D. Emergency regulations are published as soon as possible in the *Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not to adopt the regulations, the emergency status ends when the prescribed time limit expires.

## **STATEMENT**

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia be examined carefully.

## **CITATION TO THE VIRGINIA REGISTER**

The *Virginia Register* is cited by volume, issue, page number, and date. **23:7 VA.R. 1023-1140 December 11, 2006**, refers to Volume 23, Issue 7, pages 1023 through 1140 of the *Virginia Register* issued on December 11, 2006.

*The Virginia Register of Regulations* is published pursuant to Article 6 (§ 2.2-4031 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia.

Members of the Virginia Code Commission: **R. Steven Landes**, Chairman; **John S. Edwards**, Vice Chairman; **Ryan T. McDougle**; **Robert Hurt**; **Robert L. Calhoun**; **Frank S. Ferguson**; **E.M. Miller, Jr.**; **Thomas M. Moncure, Jr.**; **James F. Almand**; **Jane M. Roush**.

Staff of the Virginia Register: **Jane D. Chaffin**, Registrar of Regulations; **June T. Chandler**, Assistant Registrar.

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# PUBLICATION SCHEDULE AND DEADLINES

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

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## March 2009 through December 2009

<u>Volume: Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
<b>INDEX 1 Volume 25</b>		<b>January 2009</b>
25:13	February 11, 2009	March 2, 2009
25:14	February 25, 2009	March 16, 2009
<b>INDEX 2 Volume 25</b>		<b>April 2009</b>
25:15	March 11, 2009	March 30, 2009
25:16	March 25, 2009	April 13, 2009
25:17	April 8, 2009	April 27, 2009
25:18	April 22, 2009	May 11, 2009
25:19	May 6, 2009	May 25, 2009
25:20	May 20, 2009	June 8, 2009
<b>INDEX 3 Volume 25</b>		<b>July 2009</b>
25:21	June 3, 2009	June 22, 2009
25:22	June 17, 2009	July 6, 2009
25:23	July 1, 2009	July 20, 2009
25:24	July 15, 2009	August 3, 2009
25:25	July 29, 2009	August 17, 2009
25:26	August 12, 2009	August 31, 2009
<b>FINAL INDEX Volume 25</b>		<b>October 2009</b>
26:1	August 26, 2009	September 14, 2009
26:2	September 9, 2009	September 28, 2009
26:3	September 23, 2009	October 12, 2009
26:4	October 7, 2009	October 26, 2009
26:5	October 21, 2009	November 9, 2009
26:6	November 4, 2009	November 23, 2009
26:7	November 17, 2009 ( <b>Tuesday</b> )	December 7, 2009
<b>INDEX 1 Volume 26</b>		<b>January 2010</b>
26:8	December 2, 2009	December 21, 2009

\*Filing deadlines are Wednesdays unless otherwise specified.

# 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 2008 VAC Supplement includes final regulations published through *Virginia Register* Volume 24, Issue 24, dated August 4, 2008). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 1. Administration</b>			
1 VAC 17-10-10 through 1 VAC 17-10-90	Repealed	25:8 VA.R. 1484	1/21/09
1 VAC 17-11-10 through 1 VAC 17-11-110	Added	25:8 VA.R. 1484-1487	1/21/09
1 VAC 30-10-10 through 1 VAC 30-10-70	Repealed	25:8 VA.R. 1487	1/21/09
1 VAC 30-11-10 through 1 VAC 30-11-110	Erratum	25:9 VA.R. 1827	--
1 VAC 30-11-10 through 1 VAC 30-11-110	Added	25:8 VA.R. 1488-1490	1/21/09
1 VAC 30-45-10 through 1 VAC 30-45-860	Added	25:7 VA.R. 1409-1413	1/1/09
1 VAC 30-46-10 through 1 VAC 30-46-210	Added	25:7 VA.R. 1413-1417	1/1/09
1 VAC 50-10-60 through 1 VAC 50-10-150	Repealed	25:2 VA.R. 119	10/29/08
1 VAC 50-11-10 through 1 VAC 50-11-110	Added	25:2 VA.R. 119-122	10/29/08
1 VAC 55-10-10 through 1 VAC 55-10-50	Repealed	25:2 VA.R. 122	10/29/08
1 VAC 55-11-10 through 1 VAC 55-11-110	Added	25:2 VA.R. 122-125	10/29/08
1 VAC 75-10-10 through 1 VAC 75-10-40	Repealed	24:25 VA.R. 3523	9/17/08
1 VAC 75-11-10 through 1 VAC 75-11-110	Added	24:25 VA.R. 3523-3526	9/17/08
<b>Title 2. Agriculture</b>			
2 VAC 5-10-10 through 2 VAC 5-10-70	Repealed	25:3 VA.R. 342	11/12/08
2 VAC 5-11-10 through 2 VAC 5-11-110	Added	25:3 VA.R. 343-345	11/12/08
2 VAC 5-60-10	Amended	25:11 VA.R. 1889	3/4/09
2 VAC 5-190-30	Amended	25:11 VA.R. 1890	3/4/09
2 VAC 5-205-20	Amended	25:11 VA.R. 1890	3/4/09
2 VAC 5-206-10 through 2 VAC 5-206-50	Added	24:25 VA.R. 3527-3531	10/3/08
2 VAC 5-210-20	Amended	25:11 VA.R. 1891	3/4/09
2 VAC 5-230-30	Amended	25:11 VA.R. 1892	3/4/09
2 VAC 5-230-50	Amended	25:11 VA.R. 1892	3/4/09
2 VAC 5-230-60	Amended	25:11 VA.R. 1892	3/4/09
2 VAC 5-300-50	Amended	25:11 VA.R. 1924	3/4/09
2 VAC 5-320-10	Amended	25:11 VA.R. 1892	3/4/09
2 VAC 5-325-10	Amended	25:11 VA.R. 1893	3/4/09
2 VAC 5-330-10	Amended	25:11 VA.R. 1893	3/4/09
2 VAC 5-330-30	Amended	25:2 VA.R. 126	10/15/08
2 VAC 5-335-10 through 2 VAC 5-335-130	Added	25:2 VA.R. 126-129	10/15/08
2 VAC 5-340-140	Amended	25:11 VA.R. 1894	3/4/09
2 VAC 5-340-170	Amended	25:11 VA.R. 1895	3/4/09
2 VAC 5-340-180	Amended	25:11 VA.R. 1896	3/4/09
2 VAC 5-350-10 through 2 VAC 5-350-60	Amended	25:11 VA.R. 1896-1898	3/4/09
2 VAC 5-350-80	Amended	25:11 VA.R. 1898	3/4/09
2 VAC 5-360-10	Amended	25:11 VA.R. 1899	3/4/09
2 VAC 5-360-50	Amended	25:11 VA.R. 1900	3/4/09
2 VAC 5-370-10	Amended	25:11 VA.R. 1901	3/4/09
2 VAC 5-380-10	Amended	25:11 VA.R. 1901	3/4/09

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
2 VAC 5-380-60	Amended	25:11 VA.R. 1901	3/4/09
2 VAC 5-390-20	Amended	25:11 VA.R. 1902	3/4/09
2 VAC 5-390-30	Amended	25:11 VA.R. 1902	3/4/09
2 VAC 5-390-40	Amended	25:11 VA.R. 1903	3/4/09
2 VAC 5-390-60	Amended	25:11 VA.R. 1903	3/4/09
2 VAC 5-390-70	Amended	25:11 VA.R. 1903	3/4/09
2 VAC 5-390-80	Amended	25:11 VA.R. 1904	3/4/09
2 VAC 5-390-100	Amended	25:11 VA.R. 1904	3/4/09
2 VAC 5-390-110	Amended	25:11 VA.R. 1904	3/4/09
2 VAC 5-390-120	Amended	25:11 VA.R. 1906	3/4/09
2 VAC 5-390-160	Amended	25:11 VA.R. 1906	3/4/09
2 VAC 5-390-170	Amended	25:11 VA.R. 1906	3/4/09
2 VAC 5-390-180	Amended	25:11 VA.R. 1906	3/4/09
2 VAC 5-400-10	Amended	25:11 VA.R. 1907	3/4/09
2 VAC 5-400-30	Amended	25:11 VA.R. 1907	3/4/09
2 VAC 5-400-90	Amended	25:11 VA.R. 1908	3/4/09
2 VAC 5-440-20	Amended	25:11 VA.R. 1909	3/4/09
2 VAC 5-440-110	Amended	25:11 VA.R. 1909	3/4/09
2 VAC 5-450-20	Amended	25:11 VA.R. 1909	3/4/09
2 VAC 5-490-10	Amended	25:11 VA.R. 1909	3/4/09
2 VAC 5-490-31	Amended	25:11 VA.R. 1915	3/4/09
2 VAC 5-501-30	Amended	25:11 VA.R. 1917	3/4/09
2 VAC 5-501-60	Amended	25:11 VA.R. 1919	3/4/09
2 VAC 5-501-70	Amended	25:11 VA.R. 1922	3/4/09
2 VAC 5-570-70	Amended	25:11 VA.R. 1923	3/4/09
2 VAC 5-620-20	Amended	25:11 VA.R. 1924	3/4/09
2 VAC 5-620-100	Amended	25:11 VA.R. 1924	3/4/09
2 VAC 15-11-10 through 2 VAC 15-11-120	Repealed	25:4 VA.R. 576	11/26/08
2 VAC 15-12-10 through 2 VAC 15-12-110	Added	25:4 VA.R. 577-579	11/26/08
2 VAC 15-20-90	Amended	25:10 VA.R. 1847	2/18/09
2 VAC 15-20-110	Amended	25:10 VA.R. 1848	2/18/09
2 VAC 15-20-120	Amended	25:10 VA.R. 1848	2/18/09
2 VAC 20-10-10 through 2 VAC 20-10-120	Repealed	25:5 VA.R. 792	12/10/08
2 VAC 20-11-10 through 2 VAC 20-11-110	Added	25:5 VA.R. 792-795	12/10/08
2 VAC 20-20-10	Amended	25:12 VA.R. 2041	3/18/09
2 VAC 20-20-30	Amended	25:12 VA.R. 2041	3/18/09
2 VAC 20-20-120	Amended	25:12 VA.R. 2042	3/18/09
2 VAC 20-30-10	Amended	25:12 VA.R. 2043	3/18/09
2 VAC 20-30-30	Amended	25:12 VA.R. 2043	3/18/09
2 VAC 20-30-40	Amended	25:12 VA.R. 2043	3/18/09
2 VAC 20-40-10	Amended	25:12 VA.R. 2044	3/18/09
2 VAC 20-40-90	Amended	25:12 VA.R. 2045	3/18/09
2 VAC 20-51-10 through 2 VAC 20-51-50	Amended	25:3 VA.R. 346-350	12/1/08
2 VAC 20-51-70	Amended	25:3 VA.R. 350	12/1/08
2 VAC 20-51-90	Amended	25:3 VA.R. 351	12/1/08
2 VAC 20-51-100	Amended	25:3 VA.R. 351	12/1/08
2 VAC 20-51-160	Amended	25:3 VA.R. 351	12/1/08
2 VAC 20-51-170	Amended	25:3 VA.R. 352	12/1/08
2 VAC 20-51-200	Amended	25:3 VA.R. 352	12/1/08
2 VAC 20-51-210	Amended	25:3 VA.R. 352	12/1/08

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 3. Alcoholic Beverages</b>			
3 VAC 5-10	Erratum	25:9 VA.R. 1826	--
3 VAC 5-10-480	Repealed	25:6 VA.R. 1173	12/24/08
3 VAC 5-11-10 through 3 VAC 5-11-110	Added	25:6 VA.R. 1175-1178	12/24/08
3 VAC 5-50-40	Amended	25:11 VA.R. 1926	3/4/09
3 VAC 5-50-50	Amended	25:11 VA.R. 1926	3/4/09
3 VAC 5-50-80	Amended	25:11 VA.R. 1926	3/4/09
3 VAC 5-50-100	Amended	25:11 VA.R. 1927	3/4/09
3 VAC 5-50-130	Amended	25:11 VA.R. 1928	3/4/09
3 VAC 5-50-140 emer	Amended	25:11 VA.R. 1925	1/9/08-6/30/09
3 VAC 5-50-140	Amended	25:11 VA.R. 1929	3/4/09
3 VAC 5-50-230 emer	Added	25:11 VA.R. 1929	1/13/09-1/12/10
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 3-10-10	Repealed	25:2 VA.R. 129	10/29/08
4 VAC 3-10-20	Repealed	25:2 VA.R. 129	10/29/08
4 VAC 3-10-30	Repealed	25:2 VA.R. 129	10/29/08
4 VAC 3-11-10 through 4 VAC 3-11-110	Added	25:2 VA.R. 130-132	10/29/08
4 VAC 5-10-10	Repealed	25:2 VA.R. 132	10/29/08
4 VAC 5-10-20	Repealed	25:2 VA.R. 132	10/29/08
4 VAC 5-10-30	Repealed	25:2 VA.R. 132	10/29/08
4 VAC 5-11-10 through 4 VAC 5-11-110	Added	25:2 VA.R. 133-136	10/29/08
4 VAC 5-36-50	Amended	25:6 VA.R. 1178	1/1/09
4 VAC 5-36-60	Amended	25:6 VA.R. 1183	1/1/09
4 VAC 5-36-70	Amended	25:6 VA.R. 1184	1/1/09
4 VAC 5-36-90	Amended	25:6 VA.R. 1185	1/1/09
4 VAC 5-36-100	Amended	25:6 VA.R. 1187	1/1/09
4 VAC 5-36-110	Amended	25:6 VA.R. 1191	1/1/09
4 VAC 5-36-115	Added	25:6 VA.R. 1192	1/1/09
4 VAC 5-36-120	Amended	25:6 VA.R. 1192	1/1/09
4 VAC 5-36-140	Amended	25:6 VA.R. 1193	1/1/09
4 VAC 5-36-150	Amended	25:6 VA.R. 1195	1/1/09
4 VAC 5-36-180	Amended	25:6 VA.R. 1198	1/1/09
4 VAC 5-36-200	Amended	25:6 VA.R. 1199	1/1/09
4 VAC 5-36-210	Amended	25:6 VA.R. 1204	1/1/09
4 VAC 10-10-10 through 4 VAC 10-10-30	Repealed	25:6 VA.R. 1208	12/24/08
4 VAC 10-11-10 through 4 VAC 10-11-110	Added	25:6 VA.R. 1209-1212	12/24/08
4 VAC 15-450-10 through 4 VAC 15-450-40	Added	25:10 VA.R. 1849-1850	1/1/09
4 VAC 20-20-50	Amended	25:6 VA.R. 1212	11/1/08
4 VAC 20-252-90	Amended	25:6 VA.R. 1213	11/1/08
4 VAC 20-252-100	Amended	25:6 VA.R. 1213	11/1/08
4 VAC 20-260-35 emer	Amended	25:3 VA.R. 353	10/1/08-10/31/08
4 VAC 20-260-35	Amended	25:6 VA.R. 1213	11/1/08
4 VAC 20-260-40 emer	Amended	25:3 VA.R. 353	10/1/08-10/31/08
4 VAC 20-260-40	Amended	25:6 VA.R. 1213	11/1/08
4 VAC 20-270-40	Amended	25:12 VA.R. 2048	2/1/09
4 VAC 20-620-20	Amended	25:3 VA.R. 354	10/1/08
4 VAC 20-620-30	Amended	25:3 VA.R. 354	10/1/08
4 VAC 20-620-40	Amended	25:3 VA.R. 355	10/1/08
4 VAC 20-720-20	Amended	25:3 VA.R. 357	10/1/08
4 VAC 20-720-40	Amended	25:3 VA.R. 359	10/1/08
4 VAC 20-720-50	Amended	25:3 VA.R. 360	10/1/08

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-720-60	Amended	25:3 VA.R. 360	10/1/08
4 VAC 20-720-70	Amended	25:3 VA.R. 360	10/1/08
4 VAC 20-720-75	Amended	25:3 VA.R. 361	10/1/08
4 VAC 20-720-80	Amended	25:3 VA.R. 361	10/1/08
4 VAC 20-720-95	Amended	25:3 VA.R. 361	10/1/08
4 VAC 20-720-100	Amended	25:3 VA.R. 361	10/1/08
4 VAC 20-720-106 emer	Amended	25:1 VA.R. 24	9/1/08-9/30/08
4 VAC 20-720-106	Amended	25:3 VA.R. 361	10/1/08
4 VAC 20-751-10 emer	Amended	25:3 VA.R. 362	9/29/08-10/28/08
4 VAC 20-751-15 emer	Amended	25:3 VA.R. 362	9/29/08-10/28/08
4 VAC 20-751-20 emer	Amended	25:3 VA.R. 362	9/29/08-10/28/08
4 VAC 20-751-20	Amended	25:6 VA.R. 1214	10/29/08
4 VAC 20-910-45	Amended	24:25 VA.R. 3537	8/1/08
4 VAC 20-910-45	Amended	25:6 VA.R. 1214	11/1/08
4 VAC 20-950-47	Amended	25:8 VA.R. 1491	1/1/09
4 VAC 20-950-48	Amended	25:8 VA.R. 1491	1/1/09
4 VAC 20-1040-20	Amended	25:8 VA.R. 1492	11/30/08
4 VAC 20-1040-25	Added	25:8 VA.R. 1493	11/30/08
4 VAC 20-1150-10	Added	24:25 VA.R. 3538	8/1/08
4 VAC 20-1150-20	Added	24:25 VA.R. 3538	8/1/08
4 VAC 20-1170-10	Added	25:6 VA.R. 1215	12/1/08
4 VAC 20-1170-20	Added	25:6 VA.R. 1215	12/1/08
4 VAC 20-1180-10 through 4 VAC 20-1180-60	Added	25:9 VA.R. 1680-1681	12/22/08
4 VAC 20-1190-10	Added	25:12 VA.R. 2049	2/1/09
4 VAC 20-1190-20	Added	25:12 VA.R. 2049	2/1/09
4 VAC 25-10-10 through 4 VAC 25-10-90	Repealed	25:5 VA.R. 795	12/25/08
4 VAC 25-11-10 through 4 VAC 25-11-120	Added	25:5 VA.R. 797-800	12/25/08
4 VAC 25-130-816.22	Amended	25:12 VA.R. 2049	3/18/09
4 VAC 25-130-816.43	Amended	25:12 VA.R. 2051	3/18/09
4 VAC 25-130-816.116	Amended	25:12 VA.R. 2052	3/18/09
4 VAC 25-130-817.22	Amended	25:12 VA.R. 2054	3/18/09
4 VAC 25-130-817.43	Amended	25:12 VA.R. 2055	3/18/09
4 VAC 25-130-817.116	Amended	25:12 VA.R. 2057	3/18/09
4 VAC 25-130-842.15	Amended	25:12 VA.R. 2058	3/18/09
4 VAC 50-10-10	Repealed	25:2 VA.R. 137	10/29/08
4 VAC 50-10-20	Repealed	25:2 VA.R. 137	10/29/08
4 VAC 50-10-30	Repealed	25:2 VA.R. 137	10/29/08
4 VAC 50-11-10 through 4 VAC 50-11-110	Added	25:2 VA.R. 138-141	10/29/08
4 VAC 50-20-20 through 4 VAC 50-20-90	Amended	24:25 VA.R. 3539-3554	9/26/08
4 VAC 50-20-51	Added	24:25 VA.R. 3544	9/26/08
4 VAC 50-20-52	Added	24:25 VA.R. 3545	9/26/08
4 VAC 50-20-54	Added	24:25 VA.R. 3545	9/26/08
4 VAC 50-20-58	Added	24:25 VA.R. 3546	9/26/08
4 VAC 50-20-59	Added	24:25 VA.R. 3546	9/26/08
4 VAC 50-20-100 through 4 VAC 50-20-140	Repealed	24:25 VA.R. 3554-3558	9/26/08
4 VAC 50-20-105	Added	24:25 VA.R. 3554	9/26/08
4 VAC 50-20-125	Added	24:25 VA.R. 3557	9/26/08
4 VAC 50-20-150 through 4 VAC 50-20-240	Amended	24:25 VA.R. 3558-3563	9/26/08
4 VAC 50-20-155	Added	24:25 VA.R. 3558	9/26/08
4 VAC 50-20-165	Added	24:25 VA.R. 3559	9/26/08
4 VAC 50-20-175	Added	24:25 VA.R. 3560	9/26/08

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 50-20-177	Added	24:25 VA.R. 3561	9/26/08
4 VAC 50-20-250	Repealed	24:25 VA.R. 3564	9/26/08
4 VAC 50-20-260 through 4 VAC 50-20-320	Amended	24:25 VA.R. 3564-3565	9/26/08
4 VAC 50-20-330 through 4 VAC 50-20-400	Added	24:25 VA.R. 3565-3567	9/26/08
<b>Title 6. Criminal Justice and Corrections</b>			
6 VAC 15-10-10 through 6 VAC 15-10-100	Repealed	25:3 VA.R. 363	11/15/08
6 VAC 15-11-10 through 6 VAC 15-11-110	Added	25:3 VA.R. 363-366	11/15/08
6 VAC 15-31-320	Amended	24:25 VA.R. 3568	9/18/08
6 VAC 15-70-10	Amended	25:3 VA.R. 367	11/15/08
6 VAC 15-70-40 through 6 VAC 15-70-130	Amended	25:3 VA.R. 367-372	11/15/08
6 VAC 15-70-160	Amended	25:3 VA.R. 372	11/15/08
6 VAC 20-10-10 through 6 VAC 20-10-50	Repealed	25:10 VA.R. 1850	2/20/09
6 VAC 20-11-10 through 6 VAC 20-11-110	Added	25:10 VA.R. 1851-1853	2/20/09
6 VAC 20-160-10	Amended	25:2 VA.R. 141	10/29/08
6 VAC 20-160-20	Amended	25:2 VA.R. 142	10/29/08
6 VAC 20-160-30	Amended	25:2 VA.R. 142	10/29/08
6 VAC 20-160-40	Amended	25:2 VA.R. 143	10/29/08
6 VAC 20-160-60	Amended	25:2 VA.R. 144	10/29/08
6 VAC 20-160-70	Amended	25:2 VA.R. 144	10/29/08
6 VAC 20-160-80	Amended	25:2 VA.R. 144	10/29/08
6 VAC 20-160-100	Amended	25:2 VA.R. 145	10/29/08
6 VAC 20-160-120	Amended	25:2 VA.R. 145	10/29/08
6 VAC 35-10-10 through 6 VAC 35-10-150	Repealed	24:25 VA.R. 3573	9/17/08
6 VAC 35-11-10 through 6 VAC 35-11-110	Added	24:25 VA.R. 3574-3576	9/17/08
6 VAC 35-20-37 emer	Amended	25:3 VA.R. 373	8/1/07-1/31/09
6 VAC 35-20-37	Amended	25:4 VA.R. 626	12/12/08
6 VAC 35-51-10 through 6 VAC 35-51-1100	Added	24:25 VA.R. 3577-3610	9/17/08
6 VAC 35-140-46	Added	25:3 VA.R. 376	12/12/08
6 VAC 40-10-10 through 6 VAC 40-10-90	Repealed	25:2 VA.R. 146	10/30/08
6 VAC 40-11-10 through 6 VAC 40-110	Added	25:2 VA.R. 147-149	10/30/08
6 VAC 40-20-30	Amended	24:26 VA.R. 3718	10/16/08
6 VAC 40-20-120	Amended	24:26 VA.R. 3718	10/16/08
6 VAC 40-20-130	Amended	24:26 VA.R. 3718	10/16/08
6 VAC 40-20-160	Amended	24:26 VA.R. 3718	10/16/08
<b>Title 7. Economic Development</b>			
7 VAC 10-20-10 through 7 VAC 10-20-350	Repealed	24:26 VA.R. 3719	9/1/08
7 VAC 10-21-10 through 7 VAC 10-21-610	Added	24:26 VA.R. 3719-3729	9/1/08
<b>Title 8. Education</b>			
8 VAC 20-10-10	Repealed	25:11 VA.R. 1930	3/19/09
8 VAC 20-11-10 through 8 VAC 20-11-110	Added	25:11 VA.R. 1932-1935	3/19/09
8 VAC 35-60-20	Amended	25:5 VA.R. 800	11/10/08
8 VAC 40-10-10 through 8 VAC 40-10-90	Repealed	25:3 VA.R. 376	1/1/09
8 VAC 40-11-10 through 8 VAC 40-11-110	Added	25:3 VA.R. 377-379	1/1/09
<b>Title 9. Environment</b>			
9 VAC 5-5-10 through 9 VAC 5-5-110	Added	25:5 VA.R. 801-804	1/1/09
9 VAC 5-10-20	Amended	25:12 VA.R. 2060	4/2/09
9 VAC 5-20-21	Amended	25:12 VA.R. 2068	3/18/09
9 VAC 5-30-55	Amended	25:12 VA.R. 2072	3/18/09
9 VAC 5-30-56	Added	25:12 VA.R. 2072	3/18/09
9 VAC 5-30-65	Amended	25:12 VA.R. 2072	3/18/09
9 VAC 5-40-5600 through 9 VAC 5-40-5645	Repealed	25:12 VA.R. 2088-2097	3/18/09

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-50-400	Amended	25:12 VA.R. 2073	3/18/09
9 VAC 5-50-410	Amended	25:12 VA.R. 2074	3/18/09
9 VAC 5-60-60	Amended	25:12 VA.R. 2079	3/18/09
9 VAC 5-60-90	Amended	25:12 VA.R. 2080	3/18/09
9 VAC 5-60-100	Amended	25:12 VA.R. 2080	3/18/09
9 VAC 5-80-5	Added	25:6 VA.R. 1231	12/31/08
9 VAC 5-80-15	Added	25:6 VA.R. 1234	12/31/08
9 VAC 5-80-25	Added	25:6 VA.R. 1234	12/31/08
9 VAC 5-80-35	Added	25:6 VA.R. 1235	12/31/08
9 VAC 5-80-150	Amended	25:6 VA.R. 1237	12/31/08
9 VAC 5-80-230	Amended	25:6 VA.R. 1237	12/31/08
9 VAC 5-80-270	Amended	25:6 VA.R. 1238	12/31/08
9 VAC 5-80-510	Amended	25:6 VA.R. 1239	12/31/08
9 VAC 5-80-590	Amended	25:6 VA.R. 1241	12/31/08
9 VAC 5-80-670	Amended	25:6 VA.R. 1241	12/31/08
9 VAC 5-80-670	Erratum	25:8 VA.R. 1644	--
9 VAC 5-80-860	Amended	25:6 VA.R. 1243	12/31/08
9 VAC 5-80-990	Amended	25:6 VA.R. 1243	12/31/08
9 VAC 5-80-1020	Amended	25:6 VA.R. 1244	12/31/08
9 VAC 5-80-1100	Amended	25:6 VA.R. 1258	12/31/08
9 VAC 5-80-1110	Amended	25:6 VA.R. 1259	12/31/08
9 VAC 5-80-1160	Amended	25:6 VA.R. 1244	12/31/08
9 VAC 5-80-1170	Amended	25:6 VA.R. 1245	12/31/08
9 VAC 5-80-1290	Amended	25:6 VA.R. 1246	12/31/08
9 VAC 5-80-1320	Amended	25:6 VA.R. 1264	12/31/08
9 VAC 5-80-1450	Amended	25:6 VA.R. 1247	12/31/08
9 VAC 5-80-1450	Erratum	25:8 VA.R. 1644	--
9 VAC 5-80-1460	Amended	25:6 VA.R. 1248	12/31/08
9 VAC 5-80-1615	Amended	25:6 VA.R. 1218	12/31/08
9 VAC 5-80-1695	Amended	25:6 VA.R. 1229	12/31/08
9 VAC 5-80-1765	Amended	25:6 VA.R. 1249	12/31/08
9 VAC 5-80-1773	Added	25:6 VA.R. 1251	12/31/08
9 VAC 5-80-1775	Amended	25:6 VA.R. 1251	12/31/08
9 VAC 5-80-1955	Amended	25:6 VA.R. 1253	12/31/08
9 VAC 5-80-2060	Amended	25:6 VA.R. 1254	12/31/08
9 VAC 5-80-2070	Amended	25:6 VA.R. 1255	12/31/08
9 VAC 5-80-2230	Amended	25:6 VA.R. 1256	12/31/08
9 VAC 5-91-20	Amended	25:6 VA.R. 1268	12/31/08
9 VAC 5-130-10 through 9 VAC 5-130-100	Added	25:12 VA.R. 2097-2106	3/18/09
9 VAC 5-140-900	Amended	25:6 VA.R. 1275	12/31/08
9 VAC 5-140-920	Amended	25:6 VA.R. 1275	12/31/08
9 VAC 5-140-930	Amended	25:6 VA.R. 1275	12/31/08
9 VAC 5-140-1010	Amended	25:12 VA.R. 2107	3/18/09
9 VAC 5-140-1020	Amended	25:12 VA.R. 2107	3/18/09
9 VAC 5-140-1060	Amended	25:12 VA.R. 2115	3/18/09
9 VAC 5-140-2010	Amended	25:12 VA.R. 2116	3/18/09
9 VAC 5-140-2020	Amended	25:12 VA.R. 2117	3/18/09
9 VAC 5-140-3010	Amended	25:12 VA.R. 2126	3/18/09
9 VAC 5-140-3020	Amended	25:12 VA.R. 2126	3/18/09
9 VAC 5-151-10	Amended	25:6 VA.R. 1276	12/31/08
9 VAC 5-151-20	Amended	25:6 VA.R. 1278	12/31/08

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-151-40	Amended	25:6 VA.R. 1279	12/31/08
9 VAC 5-151-61	Repealed	25:6 VA.R. 1279	12/31/08
9 VAC 5-151-70	Amended	25:6 VA.R. 1280	12/31/08
9 VAC 5-170-20	Amended	25:5 VA.R. 804	1/1/09
9 VAC 5-170-30	Amended	25:6 VA.R. 1256	12/31/08
9 VAC 5-170-40	Amended	25:5 VA.R. 806	1/1/09
9 VAC 5-170-80	Amended	25:5 VA.R. 807	1/1/09
9 VAC 5-170-90	Repealed	25:5 VA.R. 807	1/1/09
9 VAC 5-170-100	Repealed	25:5 VA.R. 807	1/1/09
9 VAC 5-170-110	Repealed	25:5 VA.R. 809	1/1/09
9 VAC 5-170-180	Amended	25:6 VA.R. 1256	12/31/08
9 VAC 5-170-190	Amended	25:6 VA.R. 1257	12/31/08
9 VAC 5-170-200	Amended	25:6 VA.R. 1257	12/31/08
9 VAC 10-10-10	Repealed	25:4 VA.R. 627	11/26/08
9 VAC 10-10-20	Repealed	25:4 VA.R. 627	11/26/08
9 VAC 10-10-30	Repealed	25:4 VA.R. 627	11/26/08
9 VAC 10-11-10 through 9 VAC 10-11-110	Added	25:4 VA.R. 627-630	11/26/08
9 VAC 15-10-10 through 9 VAC 15-10-40	Repealed	25:5 VA.R. 809	1/1/09
9 VAC 15-11-10 through 9 VAC 15-11-110	Added	25:5 VA.R. 810-813	1/1/09
9 VAC 20-10-10 through 9 VAC 20-10-40	Repealed	25:9 VA.R. 1681	2/4/09
9 VAC 20-11-10 through 9 VAC 20-11-110	Added	25:9 VA.R. 1682-1685	2/4/09
9 VAC 20-80-10	Amended	25:2 VA.R. 150	11/1/08
9 VAC 20-80-60	Amended	25:2 VA.R. 160	11/1/08
9 VAC 20-80-250	Amended	25:2 VA.R. 166	11/1/08
9 VAC 20-80-260	Amended	25:2 VA.R. 176	11/1/08
9 VAC 20-80-270	Amended	25:2 VA.R. 183	11/1/08
9 VAC 20-80-280	Amended	25:2 VA.R. 191	11/1/08
9 VAC 20-80-485	Amended	25:2 VA.R. 193	11/1/08
9 VAC 20-80-500	Amended	25:2 VA.R. 200	11/1/08
9 VAC 20-80-510	Amended	25:2 VA.R. 203	11/1/08
9 VAC 25-10-10 through 9 VAC 25-10-40	Repealed	25:5 VA.R. 813	1/1/09
9 VAC 25-11-10 through 9 VAC 25-11-110	Added	25:5 VA.R. 813-816	1/1/09
9 VAC 25-210-10	Amended	25:5 VA.R. 894	12/10/08
9 VAC 25-210-50	Amended	25:5 VA.R. 898	12/10/08
9 VAC 25-210-60	Amended	25:5 VA.R. 898	12/10/08
9 VAC 25-210-130	Erratum	25:9 VA.R. 1826	--
9 VAC 25-210-130	Amended	25:5 VA.R. 902	12/10/08
9 VAC 25-210-220	Amended	25:5 VA.R. 903	12/10/08
9 VAC 25-260-10	Amended	25:12 VA.R. 2134	*
9 VAC 25-260-20	Amended	25:12 VA.R. 2135	*
9 VAC 25-260-30	Amending	24:26 VA.R. 3747	8/12/08
9 VAC 25-260-30	Amended	25:5 VA.R. 904	10/22/08
9 VAC 25-260-30	Amended	25:12 VA.R. 2136	*
9 VAC 25-260-50	Amended	25:12 VA.R. 2139	*
9 VAC 25-260-55	Repealed	25:12 VA.R. 2139	*
9 VAC 25-260-90	Amended	25:12 VA.R. 2140	*
9 VAC 25-260-140	Amended	25:12 VA.R. 2140	*
9 VAC 25-260-160	Amended	25:12 VA.R. 2162	*
9 VAC 25-260-170	Amended	25:12 VA.R. 2162	*

\* Effective upon filing notice of U.S. EPA approval

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-260-185	Amended	25:12 VA.R. 2163	*
9 VAC 25-260-187	Amended	25:12 VA.R. 2167	*
9 VAC 25-260-290	Repealed	25:12 VA.R. 2170	*
9 VAC 25-260-310	Amended	25:12 VA.R. 2170	*
9 VAC 25-260-320	Repealed	25:12 VA.R. 2173	*
9 VAC 25-260-350	Amended	25:12 VA.R. 2173	*
9 VAC 25-260-360	Amended	25:12 VA.R. 2174	*
9 VAC 25-260-380	Amended	25:12 VA.R. 2175	*
9 VAC 25-260-390	Amended	25:12 VA.R. 2175	*
9 VAC 25-260-400	Amended	25:12 VA.R. 2179	*
9 VAC 25-260-410	Amended	25:12 VA.R. 2189	*
9 VAC 25-260-415	Amended	25:12 VA.R. 2190	*
9 VAC 25-260-420	Amended	25:12 VA.R. 2191	*
9 VAC 25-260-430	Amended	25:12 VA.R. 2197	*
9 VAC 25-260-440	Amended	25:12 VA.R. 2210	*
9 VAC 25-260-450	Amended	25:12 VA.R. 2213	*
9 VAC 25-260-460	Amended	25:12 VA.R. 2220	*
9 VAC 25-260-470	Amended	25:12 VA.R. 2221	*
9 VAC 25-260-480	Amended	25:12 VA.R. 2224	*
9 VAC 25-260-490	Amended	25:12 VA.R. 2224	*
9 VAC 25-260-500	Amended	25:12 VA.R. 2225	*
9 VAC 25-260-510	Amended	25:12 VA.R. 2228	*
9 VAC 25-260-520	Amended	25:12 VA.R. 2233	*
9 VAC 25-260-530	Amended	25:12 VA.R. 2235	*
9 VAC 25-260-540	Amended	25:12 VA.R. 2236	*
9 VAC 25-640 Appendices I through IX	Amended	25:2 VA.R. 217-231	11/1/08
9 VAC 25-640-10	Amended	25:2 VA.R. 206	11/1/08
9 VAC 25-640-20	Amended	25:2 VA.R. 209	11/1/08
9 VAC 25-640-30	Amended	25:2 VA.R. 209	11/1/08
9 VAC 25-640-50	Amended	25:2 VA.R. 210	11/1/08
9 VAC 25-640-70 through 9 VAC 25-640-120	Amended	25:2 VA.R. 210-213	11/1/08
9 VAC 25-640-130	Repealed	25:2 VA.R. 213	11/1/08
9 VAC 25-640-150 through 9 VAC 25-640-230	Amended	25:2 VA.R. 213-217	11/1/08
9 VAC 25-640-250	Amended	25:2 VA.R. 217	11/1/08
9 VAC 25-720-120	Amended	25:12 VA.R. 2250	4/2/09
9 VAC 25-740-10 through 9 VAC 25-740-210	Added	24:26 VA.R. 3748-3773	10/1/08
9 VAC 25-790 (Forms)	Added	25:6 VA.R. 1285	--
9 VAC 25-860-10 through 9 VAC 25-860-70	Added	25:6 VA.R. 1285-1295	12/24/08
<b>Title 10. Finance and Financial Institutions</b>			
10 VAC 5-160-10	Amended	24:26 VA.R. 3775	8/10/08
10 VAC 5-160-70	Added	24:26 VA.R. 3776	8/10/08
10 VAC 5-160-80	Added	24:26 VA.R. 3776	8/10/08
10 VAC 5-200-10	Amended	25:4 VA.R. 637	1/1/09
10 VAC 5-200-20	Amended	25:4 VA.R. 637	1/1/09
10 VAC 5-200-33	Added	25:4 VA.R. 638	1/1/09
10 VAC 5-200-35	Added	25:4 VA.R. 639	1/1/09
10 VAC 5-200-40	Amended	25:4 VA.R. 641	1/1/09
10 VAC 5-200-60	Amended	25:4 VA.R. 642	1/1/09
10 VAC 5-200-70	Amended	25:4 VA.R. 642	1/1/09
10 VAC 5-200-80	Amended	25:4 VA.R. 643	1/1/09
10 VAC 5-200-110	Added	25:4 VA.R. 646	1/1/09

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
10 VAC 5-200-115	Added	25:4 VA.R. 651	1/1/09
10 VAC 5-200-120	Added	25:4 VA.R. 650	1/1/09
<b>Title 11. Gaming</b>			
11 VAC 10-10-10 through 11 VAC 10-10-70	Repealed	25:5 VA.R. 904	12/10/08
11 VAC 10-11-10 through 11 VAC 10-11-110	Added	25:5 VA.R. 905-907	12/10/08
11 VAC 15-12-10	Repealed	25:4 VA.R. 651	11/26/08
11 VAC 15-12-20	Repealed	25:4 VA.R. 651	11/26/08
11 VAC 15-13-10 through 11 VAC 15-13-110	Added	25:4 VA.R. 652-654	11/26/08
<b>Title 12. Health</b>			
12 VAC 5-10-10 through 12 VAC 5-10-80	Repealed	25:4 VA.R. 654	1/1/09
12 VAC 5-11-10 through 12 VAC 5-11-110	Added	25:4 VA.R. 655-657	1/1/09
12 VAC 5-67-10 emer	Added	25:4 VA.R. 658	11/1/08-10/31/09
12 VAC 5-67-20 emer	Added	25:4 VA.R. 658	11/1/08-10/31/09
12 VAC 5-67-30 emer	Added	25:4 VA.R. 658	11/1/08-10/31/09
12 VAC 5-90-80	Amended	25:11 VA.R. 1935	3/4/09
12 VAC 5-220-110	Amended	25:1 VA.R. 26	10/15/08
12 VAC 5-220-160	Amended	25:1 VA.R. 25	10/15/08
12 VAC 5-220-200	Amended	25:1 VA.R. 26	10/15/08
12 VAC 5-230-10	Amended	25:9 VA.R. 1707	2/15/09
12 VAC 5-230-10	Erratum	25:11 VA.R. 2018	--
12 VAC 5-230-20	Repealed	25:9 VA.R. 1711	2/15/09
12 VAC 5-230-30	Amended	25:9 VA.R. 1712	2/15/09
12 VAC 5-230-40 through 12 VAC 5-230-1000	Added	25:9 VA.R. 1713-1742	2/15/09
12 VAC 5-230-60	Erratum	25:11 VA.R. 2018	--
12 VAC 5-230-70	Erratum	25:11 VA.R. 2018	--
12 VAC 5-230-80	Erratum	25:11 VA.R. 2018	--
12 VAC 5-230-110	Erratum	25:11 VA.R. 2018	--
12 VAC 5-230-340	Erratum	25:11 VA.R. 2018	--
12 VAC 5-230-870	Erratum	25:11 VA.R. 2018	--
12 VAC 5-240-10 through 12 VAC 5-240-60	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-250-10 through 12 VAC 5-250-120	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-260-10 through 12 VAC 5-260-130	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-270-10 through 12 VAC 5-270-60	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-280-10 through 12 VAC 5-280-70	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-290-10 through 12 VAC 5-290-70	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-300-10 through 12 VAC 5-300-70	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-310-10 through 12 VAC 5-310-70	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-320-10 through 12 VAC 5-320-480	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-330-10 through 12 VAC 5-330-70	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-340-10 through 12 VAC 5-340-120	Repealed	25:9 VA.R. 1706	2/15/09
12 VAC 5-350-10 through 12 VAC 5-350-60	Repealed	25:9 VA.R. 1707	2/15/09
12 VAC 5-360-10 through 12 VAC 5-360-70	Repealed	25:9 VA.R. 1707	2/15/09
12 VAC 5-481-10	Amended	25:2 VA.R. 231	11/1/08
12 VAC 5-481-390	Amended	25:2 VA.R. 256	11/1/08
12 VAC 5-481-400	Amended	25:2 VA.R. 256	11/1/08
12 VAC 5-481-450	Amended	25:2 VA.R. 257	11/1/08
12 VAC 5-481-451	Added	24:25 VA.R. 3612	10/3/08
12 VAC 5-481-480	Amended	25:2 VA.R. 260	11/1/08
12 VAC 5-481-2870	Amended	25:2 VA.R. 267	11/1/08
12 VAC 5-481-3160	Amended	25:2 VA.R. 267	11/1/08
12 VAC 5-481-3710	Amended	25:2 VA.R. 267	11/1/08

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-490-10	Amended	25:11 VA.R. 1942	3/4/09
12 VAC 5-490-20	Amended	25:11 VA.R. 1942	3/4/09
12 VAC 5-490-30	Added	25:11 VA.R. 1939	3/4/09
12 VAC 5-490-40	Added	25:11 VA.R. 1939	3/4/09
12 VAC 5-590-10	Amended	25:5 VA.R. 908	12/10/08
12 VAC 5-590-370	Amended	25:5 VA.R. 916	12/10/08
12 VAC 5-590-410	Amended	25:5 VA.R. 955	12/10/08
12 VAC 5-590-420	Amended	25:5 VA.R. 959	12/10/08
12 VAC 5-590-440	Amended	25:5 VA.R. 994	12/10/08
12 VAC 5-590-500	Amended	25:5 VA.R. 998	12/10/08
12 VAC 5-590-530	Amended	25:5 VA.R. 999	12/10/08
12 VAC 5-590-540	Amended	25:5 VA.R. 1011	12/10/08
12 VAC 5-590-545	Amended	25:5 VA.R. 1016	12/10/08
12 VAC 5-590-550	Amended	25:5 VA.R. 1021	12/10/08
12 VAC 30-5-10 through 12 VAC 30-5-110	Added	25:3 VA.R. 380-383	11/12/08
12 VAC 30-10-815	Added	25:4 VA.R. 662	11/26/08
12 VAC 30-40-280	Amended	25:11 VA.R. 1945	3/19/09
12 VAC 30-40-290 emer	Amended	25:1 VA.R. 35	8/27/08-8/26/09
12 VAC 30-40-345	Amended	25:11 VA.R. 1946	3/19/09
12 VAC 30-50-130	Amended	25:5 VA.R. 1041	12/10/08
12 VAC 30-50-140 emer	Amended	25:3 VA.R. 393	7/1/07-12/29/08
12 VAC 30-50-150 emer	Amended	25:3 VA.R. 393	7/1/07-12/29/08
12 VAC 30-50-180 emer	Amended	25:3 VA.R. 393	7/1/07-12/29/08
12 VAC 30-50-228 emer	Added	25:3 VA.R. 393	7/1/07-12/29/08
12 VAC 30-50-229.1	Repealed	25:5 VA.R. 1045	12/10/08
12 VAC 30-50-320	Amended	25:8 VA.R. 1515	2/5/09
12 VAC 30-50-330 through 12 VAC 30-50-360	Added	25:8 VA.R. 1515-1520	2/5/09
12 VAC 30-50-491 emer	Added	25:3 VA.R. 393	7/1/07-12/29/08
12 VAC 30-50-530	Amended	25:5 VA.R. 1049	12/10/08
12 VAC 30-60-180 emer	Added	25:3 VA.R. 393	7/1/07-12/29/08
12 VAC 30-60-185 emer	Added	25:3 VA.R. 393	7/1/07-12/29/08
12 VAC 30-60-500 emer	Added	25:3 VA.R. 384	8/8/07-2/7/09
12 VAC 30-70-70	Amended	25:3 VA.R. 387	11/27/08
12 VAC 30-70-261	Amended	25:3 VA.R. 388	11/27/08
12 VAC 30-70-271	Amended	25:3 VA.R. 388	11/27/08
12 VAC 30-70-311	Amended	24:26 VA.R. 3778	10/15/08
12 VAC 30-70-321	Amended	24:26 VA.R. 3778	10/15/08
12 VAC 30-70-500	Repealed	25:3 VA.R. 389	11/27/08
12 VAC 30-80-32 emer	Added	25:3 VA.R. 393	7/1/07-12/29/08
12 VAC 30-80-40 emer	Amended	24:25 VA.R. 3617	8/4/08-8/3/09
12 VAC 30-80-95	Amended	25:12 VA.R. 2253	4/2/09
12 VAC 30-80-190 emer	Amended	25:1 VA.R. 41	8/27/08-8/26/09
12 VAC 30-90-41	Amended	24:26 VA.R. 3778	10/15/08
12 VAC 30-90-264	Amended	25:3 VA.R. 390	11/27/08
12 VAC 30-100-10 through 12 VAC 30-100-60	Repealed	25:3 VA.R. 383-384	11/12/08
12 VAC 30-100-170	Amended	24:25 VA.R. 3622	10/2/08
12 VAC 30-120-61 through 12 VAC 30-120-68	Repealed	25:8 VA.R. 1520-1526	2/5/09
12 VAC 30-120-100	Amended	24:26 VA.R. 3781	10/15/08
12 VAC 30-120-310 emer	Amended	25:3 VA.R. 393	7/1/07-12/29/08
12 VAC 30-120-370 emer	Amended	25:3 VA.R. 393	9/1/07-3/3/09
12 VAC 30-120-370	Amended	25:11 VA.R. 1947	3/4/09

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-120-380 emer	Amended	25:3 VA.R. 393	9/1/07-3/3/09
12 VAC 30-120-380 emer	Amended	25:3 VA.R. 393	7/1/07-12/29/08
12 VAC 30-120-380	Amended	25:11 VA.R. 1950	3/4/09
12 VAC 30-135-10	Amended	24:26 VA.R. 3783	10/16/08
12 VAC 30-135-20	Amended	24:26 VA.R. 3783	10/16/08
12 VAC 30-135-30	Amended	24:26 VA.R. 3783	10/16/08
12 VAC 30-135-40	Amended	24:26 VA.R. 3783	10/16/08
12 VAC 30-135-70	Amended	24:26 VA.R. 3784	10/16/08
12 VAC 30-141-660 emer	Amended	25:10 VA.R. 1854	12/22/08-12/21/09
12 VAC 35-11-10 through 12 VAC 35-11-110	Repealed	25:2 VA.R. 271	10/29/08
12 VAC 35-12-10 through 12 VAC 35-12-110	Added	25:2 VA.R. 271-274	10/29/08
<b>Title 13. Housing</b>			
13 VAC 5-10-10 through 13 VAC 5-10-120	Repealed	25:4 VA.R. 666	11/26/08
13 VAC 5-11-10 through 13 VAC 5-11-110	Added	25:4 VA.R. 667-669	11/26/08
13 VAC 5-51-81	Amended	24:25 VA.R. 3622	10/1/08
13 VAC 5-200-10	Amended	24:26 VA.R. 3784	10/1/08
13 VAC 5-200-40 through 13 VAC 5-200-80	Amended	24:26 VA.R. 3784-3785	10/1/08
13 VAC 5-200-100	Amended	24:26 VA.R. 3785	10/1/08
13 VAC 6-10-10 through 13 VAC 6-10-120	Repealed	25:3 VA.R. 394	11/13/08
13 VAC 6-11-10 through 13 VAC 6-11-110	Added	25:3 VA.R. 394-397	11/13/08
13 VAC 10-20-40	Amended	25:9 VA.R. 1743	12/15/08
13 VAC 10-180-40	Amended	25:7 VA.R. 1418	1/1/09
13 VAC 10-180-50	Amended	25:7 VA.R. 1419	1/1/09
13 VAC 10-180-60	Amended	25:7 VA.R. 1421	1/1/09
<b>Title 14. Insurance</b>			
14 VAC 5-323-10 through 14 VAC 5-323-70	Added	25:8 VA.R. 1527-1528	1/1/09
14 VAC 5-395-40	Amended	24:26 VA.R. 3811	8/29/08
<b>Title 16. Labor and Employment</b>			
16 VAC 15-10-10 through 16 VAC 15-10-100	Repealed	25:4 VA.R. 672	11/26/08
16 VAC 15-11-10 through 16 VAC 15-11-110	Added	25:4 VA.R. 672-675	11/26/08
16 VAC 15-30-40	Amended	24:25 VA.R. 3632	9/18/08
16 VAC 20-10-10 through 16 VAC 20-10-100	Repealed	25:4 VA.R. 675	11/27/08
16 VAC 20-11-10 through 16 VAC 20-11-110	Added	25:4 VA.R. 676-678	11/27/08
16 VAC 25-10-10 through 16 VAC 25-10-120	Repealed	24:26 VA.R. 3811	10/1/08
16 VAC 25-11-10 through 16 VAC 25-11-110	Added	24:26 VA.R. 3811-3814	10/1/08
16 VAC 25-20-10	Amended	25:8 VA.R. 1529	2/1/09
16 VAC 30-11-10 through 16 VAC 30-11-30	Repealed	25:6 VA.R. 1307	12/24/08
16 VAC 30-12-10 through 16 VAC 30-12-110	Added	25:6 VA.R. 1307-1310	12/24/08
16 VAC 30-90-10 through 16 VAC 30-90-80	Repealed	25:11 VA.R. 1951	3/4/09
16 VAC 30-91-10	Added	25:11 VA.R. 1951	3/4/09
16 VAC 30-91-20	Added	25:11 VA.R. 1952	3/4/09
<b>Title 17. Libraries and Cultural Resources</b>			
17 VAC 5-10-10 through 17 VAC 5-10-40	Repealed	25:6 VA.R. 1310	12/24/08
17 VAC 5-11-10 through 17 VAC 5-11-110	Added	25:6 VA.R. 1311-1313	12/24/08
17 VAC 10-10-10 through 17 VAC 10-10-40	Repealed	25:6 VA.R. 1313	12/24/08
17 VAC 10-11-10 through 17 VAC 10-11-110	Added	25:6 VA.R. 1314-1316	12/24/08
17 VAC 15-10-10	Repealed	25:5 VA.R. 1064	12/10/08
17 VAC 15-11-10 through 17 VAC 15-11-110	Added	25:5 VA.R. 1065-1067	12/10/08
17 VAC 15-120-10	Added	25:6 VA.R. 1317	12/24/08
17 VAC 15-120-20	Added	25:6 VA.R. 1317	12/24/08
17 VAC 15-120-30	Added	25:6 VA.R. 1317	12/24/08

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 5-10-10 through 18 VAC 5-10-90	Repealed	25:4 VA.R. 678	11/26/08
18 VAC 5-11-10 through 18 VAC 5-11-110	Added	25:4 VA.R. 679-682	11/26/08
18 VAC 10-10-10 through 18 VAC 10-10-90	Repealed	25:4 VA.R. 682	11/27/08
18 VAC 10-11-10 through 18 VAC 10-11-110	Added	25:4 VA.R. 682-685	11/27/08
18 VAC 10-20-10	Amended	25:3 VA.R. 397	12/1/08
18 VAC 10-20-120	Amended	25:3 VA.R. 399	12/1/08
18 VAC 10-20-120	Amended	25:5 VA.R. 1068	1/1/09
18 VAC 10-20-140	Amended	25:5 VA.R. 1068	1/1/09
18 VAC 10-20-280	Amended	25:3 VA.R. 399	12/1/08
18 VAC 10-20-295	Amended	25:3 VA.R. 400	12/1/08
18 VAC 10-20-310	Amended	25:3 VA.R. 400	12/1/08
18 VAC 10-20-310	Erratum	25:7 VA.R. 1451	--
18 VAC 10-20-340	Amended	25:3 VA.R. 401	12/1/08
18 VAC 10-20-350	Amended	25:3 VA.R. 401	12/1/08
18 VAC 10-20-360	Amended	25:3 VA.R. 401	12/1/08
18 VAC 10-20-380	Amended	25:3 VA.R. 402	12/1/08
18 VAC 10-20-382	Added	25:3 VA.R. 403	12/1/08
18 VAC 10-20-392	Added	25:3 VA.R. 404	12/1/08
18 VAC 10-20-395	Added	25:3 VA.R. 404	12/1/08
18 VAC 10-20-670	Amended	25:12 VA.R. 2258	4/1/09
18 VAC 10-20-680	Amended	25:12 VA.R. 2258	4/1/09
18 VAC 10-20-683	Added	25:12 VA.R. 2259	4/1/09
18 VAC 10-20-687	Added	25:12 VA.R. 2260	4/1/09
18 VAC 10-20-760	Amended	25:3 VA.R. 404	12/1/08
18 VAC 10-20-790	Amended	25:12 VA.R. 2260	4/1/09
18 VAC 15-10-10 through 18 VAC 15-10-90	Repealed	25:1 VA.R. 55	10/15/08
18 VAC 15-11-10 through 18 VAC 15-11-110	Added	25:1 VA.R. 55-58	10/15/08
18 VAC 25-10-10 through 18 VAC 25-10-90	Repealed	25:6 VA.R. 1318	12/24/08
18 VAC 25-11-10 through 18 VAC 25-11-110	Added	25:6 VA.R. 1319-1321	12/24/08
18 VAC 25-21-20	Amended	25:7 VA.R. 1431	2/1/09
18 VAC 25-21-40	Amended	25:7 VA.R. 1432	2/1/09
18 VAC 25-21-50	Amended	25:7 VA.R. 1432	2/1/09
18 VAC 25-21-60	Amended	25:7 VA.R. 1432	2/1/09
18 VAC 25-21-110	Amended	25:7 VA.R. 1433	2/1/09
18 VAC 25-21-120	Amended	25:7 VA.R. 1433	2/1/09
18 VAC 25-21-150	Amended	25:7 VA.R. 1433	2/1/09
18 VAC 25-21-170	Amended	25:7 VA.R. 1434	2/1/09
18 VAC 25-21-180	Amended	25:7 VA.R. 1434	2/1/09
18 VAC 25-21-185	Added	25:7 VA.R. 1435	2/1/09
18 VAC 30-10-10 through 18 VAC 30-10-120	Repealed	25:5 VA.R. 1070	12/10/08
18 VAC 30-11-10 through 18 VAC 30-11-110	Added	25:5 VA.R. 1070-1073	12/10/08
18 VAC 30-20 (Forms)	Amended	24:26 VA.R. 3814	--
18 VAC 41-10-10 through 18 VAC 41-10-90	Repealed	25:6 VA.R. 1321	12/24/08
18 VAC 41-11-10	Erratum	25:9 VA.R. 1826	--
18 VAC 41-11-20	Erratum	25:9 VA.R. 1826	--
18 VAC 41-11-10 through 18 VAC 41-11-110	Added	25:6 VA.R. 1322-1325	12/24/08
18 VAC 45-10-10 through 18 VAC 45-10-90	Repealed	24:26 VA.R. 3815	10/2/08
18 VAC 45-11-10 through 18 VAC 45-11-110	Added	24:26 VA.R. 3815-3818	10/2/08
18 VAC 47-10-10 through 18 VAC 47-10-90	Repealed	25:6 VA.R. 1325	12/24/08
18 VAC 47-11-10 through 18 VAC 47-11-110	Added	25:6 VA.R. 1325-1328	12/24/08

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 48-10-10 through 18 VAC 48-10-110	Added	25:3 VA.R. 411-414	11/13/08
18 VAC 48-20-10 through 18 VAC 48-20-730 emer	Added	25:5 VA.R. 1074-1093	11/13/08-11/12/09
18 VAC 48-40-10 through 18 VAC 48-40-110	Added	25:4 VA.R. 685-688	11/27/08
18 VAC 48-50-10 through 18 VAC 48-50-200 emer	Added	25:5 VA.R. 1095-1100	11/13/08-11/12/09
18 VAC 48-60-10 through 18 VAC 48-60-60	Added	25:4 VA.R. 688-689	11/27/08
18 VAC 50-10-10 through 18 VAC 50-10-90	Repealed	25:6 VA.R. 1328	12/24/08
18 VAC 50-11-10 through 18 VAC 50-11-110	Added	25:6 VA.R. 1328-1331	12/24/08
18 VAC 50-22-40	Amended	25:3 VA.R. 415	12/1/08
18 VAC 50-22-50	Amended	25:3 VA.R. 415	12/1/08
18 VAC 50-22-60	Amended	25:3 VA.R. 416	12/1/08
18 VAC 50-22-300 through 18 VAC 50-22-350	Added	25:3 VA.R. 417-418	12/1/08
18 VAC 60-10-10 through 18 VAC 60-10-120	Repealed	25:3 VA.R. 418	11/12/08
18 VAC 60-11-10 through 18 VAC 60-11-110	Added	25:3 VA.R. 419-422	11/12/08
18 VAC 60-20 (Forms)	Amended	25:1 VA.R. 58	--
18 VAC 62-10-10 through 18 VAC 62-10-110	Added	25:6 VA.R. 1332-1334	12/24/08
18 VAC 65-10-10 through 18 VAC 65-10-120	Repealed	25:2 VA.R. 291	10/29/08
18 VAC 65-11-10 through 18 VAC 65-11-110	Added	25:2 VA.R. 291-294	10/29/08
18 VAC 65-20 (Forms)	Amended	24:26 VA.R. 3818	--
18 VAC 65-40 (Forms)	Amended	24:26 VA.R. 3818	--
18 VAC 70-10-10 through 18 VAC 70-10-90	Repealed	25:5 VA.R. 1100	12/10/08
18 VAC 70-11-10 through 18 VAC 70-11-110	Added	25:5 VA.R. 1100-1103	12/10/08
18 VAC 75-10-10 through 18 VAC 75-10-120	Repealed	25:2 VA.R. 294	10/29/08
18 VAC 75-11-10 through 18 VAC 75-11-110	Added	25:2 VA.R. 295-297	10/29/08
18 VAC 75-20 (Forms)	Amended	24:25 VA.R. 3632	--
18 VAC 76-20 (Forms)	Amended	24:26 VA.R. 3819	--
18 VAC 76-30-10 through 18 VAC 76-30-120	Repealed	24:25 VA.R. 3632	9/17/08
18 VAC 76-31-10 through 18 VAC 76-31-110	Added	24:25 VA.R. 3633-3635	9/17/08
18 VAC 76-40 (Forms)	Amended	24:26 VA.R. 3820	--
18 VAC 80-10-10 through 18 VAC 80-10-90	Repealed	25:6 VA.R. 1334	12/24/08
18 VAC 80-11-10 through 18 VAC 80-11-110	Added	25:6 VA.R. 1335-1338	12/24/08
18 VAC 85-10-10 through 18 VAC 85-10-110	Repealed	24:26 VA.R. 3820	10/1/08
18 VAC 85-11-10 through 18 VAC 85-11-110	Added	24:26 VA.R. 3820	10/1/08
18 VAC 85-20 (Forms)	Amended	24:26 VA.R. 3823	--
18 VAC 85-40 (Forms)	Amended	24:26 VA.R. 3823	--
18 VAC 85-50 (Forms)	Amended	24:26 VA.R. 3823	--
18 VAC 85-80 (Forms)	Amended	24:26 VA.R. 3823	--
18 VAC 85-80-10 emer	Amended	25:5 VA.R. 1104	11/1/08-10/31/09
18 VAC 85-80-26 emer	Amended	25:5 VA.R. 1104	11/1/08-10/31/09
18 VAC 85-80-40 emer	Amended	25:5 VA.R. 1104	11/1/08-10/31/09
18 VAC 85-80-45 emer	Amended	25:5 VA.R. 1105	11/1/08-10/31/09
18 VAC 85-80-50 emer	Amended	25:5 VA.R. 1105	11/1/08-10/31/09
18 VAC 85-80-61 emer	Repealed	25:5 VA.R. 1105	11/1/08-10/31/09
18 VAC 85-80-65 emer	Amended	25:5 VA.R. 1105	11/1/08-10/31/09
18 VAC 85-80-70 emer	Amended	25:5 VA.R. 1105	11/1/08-10/31/09
18 VAC 85-80-72 emer	Amended	25:5 VA.R. 1105	11/1/08-10/31/09
18 VAC 85-80-73 emer	Amended	25:5 VA.R. 1106	11/1/08-10/31/09
18 VAC 85-80-80 emer	Amended	25:5 VA.R. 1106	11/1/08-10/31/09
18 VAC 85-80-90 emer	Amended	25:5 VA.R. 1106	11/1/08-10/31/09
18 VAC 85-80-100 emer	Amended	25:5 VA.R. 1107	11/1/08-10/31/09
18 VAC 85-80-110 emer	Amended	25:5 VA.R. 1107	11/1/08-10/31/09
18 VAC 85-80-111 emer	Added	25:5 VA.R. 1108	11/1/08-10/31/09

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 85-101 (Forms)	Amended	24:26 VA.R. 3823	--
18 VAC 85-110 (Forms)	Amended	24:26 VA.R. 3823	--
18 VAC 85-120 (Forms)	Amended	24:26 VA.R. 3823	--
18 VAC 85-130 (Forms)	Amended	24:26 VA.R. 3823	--
18 VAC 90-10-10 through 18 VAC 90-10-120	Repealed	24:25 VA.R. 3635	9/17/08
18 VAC 90-11-10 through 18 VAC 90-11-110	Added	24:25 VA.R. 3636-3639	9/17/08
18 VAC 90-20 (Forms)	Amended	25:1 VA.R. 59	--
18 VAC 90-25 (Forms)	Amended	25:1 VA.R. 59	--
18 VAC 90-30 (Forms)	Amended	25:1 VA.R. 59	--
18 VAC 90-30-10	Amended	25:5 VA.R. 1111	12/25/08
18 VAC 90-30-20	Amended	25:5 VA.R. 1112	12/25/08
18 VAC 90-30-30	Amended	25:5 VA.R. 1112	12/25/08
18 VAC 90-30-80	Amended	25:5 VA.R. 1112	12/25/08
18 VAC 90-30-85	Amended	25:5 VA.R. 1112	12/25/08
18 VAC 90-30-100	Amended	25:5 VA.R. 1113	12/25/08
18 VAC 90-30-105	Amended	25:5 VA.R. 1113	12/25/08
18 VAC 90-30-110	Amended	25:5 VA.R. 1113	12/25/08
18 VAC 90-30-120	Amended	25:5 VA.R. 1114	12/25/08
18 VAC 90-30-121	Amended	25:5 VA.R. 1114	12/25/08
18 VAC 90-30-220	Amended	25:5 VA.R. 1115	12/25/08
18 VAC 90-30-230	Amended	25:5 VA.R. 1115	12/25/08
18 VAC 90-40 (Forms)	Amended	25:1 VA.R. 59	--
18 VAC 90-40-10	Amended	25:5 VA.R. 1115	12/25/08
18 VAC 90-40-20	Amended	25:5 VA.R. 1116	12/25/08
18 VAC 90-40-40	Amended	25:5 VA.R. 1116	12/25/08
18 VAC 90-40-50	Amended	25:5 VA.R. 1116	12/25/08
18 VAC 90-40-55	Amended	25:5 VA.R. 1116	12/25/08
18 VAC 90-40-60	Amended	25:5 VA.R. 1117	12/25/08
18 VAC 90-40-90	Amended	25:5 VA.R. 1117	12/25/08
18 VAC 90-40-100	Amended	25:5 VA.R. 1117	12/25/08
18 VAC 90-40-121	Added	25:5 VA.R. 1118	12/25/08
18 VAC 90-40-130	Amended	25:5 VA.R. 1118	12/25/08
18 VAC 90-40-140	Amended	25:5 VA.R. 1118	12/25/08
18 VAC 90-50 (Forms)	Amended	25:1 VA.R. 59	--
18 VAC 90-50-10	Amended	25:4 VA.R. 691	12/11/08
18 VAC 90-50-40	Amended	25:4 VA.R. 691	12/11/08
18 VAC 90-50-75	Amended	25:4 VA.R. 691	12/11/08
18 VAC 90-50-80	Amended	25:4 VA.R. 692	12/11/08
18 VAC 90-50-90	Amended	25:4 VA.R. 692	12/11/08
18 VAC 90-60 (Forms)	Amended	25:1 VA.R. 59	--
18 VAC 95-10-10 through 18 VAC 95-10-120	Repealed	25:6 VA.R. 1338	12/24/08
18 VAC 95-11-10 through 18 VAC 95-11-110	Added	25:6 VA.R. 1338-1341	12/24/08
18 VAC 95-20 (Forms)	Amended	24:26 VA.R. 3827	--
18 VAC 95-20-80	Amended	24:16 VA.R. 2264	5/14/08
18 VAC 95-20-225	Amended	25:6 VA.R. 1341	12/24/08
18 VAC 95-30 (Forms)	Amended	24:26 VA.R. 3827	--
18 VAC 100-10-10 through 18 VAC 100-10-90	Repealed	25:6 VA.R. 1342	12/24/08
18 VAC 100-11-10 through 18 VAC 100-11-110	Added	25:6 VA.R. 1342-1345	12/24/08
18 VAC 105-10-10 through 18 VAC 105-10-120	Repealed	24:26 VA.R. 3828	10/1/08
18 VAC 105-11-10 through 18 VAC 105-11-110	Added	24:26 VA.R. 3828-3831	10/1/08
18 VAC 105-20 (Forms)	Amended	24:25 VA.R. 3639	--

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 110-10-10 through 18 VAC 110-10-120	Repealed	25:2 VA.R. 298	10/29/08
18 VAC 110-11-10 through 18 VAC 110-11-110	Added	25:2 VA.R. 298-301	10/29/08
18 VAC 110-20 (Forms)	Amended	24:25 VA.R. 3640	--
18 VAC 110-20-20 emer	Amended	25:3 VA.R. 464	9/23/08-9/22/09
18 VAC 110-20-220	Amended	25:4 VA.R. 694	12/11/08
18 VAC 110-20-230	Repealed	25:4 VA.R. 695	12/11/08
18 VAC 110-30 (Forms)	Amended	24:25 VA.R. 3640	--
18 VAC 110-50 (Forms)	Amended	24:25 VA.R. 3640	--
18 VAC 110-50-20 emer	Amended	25:3 VA.R. 466	9/23/08-9/22/09
18 VAC 112-10-10 through 18 VAC 112-10-120	Repealed	25:1 VA.R. 61	10/15/08
18 VAC 112-11-10 through 18 VAC 112-11-110	Added	25:1 VA.R. 62-64	10/15/08
18 VAC 112-20 (Forms)	Amended	24:26 VA.R. 3831	--
18 VAC 112-20-81 emer	Added	25:3 VA.R. 467	11/1/07-4/29/09
18 VAC 112-20-90 emer	Amended	25:3 VA.R. 467	11/1/07-4/29/09
18 VAC 112-20-130 emer	Amended	25:3 VA.R. 467	11/1/07-4/29/09
18 VAC 112-20-131 emer	Amended	25:3 VA.R. 467	11/1/07-4/29/09
18 VAC 112-20-150 emer	Amended	25:3 VA.R. 467	11/1/07-4/29/09
18 VAC 115-10-10 through 18 VAC 115-10-120	Repealed	24:26 VA.R. 3832	10/1/08
18 VAC 115-11-10 through 18 VAC 115-11-110	Added	24:26 VA.R. 3832-3835	10/1/08
18 VAC 115-20 (Forms)	Amended	25:1 VA.R. 65	--
18 VAC 115-30 (Forms)	Amended	25:1 VA.R. 65	--
18 VAC 115-40 (Forms)	Amended	25:1 VA.R. 65	--
18 VAC 115-50 (Forms)	Amended	25:1 VA.R. 65	--
18 VAC 115-60 (Forms)	Amended	25:1 VA.R. 65	--
18 VAC 120-10-100 through 18 VAC 120-10-180	Repealed	24:26 VA.R. 3835	10/2/08
18 VAC 120-11-10 through 18 VAC 120-11-110	Added	24:26 VA.R. 3836-3838	10/2/08
18 VAC 125-10-10 through 18 VAC 125-10-120	Repealed	25:4 VA.R. 699	11/26/08
18 VAC 125-11-10 through 18 VAC 125-11-110	Added	25:4 VA.R. 699-702	11/26/08
18 VAC 125-20 (Forms)	Amended	25:1 VA.R. 66	--
18 VAC 125-30 (Forms)	Amended	25:1 VA.R. 66	--
18 VAC 130-10-10 through 18 VAC 130-10-90	Repealed	25:6 VA.R. 1345	12/24/08
18 VAC 130-11-10 through 18 VAC 130-11-110	Added	25:6 VA.R. 1345-1348	12/24/08
18 VAC 135-10-10 through 18 VAC 135-10-90	Repealed	25:6 VA.R. 1348	12/24/08
18 VAC 135-11-10 through 18 VAC 135-11-110	Added	25:6 VA.R. 1348-1351	12/24/08
18 VAC 140-10-10 through 18 VAC 140-10-120	Repealed	24:25 VA.R. 3641	9/17/08
18 VAC 140-11-10 through 18 VAC 140-11-110	Added	24:25 VA.R. 3641-3644	9/17/08
18 VAC 140-20 (Forms)	Amended	25:1 VA.R. 67	--
18 VAC 140-20-10	Amended	25:4 VA.R. 703	11/26/08
18 VAC 140-20-40	Amended	25:4 VA.R. 703	11/26/08
18 VAC 140-20-50	Amended	25:4 VA.R. 703	11/26/08
18 VAC 140-20-51	Added	25:4 VA.R. 705	11/26/08
18 VAC 140-20-60	Amended	25:4 VA.R. 705	11/26/08
18 VAC 140-20-105	Amended	25:4 VA.R. 706	11/26/08
18 VAC 140-20-140	Repealed	25:4 VA.R. 707	11/26/08
18 VAC 140-20-150	Amended	25:4 VA.R. 707	11/26/08
18 VAC 140-20-160	Amended	25:4 VA.R. 709	11/26/08
18 VAC 145-10-10 through 18 VAC 145-10-90	Repealed	25:6 VA.R. 1351	12/24/08
18 VAC 145-11-10 through 18 VAC 145-11-110	Added	25:6 VA.R. 1352-1355	12/24/08
18 VAC 150-10-10 through 18 VAC 150-10-120	Repealed	25:1 VA.R. 68	10/15/08
18 VAC 150-11-10 through 18 VAC 150-11-110	Added	25:1 VA.R. 68-71	10/15/08
18 VAC 150-20 (Forms)	Amended	24:26 VA.R. 3838	--

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 155-10-5 through 18 VAC 155-10-80	Repealed	25:6 VA.R. 1355	12/24/08
18 VAC 155-11-10 through 18 VAC 155-11-110	Added	25:6 VA.R. 1355-1358	12/24/08
18 VAC 160-10-10 through 18 VAC 160-10-90	Repealed	25:4 VA.R. 709	11/26/08
18 VAC 160-11-10 through 18 VAC 160-11-110	Added	25:4 VA.R. 709-712	11/26/08
<b>Title 19. Public Safety</b>			
19 VAC 15-10-10 through 19 VAC 15-10-50	Repealed	25:5 VA.R. 1118	12/10/08
19 VAC 15-11-10 through 19 VAC 15-11-110	Added	25:5 VA.R. 1119-1121	12/10/08
19 VAC 30-10-10 through 19 VAC 30-10-40	Repealed	24:26 VA.R. 3839	10/1/08
19 VAC 30-11-10 through 19 VAC 30-11-110	Added	24:26 VA.R. 3839-3842	10/1/08
19 VAC 30-20-40	Amended	25:11 VA.R. 1968	3/4/09
19 VAC 30-20-60	Amended	25:11 VA.R. 1968	3/4/09
19 VAC 30-20-80	Amended	25:11 VA.R. 1968	3/4/09
19 VAC 30-20-270 through 19 VAC 30-20-300	Added	25:11 VA.R. 1968-1969	3/4/09
19 VAC 30-200-10	Added	25:12 VA.R. 2273	4/2/09
<b>Title 20. Public Utilities and Telecommunications</b>			
20 VAC 5-200-30	Repealed	25:9 VA.R. 1768	1/1/09
20 VAC 5-201-10 through 20 VAC 5-201-110	Added	25:9 VA.R. 1768-1816	1/1/09
20 VAC 5-302-10 through 20 VAC 5-302-35	Amended	25:10 VA.R. 1859-1863	1/15/09
20 VAC 5-312-10	Amended	25:8 VA.R. 1534	1/1/09
20 VAC 5-312-20	Amended	25:8 VA.R. 1535	1/1/09
20 VAC 5-312-60	Amended	25:8 VA.R. 1537	1/1/09
20 VAC 5-312-80	Amended	25:8 VA.R. 1538	1/1/09
20 VAC 5-312-90	Amended	25:8 VA.R. 1540	1/1/09
20 VAC 5-312-120	Repealed	25:8 VA.R. 1542	1/1/09
20 VAC 5-313-10	Amended	25:8 VA.R. 1543	1/1/09
20 VAC 5-313-20	Amended	25:8 VA.R. 1543	1/1/09
20 VAC 5-313-30	Repealed	25:8 VA.R. 1544	1/1/09
20 VAC 5-315-10	Amended	24:26 VA.R. 3845	8/25/08
20 VAC 5-315-20	Amended	24:26 VA.R. 3845	8/25/08
20 VAC 5-315-40	Amended	24:26 VA.R. 3846	8/25/08
20 VAC 5-315-50	Amended	24:26 VA.R. 3847	8/25/08
20 VAC 5-403-70	Amended	25:9 VA.R. 1816	1/1/09
20 VAC 5-414-10 through 20 VAC 5-414-70	Added	25:7 VA.R. 1437-1438	12/1/08
<b>Title 22. Social Services</b>			
22 VAC 5-10-10 through 22 VAC 5-10-110	Repealed	25:5 VA.R. 1122	1/1/09
22 VAC 5-11-10 through 22 VAC 5-11-110	Added	25:5 VA.R. 1122-1125	1/1/09
22 VAC 5-30-10 through 22 VAC 5-30-60	Added	24:25 VA.R. 3665-3669	1/1/09
22 VAC 15-10-10 through 22 VAC 15-10-70	Repealed	25:4 VA.R. 712	1/1/09
22 VAC 15-11-10 through 22 VAC 15-11-110	Added	25:4 VA.R. 713-715	1/1/09
22 VAC 20-10-10 through 22 VAC 20-10-100	Repealed	25:7 VA.R. 1438	1/7/09
22 VAC 20-11-10 through 22 VAC 20-11-110	Added	25:7 VA.R. 1439-1441	1/7/09
22 VAC 27-10-10 through 22 VAC 27-10-110	Added	25:7 VA.R. 1442-1445	1/7/09
22 VAC 30-10-10	Repealed	25:1 VA.R. 71	10/15/08
22 VAC 30-10-20	Repealed	25:1 VA.R. 71	10/15/08
22 VAC 30-10-40	Repealed	25:1 VA.R. 71	10/15/08
22 VAC 30-10-50	Repealed	25:1 VA.R. 71	10/15/08
22 VAC 30-10-60	Repealed	25:1 VA.R. 71	10/15/08
22 VAC 30-11-10 through 22 VAC 30-11-110	Added	25:1 VA.R. 72-74	10/15/08
22 VAC 40-11-10 through 22 VAC 40-11-70	Repealed	25:1 VA.R. 74	1/1/09
22 VAC 40-12-10 through 22 VAC 40-12-110	Added	25:1 VA.R. 74-78	1/1/09
22 VAC 40-72-10	Amended	25:8 VA.R. 1592	2/5/09

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-72-30	Repealed	25:8 VA.R. 1598	2/5/09
22 VAC 40-72-50	Amended	25:8 VA.R. 1598	2/5/09
22 VAC 40-72-90	Amended	25:8 VA.R. 1599	2/5/09
22 VAC 40-72-100	Amended	25:8 VA.R. 1600	2/5/09
22 VAC 40-72-150	Amended	25:8 VA.R. 1600	2/5/09
22 VAC 40-72-190	Repealed	25:8 VA.R. 1600	2/5/09
22 VAC 40-72-191	Added	25:8 VA.R. 1601	2/5/09
22 VAC 40-72-200	Repealed	25:8 VA.R. 1601	2/5/09
22 VAC 40-72-201	Added	25:8 VA.R. 1602	2/5/09
22 VAC 40-72-210	Amended	25:8 VA.R. 1603	2/5/09
22 VAC 40-72-220	Amended	25:8 VA.R. 1603	2/5/09
22 VAC 40-72-230	Amended	25:8 VA.R. 1605	2/5/09
22 VAC 40-72-260	Amended	25:8 VA.R. 1606	2/5/09
22 VAC 40-72-290	Amended	25:8 VA.R. 1606	2/5/09
22 VAC 40-72-340	Amended	25:8 VA.R. 1607	2/5/09
22 VAC 40-72-390	Amended	25:8 VA.R. 1609	2/5/09
22 VAC 40-72-420	Amended	25:8 VA.R. 1610	2/5/09
22 VAC 40-72-430	Amended	25:8 VA.R. 1610	2/5/09
22 VAC 40-72-440	Amended	25:8 VA.R. 1611	2/5/09
22 VAC 40-72-630	Amended	25:8 VA.R. 1612	2/5/09
22 VAC 40-72-660	Amended	25:8 VA.R. 1613	2/5/09
22 VAC 40-72-670	Amended	25:8 VA.R. 1613	2/5/09
22 VAC 40-72-910	Amended	25:8 VA.R. 1615	2/5/09
22 VAC 40-72-920	Amended	25:8 VA.R. 1615	2/5/09
22 VAC 40-72-930	Amended	25:8 VA.R. 1615	2/5/09
22 VAC 40-72-950	Amended	25:8 VA.R. 1616	2/5/09
22 VAC 40-72-960	Amended	25:8 VA.R. 1616	2/5/09
22 VAC 40-72-970	Amended	25:8 VA.R. 1617	2/5/09
22 VAC 40-72-1010	Amended	25:8 VA.R. 1617	2/5/09
22 VAC 40-72-1120	Amended	25:8 VA.R. 1618	2/5/09
22 VAC 40-151-10 through 22 VAC 40-151-1020	Added	25:3 VA.R. 482-512	1/1/09
22 VAC 40-705-10	Amended	25:11 VA.R. 1993	3/4/09
22 VAC 40-705-30	Amended	25:11 VA.R. 1996	3/4/09
22 VAC 40-705-40	Amended	25:11 VA.R. 1997	3/4/09
22 VAC 40-705-50	Amended	25:11 VA.R. 1999	3/4/09
22 VAC 40-705-70	Amended	25:11 VA.R. 2000	3/4/09
22 VAC 40-705-80	Amended	25:11 VA.R. 2000	3/4/09
22 VAC 40-705-120	Amended	25:11 VA.R. 2001	3/4/09
22 VAC 40-705-140	Amended	25:11 VA.R. 2002	3/4/09
22 VAC 40-705-150	Amended	25:11 VA.R. 2003	3/4/09
22 VAC 40-705-180	Amended	25:11 VA.R. 2003	3/4/09
22 VAC 45-11-10 through 22 VAC 45-11-90	Repealed	25:5 VA.R. 1125	12/1/08
22 VAC 45-12-10 through 22 VAC 45-12-110	Added	25:5 VA.R. 1125-1128	12/1/08
<b>Title 23. Taxation</b>			
23 VAC 10-10-10 through 23 VAC 10-10-80	Repealed	25:4 VA.R. 730	1/10/09***
23 VAC 10-11-10 through 23 VAC 10-11-110	Added	25:4 VA.R. 732-735	1/10/09***
23 VAC 10-20-155	Added	24:26 VA.R. 3848	10/1/08
23 VAC 10-20 (Forms)	Amended	25:5 VA.R. 1128	--
23 VAC 10-20-20	Amended	25:11 VA.R. 2004	3/4/09

\*\*\* See erratum (25:6 VA.R. 1375) for effective date

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
23 VAC 10-20-80	Amended	25:11 VA.R. 2004	3/4/09
23 VAC 10-20-90	Amended	25:11 VA.R. 2004	3/4/09
23 VAC 10-20-110	Amended	25:11 VA.R. 2004	3/4/09
23 VAC 10-20-130	Amended	25:11 VA.R. 2005	3/4/09
23 VAC 10-20-160	Amended	25:8 VA.R. 1620	3/8/09
23 VAC 10-20-165	Added	25:8 VA.R. 1622	3/8/09
23 VAC 10-20-170	Repealed	25:8 VA.R. 1627	3/8/09
23 VAC 10-20-180	Amended	25:8 VA.R. 1628	3/8/09
23 VAC 10-20-190	Amended	25:8 VA.R. 1628	3/8/09
23 VAC 10-20-200	Amended	25:11 VA.R. 2005	3/4/09
23 VAC 10-55 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-60 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-65 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-75 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-210 (Forms)	Amended	25:6 VA.R. 1358	--
23 VAC 10-210-20	Repealed	24:26 VA.R. 3849	10/1/08
23 VAC 10-210-170	Repealed	25:4 VA.R. 736	11/26/08
23 VAC 10-210-220	Amended	25:11 VA.R. 2006	3/4/09
23 VAC 10-210-250	Amended	25:11 VA.R. 2007	3/4/09
23 VAC 10-210-595	Added	25:4 VA.R. 736	11/26/08
23 VAC 10-210-870	Repealed	25:4 VA.R. 736	11/26/08
23 VAC 10-210-3080	Amended	25:11 VA.R. 2007	3/4/09
23 VAC 10-210-4010	Repealed	25:4 VA.R. 736	11/26/08
23 VAC 10-210-6060	Amended	25:8 VA.R. 1632	3/8/09
23 VAC 10-220 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-230 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-230-20	Amended	25:8 VA.R. 1633	3/8/09
23 VAC 10-230-30	Amended	25:8 VA.R. 1633	3/8/09
23 VAC 10-230-40	Amended	25:8 VA.R. 1635	3/8/09
23 VAC 10-230-70	Added	25:8 VA.R. 1637	3/8/09
23 VAC 10-230-75	Added	25:8 VA.R. 1637	3/8/09
23 VAC 10-230-80	Amended	25:8 VA.R. 1637	3/8/09
23 VAC 10-230-90	Amended	25:8 VA.R. 1638	3/8/09
23 VAC 10-230-110	Amended	25:8 VA.R. 1639	3/8/09
23 VAC 10-230-120	Amended	25:8 VA.R. 1639	3/8/09
23 VAC 10-240 (Forms)	Amended	25:6 VA.R. 1359	--
23 VAC 10-300 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-310 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-330 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-350 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-370 (Forms)	Amended	25:5 VA.R. 1129	--
23 VAC 10-390 (Forms)	Amended	25:5 VA.R. 1130	--
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 20-10-10 through 24 VAC 20-10-140	Repealed	25:6 VA.R. 1360	12/24/08
24 VAC 20-11-10 through 24 VAC 20-11-110	Added	25:6 VA.R. 1361-1364	12/24/08
24 VAC 22-10-10 through 24 VAC 22-10-140	Repealed	25:4 VA.R. 752	11/26/08
24 VAC 22-11-10 through 24 VAC 22-11-110	Added	25:4 VA.R. 753-755	11/26/08
24 VAC 25-5-10 through 24 VAC 25-5-110	Added	25:7 VA.R. 1445-1448	1/7/09
24 VAC 25-10-10	Repealed	25:3 VA.R. 519	10/13/08
24 VAC 25-20-10	Repealed	25:3 VA.R. 519	10/13/08
24 VAC 27-10-10 through 24 VAC 27-10-120	Repealed	25:6 VA.R. 1364	12/24/08

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

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
24 VAC 27-11-10 through 24 VAC 27-11-110	Added	25:6 VA.R. 1364-1367	12/24/08
24 VAC 27-30-10 through 24 VAC 27-30-190	Added	25:1 VA.R. 78-89	10/15/08
24 VAC 30-10-10 through 24 VAC 30-10-70	Repealed	25:6 VA.R. 1367	12/24/08
24 VAC 30-11-10 through 24 VAC 30-11-110	Added	25:6 VA.R. 1367-1370	12/24/08
24 VAC 30-15-10	Repealed	25:10 VA.R. 1863	2/18/09
24 VAC 30-16-10	Repealed	25:3 VA.R. 520	11/12/08
24 VAC 30-380-10	Amended	25:5 VA.R. 1130	10/22/08
24 VAC 35-10-10 through 24 VAC 35-10-70	Repealed	25:5 VA.R. 1131	12/10/08
24 VAC 35-11-10 through 24 VAC 35-11-110	Added	25:5 VA.R. 1132-1134	12/10/08

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# REGULATIONS

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For information concerning the different types of regulations, see the Information Page.

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## Symbol Key

Roman type indicates existing text of regulations. Underscored language indicates proposed new text. Language that has been stricken indicates proposed text for deletion. Brackets are used in final regulations to indicate changes from the proposed regulation.

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## TITLE 12. HEALTH

### STATE BOARD OF HEALTH

#### Final Regulation

**REGISTRAR'S NOTICE:** The State Board of Health is claiming an exemption from Article 2 of the Administrative Process Act in accordance with § 2.2-4006 A 3, which excludes regulations that consist only of changes in style or form or corrections of technical errors. The State Board of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

**Title of Regulation:** 12VAC5-230. State Medical Facilities Plan (amending 12VAC5-230-540, 12VAC5-230-550, 12VAC5-230-560).

**Statutory Authority:** § 32.1-102.2 of the Code of Virginia.

**Effective Date:** April 1, 2009.

**Agency Contact:** Carrie Eddy, Senior Policy Analyst, Department of Health, 9960 Mayland Drive, Suite 401, Henrico, VA 23233, telephone (804) 367-2157, or email carrie.eddy@vdh.virginia.gov.

#### Summary:

*The amendments correct an error to the formula contained in 12VAC5-230-540, 12VAC5-230-550 and 12VAC5-230-560. The formula that became effective February 15, 2009, distorts the results of the inpatient beds needed in a planning district on a magnitude of 1,000 times. To illustrate the formula, the board used a planning district with a projected population of 160,000 and 120 inpatient beds. Using this formula, the planning district is calculated to need 126,449 beds, i.e., one bed for every 1.2 residents or 126,329 more beds than the 120 beds they currently have. However, using the corrected formula, a more realistic projection is achieved of one inpatient bed for every 1,270 residents or an additional six beds over the current 120-bed allocation. Therefore, the amendments correct the formula by striking the "x 1,000" contained in the formula.*

#### 12VAC5-230-540. Need for medical/surgical beds.

The number of medical/surgical beds projected to be needed in a health planning district shall be computed as follows:

1. Determine the use rate for the medical/surgical beds for the health planning district using the formula:

$$\text{BUR} = (\text{IPD}/\text{PoP}) \times 1,000$$

Where:

BUR = the bed use rate for the health planning district.

IPD = the sum of total inpatient days in the health planning district for the most recent five years for which inpatient day data has been reported by VHI; and

PoP = the sum of total population 18 years of age and older in the health planning district for the same five years used to determine IPD as reported by a demographic program as determined by the commissioner.

2. Determine the total number of medical/surgical beds needed for the health planning district in five years from the current year using the formula:

$$\text{ProBed} = ((\text{BUR} \times \text{ProPop})/365)/0.80$$

Where:

ProBed = The projected number of medical/surgical beds needed in the health planning district for five years from the current year.

BUR = the bed use rate for the health planning district determined in subdivision 1 of this section.

ProPop = the projected population 18 years of age and older of the health planning district five years from the current year as reported by a demographic program as determined by the commissioner.

3. Determine the number of medical/surgical beds that are needed in the health planning district for the five planning horizon years as follows:

$$\text{NewBed} = \text{ProBed} - \text{CurrentBed}$$

Where:

NewBed = the number of new medical/surgical beds that can be established in a health planning district, if the number is positive. If NewBed is a negative number, no additional medical/surgical beds should be authorized for the health planning district.

ProBed = the projected number of medical/surgical beds needed in the health planning district for five years from the current year determined in subdivision 2 of this section.

CurrentBed = the current inventory of licensed and authorized medical/surgical beds in the health planning district.

**12VAC5-230-550. Need for pediatric beds.**

The number of pediatric beds projected to be needed in a health planning district shall be computed as follows:

1. Determine the use rate for pediatric beds for the health planning district using the formula:

$$PBUR = (PIPD/PedPop) \times 1,000$$

Where:

PBUR = The pediatric bed use rate for the health planning district.

PIPD = The sum of total pediatric inpatient days in the health planning district for the most recent five years for which inpatient days data has been reported by VHI; and

PedPop = The sum of population under 18 years of age in the health planning district for the same five years used to determine PIPD as reported by a demographic program as determined by the commissioner.

2. Determine the total number of pediatric beds needed to the health planning district in five years from the current year using the formula:

$$ProPedBed = ((PBUR \times ProPedPop)/365)/0.80$$

Where:

ProPedBed = The projected number of pediatric beds needed in the health planning district for five years from the current year.

PBUR = The pediatric bed use rate for the health planning district determined in subdivision 1 of this section.

ProPedPop = The projected population under 18 years of age of the health planning district five years from the current year as reported by a demographic program as determined by the commissioner.

3. Determine the number of pediatric beds needed within the health planning district for the fifth planning horizon year as follows:

$$NewPedBed = ProPedBed - CurrentPedBed$$

Where:

NewPedBed = the number of new pediatric beds that can be established in a health planning district, if the number is positive. If NewPedBed is a negative number, no additional pediatric beds should be authorized for the health planning district.

ProPedBed = the projected number of pediatric beds needed in the health planning district for five years from

the current year determined in subdivision 2 of this section.

CurrentPedBed = the current inventory of licensed and authorized pediatric beds in the health planning district.

**12VAC5-230-560. Need for intensive care beds.**

The projected need for intensive care beds in a health planning district shall be computed as follows:

1. Determine the use rate for ICU beds for the health planning district using the formula:

$$ICUBUR = (ICUPD/Pop) \times 1,000$$

Where:

ICUBUR = The ICU bed use rate for the health planning district.

ICUPD = The sum of total ICU inpatient days in the health planning district for the most recent five years for which inpatient day data has been reported by VHI; and

Pop = The sum of population 18 years of age or older for adults or under 18 for pediatric patients in the health planning district for the same five years used to determine ICUPD as reported by a demographic program as determined by the commissioner.

2. Determine the total number of ICU beds needed for the health planning district, including bed availability for unscheduled admissions, five years from the current year using the formula:

$$ProICUBed = ((ICUBUR \times ProPop)/365)/0.65$$

Where:

ProICUBed = The projected number of ICU beds needed in the health planning district for five years from the current year;

ICUBUR = The ICU bed use rate for the health planning district as determine in subdivision 1 of this section;

ProPop = The projected population 18 years of age or older for adults or under 18 for pediatric patients of the health planning district five years from the current year as reported by a demographic program as determined by the commissioner.

3. Determine the number of ICU beds that may be established or relocated within the health planning district for the fifth planning horizon planning year as follows:

$$NewICUB = ProICUBed - CurrentICUBed$$

Where:

NewICUBed = The number of new ICU beds that can be established in a health planning district, if the number is positive. If NewICUBed is a negative number, no

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additional ICU beds should be authorized for the health planning district.

ProICUBed = The projected number of ICU beds needed in the health planning district for five years from the current year as determined in subdivision 2 of this section.

CurrentICUBed = The current inventory of licensed and authorized ICU beds in the health planning district.

VA.R. Doc. No. R09-1769; Filed February 10, 2009, 11:31 a.m.

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

### Proposed Regulation

Title of Regulation: **12VAC30-120. Waivered Services (amending 12VAC30-120-70, 12VAC30-120-90, 12VAC30-120-140, 12VAC30-120-211, 12VAC30-120-213, 12VAC30-120-225, 12VAC30-120-229, 12VAC30-120-237, 12VAC30-120-247, 12VAC30-120-700, 12VAC30-120-710, 12VAC30-120-754, 12VAC30-120-758, 12VAC30-120-762, 12VAC30-120-770, 12VAC30-120-900, 12VAC30-120-910, 12VAC30-120-920, 12VAC30-120-970, 12VAC30-120-1500, 12VAC30-120-1550; adding 12VAC30-120-2000, 12VAC30-120-2010).**

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

Public Hearing Information: No public hearings are scheduled.

Public Comments: Public comments may be submitted until 5 p.m. on May 1, 2009.

Agency Contact: Jason Rachel, Project Manager, Department of Medical Assistance Services, 600 East Broad Street, Richmond, VA 23219, telephone (804) 225-2984, FAX (804) 786-1680, or email jason.rachel@dmass.virginia.gov.

Basis: Section 32.1-325 of the Code of Virginia grants to the Board of Medical Assistance Services the authority to administer and amend the Plan for Medical Assistance. Section 32.1-324 of the Code of Virginia authorizes the Director of DMAS to administer and amend the Plan for Medical Assistance according to the board's requirements. The Medicaid authority as established by § 1902 (a) of the Social Security Act (42 USC § 1396a) provides governing authority for payments for services. Item 302, HHH of the 2008 Appropriation Act states:

"Contingent upon approval by the Centers for Medicare and Medicaid Services as part of the Money Follows the Person demonstration grant, the Department of Medical Assistance Services shall seek federal approval for necessary changes to home and community-based 1915(c) waivers to allow individuals transitioning from institutions to receive care in the community."

DMAS previously promulgated an emergency regulation, which is currently in effect and this proposed regulatory action continues the process to make the regulations permanent.

Purpose: This regulation is required in order to establish the regulatory structure for the successful implementation of the Money Follows the Person (MFP) demonstration. This regulation must be promulgated and the regulations must be in effect in order to receive CMS approval to begin the MFP demonstration in July 2008.

The purpose of the MFP demonstration is to strengthen Virginia's long-term services and supports using available funds to "follow the person" by supporting individuals who choose to transition from long-term care institutions into the community. The MFP demonstration is one of the Governor's set priorities for community integration of persons who reside in institutions. This initiative also reflects a strong collaborative approach with this administration and the legislature to coordinate and continually build upon rebalancing efforts of the Commonwealth's long-term support system (i.e., increasing the use of home- and community-based care services (HCBS) rather than institutional long-term care services). This collaborative approach has enabled the Commonwealth over the past several years to be resourceful in balancing the state's budget without cutting Medicaid long-term support services.

Substance: These proposed regulations reflect the needed changes to the following five HCBS waivers to support individuals who choose to transition from long-term care institutions into the community: Technology Assisted (Tech), HIV/AIDS, Elderly or Disabled with Consumer Direction (EDCD), Mental Retardation (MR) and Individual and Family Developmental Disabilities Support (IFDDS) Waivers.

The changes to these five waivers include: (i) adding the services of Personal Emergency Response System (PERS), Medication Monitoring, and Transition Services to the Tech Waiver; (ii) adding the services of Transition Coordination, Environmental Modifications (for MFP participants only), Assistive Technology (for MFP participants only), and Transition Services to the EDCD Waiver; (iii) adding the services of PERS and Medication Monitoring, Environmental Modifications (for MFP participants only), Assistive Technology (for MFP participants only), Transition Services to the HIV/AIDS Waiver; and (iv) adding Transition Services to the MR and IFDDS Waivers.

Two of these services, Transition Coordination and Transition Services, are new waiver services. Language has been developed based on CMS guidelines and a review of how other states define and utilize these services. In addition, existing waiver services (PERS, Medication Monitoring, Environmental Modifications and Assistive Technology) are being expanded to other waivers in an effort to facilitate the

transition from institutional living to community living. The new services mentioned above are being added as follows: Transition Services is being added to the AIDS, EDCD, IFDDS, MR and Tech Waivers to provide one-time funding (up to \$5,000 per person, per lifetime) to assist with costs incurred by individuals who are transitioning into the community. Examples of expenses include rent and utility deposits and necessary furniture. One other service, Transition Coordination, is added to the EDCD Waiver to assist institutionalized transitioning into the EDCD Waiver because a case management service currently does not exist in this program. This service will be a time-limited service and in accordance with the timeframe specified by federal law, prior to the discharge date, during and after transition; the coordination of community-based services with the case manager if case management is available; linkage to services needed prior to transition such as housing, peer counseling, budget management training, and transportation; and the provision of ongoing support for up to 12 months after discharge date. All other HCBS waivers already have a case management service that can assist institutionalized individuals with transitioning into these programs.

Finally, this regulation addresses changes to units of service for provider billing purposes. DMAS is currently being directed by the federal Medicaid authority, the Centers for Medicare and Medicaid Services (CMS), to no longer use preset units of service for Medicaid Waiver reimbursement. DMAS is working with CMS to establish time-based billing for the DMAS fee schedule for waiver services, and this is reflected in the MFP regulations.

Note: In the July 1, 2008, emergency regulation, enrollees in the AIDS waiver and the EDCD waiver were given access to assistive technology and environmental modification services without regard to whether the enrollee was part of the Money Follows the Person demonstration program. This proposed regulation makes a change in these services for these two populations. The extension of these services to all EDCD and AIDS waiver participants has led to costs in excess of the cost savings generated through the MFP demonstration program. Due to the current budget crisis in the Commonwealth of Virginia, the Governor requested DMAS to provide areas of various program services that could be reduced or discontinued in order to provide needed savings in the DMAS budget.

In response to the Governor's budget reduction directive, DMAS is continuing access to these two services only for those AIDS and EDCD waiver enrollees who are also MFP participants. The agency responded to the Governor's directive by limiting access to the two new services.

Issues: The primary advantage of these proposed regulations is that they allow greater support and services for individuals who choose to transition from long-term care institutions into the community. These proposed changes will improve the

infrastructure for community-based, long-term support services by adding new services to five of the HCBS waiver programs.

This demonstration will support Virginia's implementation of the Olmstead decision and will complement the efforts of the recently awarded Systems Transformation Grant that aims to improve the infrastructure for community-based long-term support services.

There are no disadvantages to the public or the Commonwealth.

This proposed regulatory action will have a positive impact on families in that individuals who are currently residing in an institution will have the option of transferring to the community and have the opportunity to live in a more family-like environment in their community.

### The Department of Planning and Budget's Economic Impact Analysis:

Summary of the Proposed Regulation. The proposed regulations establish a Medicaid waiver program known as "Money Follows the Person." Nationally, this program is designed to create a system of long-term services and supports that enables available funds to "follow the person" by supporting the transition of individuals from institutional long-term care setting into community-based care settings.

Result of Analysis. The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact. Pursuant to Item 302 HHH of the 2007 Appropriation Act, these regulations establish a waiver program as part of the federal Money Follows the Person demonstration grant to allow individuals transitioning from institutions to receive care in the community. The waiver program is established under section 1915(c) of the federal Social Security Act, which encourages the states to provide home and community based services as alternatives to institutionalized care. The main purpose of the waiver program is to prevent or delay placement of persons in institutions by providing care for individuals in their homes and communities consequently avoiding high long-term care costs. States wishing to implement such waiver programs are required to demonstrate that the costs would be lower under a waiver than they would be without it.

The effect of proposed changes on the services provided is two fold. First, three new services will be provided to recipients of certain waivers. Second, existing services will be expanded to more waivers. The three new services are transition services, transition coordination services, and consumer-directed supported employment services. Transition services will pay for such costs as rent and utility deposits and furniture expenses (up to \$5,000 per person per lifetime) associated with individuals transitioning into the community from institutions. Transition coordination services

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will cover expenses associated with coordinator expenses up to three months before and up to 12 months after leaving the institutional setting.

The three new services and expanded existing services will be added to six waivers as follows: 1) personal emergency response system (PERS) services, medication monitoring, and transitional services will be added to the technology assisted (TECH) waiver; 2) transition coordination services, environmental modification services, assistive technology services, and transition services will be added to the elderly or disabled with consumer direction (EDCD) waiver; 3) PERS services, medication monitoring services, environmental modification services, and assistive technology services, and transitional services will be added to the HIV/AIDS waiver; 4) consumer directed supported employment services will be added to the MR day support (DS) waiver; 5) consumer directed-supported employment and transitional services to the mental retardation (MR) waiver; 6) consumer directed-supported employment and transitional services to the individual and family developmental disabilities support (IFDDS) waiver.

The Department of Medical Assistance Services (DMAS) anticipates that approximately 1,041 recipients will participate in this new waiver program. The estimated fiscal cost for medical and administrative expenses is approximately \$1 million in Fiscal Year (FY) 2008 and \$7.2 million in FY 2009. As opposed to standard 50 percent federal match, this program will receive 75 percent federal match for services provided to individuals for a period of one year after the individual leaves the institution. Thus, the total estimated cost to the Commonwealth is about \$418,821 in FY 2008 and \$3.1 million in FY 2009 while the federal share is estimated to be \$602,617 in FY 2008 and \$4.1 million in FY 2009.

Of the total estimated expenses, approximately \$968,213 is the state share of ongoing administrative expenses in FY 2009 and approximately \$229,873 is the state share of one time administrative expenses that are expected in FY 2008. The administrative costs are made up of contractual services, system services and personnel costs.

As mentioned, the main goal of the new services is to increase the supports available to individuals currently living in institutional based care settings so that they can transition into community based care settings. Thus, the proposed changes are likely to have economic effects on the recipients, the state, and the health care system.

The net impact on the recipients is expected to be positive as the proposed program is voluntary. The voluntary nature of the program helps ensure that the program results in net benefits as individuals would be taking advantage of this option only if it is beneficial to them.

Also, caring for individuals in a community is known to be less expensive than caring in an institution. Thus, the

additional costs associated with providing three new services and making existing new services available in additional waivers will be offset by some amount. The estimated savings are \$65,232 in FY 2008 and \$3.2 million in FY 2009 in state funds.

The proposed program is also expected to have some distributional economic effects among the Medicaid providers. As individuals move from institutions into communities the mix of services provided will change. Institutional care providers are expected to experience a reduction in their Medicaid reimbursements. On the other hand, providers of services that are newly offered or expanded are likely to experience an increase in their revenues from Medicaid.

Finally, it should be noted that the increased expenditures from the proposed program will result in approximately \$602,617 in FY 2008 and \$4.1 million in FY 2009 in additional federal funds coming into the Commonwealth which could have an expansionary economic effect on the overall economic activity, all things being equal.

**Businesses and Entities Affected.** Approximately 21,000 home and community based service waiver recipients will be eligible to participate in the proposed program. Of these, approximately 1,041 recipients are expected to participate. The estimated number of providers who provides services covered under the proposed regulations is approximately 2,500.

**Localities Particularly Affected.** The proposed regulations apply throughout the Commonwealth.

**Projected Impact on Employment.** The proposed changes are expected to increase the demand for labor by providers in order to provide new and expanded services to recipients. Some of this expected increase in demand may be offset by the reduced demand for labor due to possibly declining need for institutional care services. Also, the administration of the program adds to the staffing needs of the Department of Medical Assistance Services creating a positive effect on demand for labor.

**Effects on the Use and Value of Private Property.** The proposed regulations are expected to increase the asset value of community based service providers as their revenues and profits are expected to be positively affected while there may be an offsetting effect on the asset value of institutional care provider businesses.

**Small Businesses: Costs and Other Effects.** Approximately 400 of the 2,500 community based care providers are estimated to be small businesses. However, the proposed regulations are not likely to create any significant costs for the affected small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact. The proposed regulations are not expected to have any adverse impact on small businesses.

Real Estate Development Costs. The proposed regulations are not expected to have any effect on real estate development costs.

Legal Mandate. The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.04 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. Further, if the proposed regulation has adverse effect on small businesses, § 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The agency concurs with the economic impact analysis prepared by the Department of Planning and Budget regarding the regulations concerning Money Follows the Person.

Summary:

*The proposed regulations establish a Medicaid waiver program known as "Money Follows the Person." Nationally, this program is designed to create a system of long-term services and supports that enables available funds to "follow the person" by supporting the transition of individuals from institutional long-term care settings into community-based care settings.*

Part II  
Home and Community-Based Services for Technology Assisted Individuals

**12VAC30-120-70. Definitions.**

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

"Activities of daily living (ADL)" means personal care tasks, i.e., bathing, dressing, toileting, transferring, bowel/bladder control, and eating/feeding. A person's degree of independence in performing these activities is a part of determining appropriate level of care and services.

"Adult" means an individual who either is 21 years of age or is past 21 years of age.

"Assistive technology" means specialized medical equipment and supplies including those devices, controls, or appliances specified in the plan of care but not available under the State Plan for Medical Assistance that enable individuals to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live, or that are necessary to the proper functioning of the specialized equipment.

"Child" means an individual who has not yet reached his 21st birthday.

"Congregate living arrangement" means one in which two or more recipients live in the same household and may share receipt of health care services from the same provider or providers.

"Congregate private duty nursing" means nursing provided to two or more recipients in a group setting.

"DMAS" means the Department of Medical Assistance Services.

"Environmental modifications" means physical adaptations to a house, or place of residence, which shall be necessary to ensure the individual's health or safety, or enable functioning with greater independence when the adaptation is not being used to bring a substandard dwelling up to minimum habitation standards and is of direct medical or remedial benefit to the individual. Such modifications must exceed reasonable accommodation requirements of the Americans with Disabilities Act (42 USC § 1201 et seq.).

~~"Health care coordinator" means the registered nurse who is responsible for ensuring that the assessment, care planning, monitoring, and review activities as required by DMAS are accomplished. This individual may be either an employee of DMAS or a DMAS contractor.~~

"Health care coordination" means a comprehensive needs assessment, determination of cost effectiveness, and the coordination of the service efforts of multiple providers in

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order to avoid duplication of services and to ensure the individual's access to and receipt of needed services.

"Health care coordinator" means the registered nurse who is responsible for ensuring that the assessment, care planning, monitoring, and review activities as required by DMAS are accomplished. This individual may be either an employee of DMAS or a DMAS contractor.

"Instrumental activities of daily living (IADL)" means social tasks, i.e., meal preparation, shopping, housekeeping, laundry, money management. A person's degree of independence in performing these activities is a part of determining appropriate level of care and services. The provision of IADLs is limited to the individual receiving services and not to family members or other persons in the household. Meal preparation is planning, preparing, cooking and serving food. Shopping is getting to and from the store, obtaining/paying for groceries and carrying them home. Housekeeping is dusting, washing dishes, making beds, vacuuming, cleaning floors, and cleaning kitchen/bathroom. Laundry is washing/drying clothes. Money management is paying bills, writing checks, handling cash transactions, and making change.

"Medical equipment and supplies" means those articles prescribed by the attending physician, generally recognized by the medical community as serving a diagnostic or therapeutic purpose and as being a medically necessary element of the home care plan. Items covered are medically necessary equipment and supplies needed to assist the individual in the home environment, without regard to whether those items are covered by the Plan.

"Objective Scoring Criteria" means the evaluative tool to be used to determine the appropriateness for an individual's admission to these services.

"Personal assistance" means care provided by an aide or respiratory therapist trained in the provision of assistance with ADLs or IADLs.

"Personal emergency response systems" or "PERS" means an electronic device and monitoring service that enable certain individuals at high risk of institutionalization to secure help in an emergency. PERS services are limited to those individuals who live alone or are alone for significant parts of the day and who have no regular caregiver for extended periods of time, and who would otherwise require extensive routine supervision. 12VAC30-120-970 provides the service description, criteria, service units and limitations, and provider requirements for this service.

"Plan of care" means the written plan of services and supplies certified by the attending physician needed by the individual to ensure optimal health and safety for an extended period of time.

~~"Primary caregiver" means either a family member or other person who takes primary responsibility for providing assistance to the recipient or recipients for care they are unable to provide for himself or themselves the primary person who consistently assumes the role of providing direct care and support of the individual to live successfully in the community without compensation for such care.~~

"Private duty nursing" means individual and continuous nursing care provided by a registered nurse or a licensed practical nurse under the supervision of a registered nurse.

"Providers" means those individuals or facilities registered, licensed, or certified, or both, as appropriate, and enrolled by DMAS to render services to Medicaid recipients eligible for services.

"Respite care services" means temporary skilled nursing services designed to relieve the family of the care of the technology assisted individual for a short period or periods of time (a maximum of 15 days per year or 360 hours per 12-month period). In a congregate living arrangement, this same limit shall apply per household. Respite care shall be provided in the home of the individual's family or caretaker.

~~"Routine respiratory therapy" means services that can be provided on a regularly scheduled basis. Therapy interventions may include: (i) monitoring of oxygen in blood; (ii) evaluation of pulmonary functioning; and (iii) maintenance of respiratory equipment.~~

"State Plan for Medical Assistance" or "the Plan" means the document containing the covered groups, covered services and their limitations, and provider reimbursement methodologies as provided for under Title XIX of the Social Security Act.

"Technology assisted" means any individual defined as chronically ill or severely impaired who needs both a medical device to compensate for the loss of a vital body function and substantial and ongoing skilled nursing care to avert death or further disability and whose illness or disability would, in the absence of services approved under this waiver, require admission to or prolonged stay in a hospital, nursing facility, or other medical long-term care facility.

"Transition services" means set-up expenses for individuals who are transitioning from an institution or licensed or certified provider-operated living arrangement to a living arrangement in a private residence where the person is directly responsible for his own living expenses. 12VAC30-120-2010 provides the service description, criteria, service units and limitations, and provider requirements for this service.

**12VAC30-120-90. Covered services and provider requirements.**

A. Private duty nursing service shall be covered for individuals enrolled in the technology assisted waiver

services. This service shall be provided through either a home health agency licensed or certified by the Virginia Department of Health for Medicaid participation and with which DMAS has a contract for private duty nursing or a day care center licensed by the Virginia Department of Social Services which employs registered nurses and is enrolled by DMAS to provide congregate private duty nursing. At a minimum, the private duty nurse shall either be a licensed practical nurse or a registered nurse with a current and valid license issued by the Virginia State Board of Nursing.

1. For individuals under 21 whether living separately or congregately, during the first 30 days after the individual's admission to the waiver service, private duty nursing is covered for 24 hours per day if needed and appropriate to assist the family in adjustment to the care associated with technology assistance. After 30 days, private duty nursing shall be reimbursed for a maximum of 16 hours per 24-hour period per household. The department may grant individual exceptions, not to exceed 30 total days per annum, to these maximum limits based on documented emergency needs of the individual and the case, which continue to meet requirements for cost effectiveness of community services. Such consideration of documented emergency needs shall not include applicable additional emergency costs.

2. For individuals over the age of 21 years whether living separately or congregately, private duty nursing shall be reimbursed for a maximum of 16 hours within a 24-hour period per household provided that the cost-effectiveness standard is not exceeded for the individual's care.

3. In no instance, shall DMAS approve an ongoing plan of care or ongoing multiple plans of care per household which result in approval of more than 16 hours of private duty nursing in a 24-hour period per household.

4. Individuals who no longer meet the patient qualifications for either children or adults cited in 12VAC30-120-80 may be eligible for private duty nursing for the number of hours per 24-hour period previously approved in the plan of care not to exceed two weeks from the date the attending physician certifies the cessation of daily technology assistance.

5. The hours of private duty nursing approved for coverage shall be limited by either medical necessity or cost effectiveness or both.

6. Congregate private duty nursing shall be limited to a maximum ratio of one private duty nurse to two waiver recipients. When three or more waiver recipients share a home, ratios will be determined by the combined needs of the residents.

B. Provided that the cost-effectiveness standard shall not be exceeded, respite care service shall be covered for a maximum of 360 hours within a ~~12-month period~~ calendar

year per household for individuals who are qualified for technology assisted waiver services and who have a primary caregiver, other than the provider, who requires relief from the burden of caregiving. This service shall be provided by skilled nursing staff (registered nurse or licensed practical nurse licensed to practice in the Commonwealth) under the direct supervision of a home health agency licensed or certified by the Virginia Department of Health for Medicaid participation and with which DMAS has a contract to provide private duty nursing.

C. Provided that the cost-effectiveness standard shall not be exceeded, durable medical equipment and supplies shall be provided for individuals qualified for technology services. All durable medical equipment and supplies, including nutritional supplements, which are covered under the State Plan and those medical equipment and supplies, including such items which may be defined as assistive technology and environmental modifications which are not covered under the State Plan but are medically necessary and cost effective for the individual's maintenance in the community, shall be covered. This service shall be provided by persons qualified to render it. Durable medical equipment and supplies shall be necessary to maintain the individual in the home environment.

1. Medical equipment and supplies shall be prescribed by the attending physician and included in the plan of care, and must be generally recognized as serving a diagnostic or therapeutic purpose and being medically necessary for the home care of the individual.

2. Vendors of durable medical equipment and supplies related to the technology upon which the individual is dependent shall have a contract with DMAS to provide services.

3. In addition to providing the ventilator or other respiratory-devised support and associated equipment and supplies, the vendor providing the ventilator shall ensure the following:

a. 24 hour on-call for emergency services;

b. Technicians to make regularly scheduled maintenance visits at least every 30 days and more often if called;

c. Replacement or repair of equipment and supplies as required; and

d. Respiratory therapist registered or certified with the National Board for Respiratory Care (NBRC) on call 24 hours per day and stationed within two hours of the individual's home to facilitate immediate response. The respiratory therapist shall be available for routine respiratory therapy as well as emergency care. In the event that the Department of Health Professions implements through state law a regulation requiring registration, certification or licensure for respiratory

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therapists to practice in the Commonwealth, DMAS shall require all respiratory therapists providing services to this technology assisted population to be duly registered, licensed or certified.

D. Provided that the cost-effectiveness standard shall not be exceeded, personal assistance services shall be covered for individuals over the age of 21 who require some assistance with activities of daily living and instrumental activities of daily living but do not require and are able to do without skilled interventions during portions of their day or are able to self perform a portion of their ADLs or IADLs or direct their skilled care needs during the period when personal assistance would be provided. Personal assistance services shall be rendered by a provider who has a DMAS provider agreement to provide personal care, home health care, and private duty nursing. At a minimum, the staff providing personal assistance must have been certified through coursework as either personal care aides, home health aides, homemakers, personal care attendants, or registered or certified respiratory therapists.

E. Assistive technology services shall be covered for individuals enrolled in the technology assisted waiver. 12VAC30-120-762 provides the service description, criteria, service units and limitations, and provider requirements for this service.

F. Environmental modifications services shall be covered for individuals enrolled in the technology assisted waiver. 12VAC30-120-758 provides the service description, criteria, service units and limitations, and provider requirements for this service.

G. Transition services shall be covered for individuals enrolled in the technology assisted waiver. 12VAC30-120-2010 provides the service description, criteria, service units and limitations, and provider requirements for this service.

## Part III

Home- and Community-Based Services for Individuals with Acquired Immunodeficiency Syndrome (AIDS) and AIDS-Related Complex

### **12VAC30-120-140. Definitions.**

"Acquired Immune Deficiency Syndrome" or "AIDS" means the most severe manifestation of infection with the Human Immunodeficiency Virus (HIV). The Centers for Disease Control and Prevention (CDC) lists numerous opportunistic infections and cancers that, in the presence of HIV infection, constitute an AIDS diagnosis.

"Activities of daily living" or "ADL" means personal care tasks, e.g., bathing, dressing, toileting, transferring, and eating/feeding. An individual's degree of independence in performing these activities is part of determining appropriate level of care and service needs.

"Agency-directed services" means services for which the provider agency is responsible for hiring, training, supervising, and firing of the staff.

"Appeal" means the process used to challenge DMAS when it takes action or proposes to take action that will adversely affect, reduce, or terminate the receipt of benefits.

"Assistive technology" means specialized medical equipment and supplies including those devices, controls, or appliances specified in the plan of care but not available under the State Plan for Medical Assistance that enable individuals to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live, or that are necessary to the proper functioning of the specialized equipment. 12VAC30-120-762 provides the service description, criteria, service units and limitations, and provider requirements for this service. This service shall be available only to those AIDS waiver enrollees who are also enrolled in the Money Follows the Person demonstration program.

"Asymptomatic" means without symptoms. This term is usually used in the HIV/AIDS literature to describe an individual who has a positive reaction to one of several tests for HIV antibodies but who shows no clinical symptoms of the disease.

"Case management" means continuous reevaluation of need, monitoring of service delivery, revisions to the plan of care and coordination of services for individuals enrolled in the HIV/AIDS waiver.

"Case manager" means the person who provides services to individuals who are enrolled in the waiver that enable the continuous assessment, coordination, and monitoring of the needs of the individuals who are enrolled in the waiver. The case manager must possess a combination of work experience and relevant education that indicates that the case manager possesses the knowledge, skills, and abilities at entry level, as established by the Department of Medical Assistance Services in 12VAC30-120-170 to conduct case management.

"Cognitive impairment" means a severe deficit in mental capability that affects areas such as thought processes, problem solving, judgment, memory, or comprehension and that interferes with such things as reality orientation, ability to care for self, ability to recognize danger to self or others, or impulse control.

"Consumer-directed services" means services for which the individual or family/caregiver is responsible for hiring, training, supervising, and firing of the staff.

"Consumer-directed (CD) services facilitator" means the DMAS-enrolled provider who is responsible for supporting the individual and family/caregiver by ensuring the development and monitoring of the consumer-directed plan of care, providing employee management training, and

completing ongoing review activities as required by DMAS for consumer-directed personal assistance and respite care services. The CD services facilitator cannot be the individual, the individual's case manager, direct service provider, spouse, or parent of the individual who is a minor child, or a family/caregiver who is responsible for employing the assistant.

"Current functional status" means the degree of dependency in performing activities of daily living.

"DMAS" means the Department of Medical Assistance Services.

"DMAS-96 form" means the Medicaid Funded Long-Term Care Service Authorization Form, which is a part of the preadmission screening packet and must be completed by a Level One screener on a Preadmission Screening Team. It designates the type of service the individual is eligible to receive.

"DMAS-122 form" means the Patient Information Form used by the provider and the local DSS to exchange information regarding the responsibility of a Medicaid-eligible individual to make payment toward the cost of services or other information that may affect the eligibility status of an individual.

"DSS" means the Department of Social Services.

"Designated preauthorization contractor" means the entity that has been contracted by DMAS to perform preauthorization of services.

"Enteral nutrition products" means enteral nutrition listed in the durable medical equipment manual that is prescribed by a physician to be necessary as the primary source of nutrition for the individual's health care plan (due to the prevalence of conditions of wasting, malnutrition, and dehydration) and not available through any other food program.

"Environmental modifications" means physical adaptations to a house, place of residence, primary vehicle or work site, when the work site modification exceeds reasonable accommodation requirements of the Americans with Disabilities Act (42 USC § 1201 et seq.), necessary to ensure the individuals' health and safety or enable functioning with greater independence when the adaptation is not being used to bring a substandard dwelling up to minimum habitation standards and is of direct medical or remedial benefit to individuals. 12VAC30-120-758 provides the service description, criteria, service units and limitations, and provider requirements for this service. This service shall be available only to those AIDS waiver enrollees who are also enrolled in the Money Follows the Person demonstration program.

"Fiscal agent" means an agency or organization that may be contracted by DMAS to handle employment, payroll, and tax responsibilities on behalf of the individual who is receiving

consumer-directed personal assistance services and consumer-directed respite services.

"HIV-symptomatic" means having the diagnosis of HIV and having symptoms related to the HIV infection.

"Home and community-based care" means a variety of in-home and community-based services reimbursed by DMAS (case management, personal care, private duty nursing, respite care consumer-directed personal assistance, consumer-directed respite care, and enteral nutrition products) authorized under a Social Security Act § 1915 (c) AIDS Waiver designed to offer individuals an alternative to inpatient hospital or nursing facility placement. Individuals may be preauthorized to receive one or more of these services either solely or in combination, based on the documented need for the service or services to avoid inpatient hospital or nursing facility placement. DMAS, or the designated preauthorization contractor, shall give prior authorization for any Medicaid-reimbursed home and community-based care.

"Human Immunodeficiency Virus (HIV)" means the virus which leads to acquired immune deficiency syndrome (AIDS). The virus weakens the body's immune system and, in doing so, allows "opportunistic" infections and diseases to attack the body.

"Instrumental activities of daily living" or "IADL" means tasks such as meal preparation, shopping, housekeeping, laundry, and money management.

"Participating provider" means an individual, institution, facility, agency, partnership, corporation, or association that has a valid contract with DMAS and meets the standards and requirements set forth by DMAS and has a current, signed provider participation agreement with DMAS to provide Medicaid waiver services.

"Personal assistant" means a domestic servant for purposes of this part and exemption from Worker's Compensation.

"Personal emergency response systems" or "PERS" means an electronic device and monitoring service that enable certain individuals at high risk of institutionalization to secure help in an emergency. PERS services are limited to those individuals who live alone or are alone for significant parts of the day and who have no regular caregiver for extended periods of time, and who would otherwise require extensive routine supervision. 12VAC30-120-970 provides the service description, criteria, service units and limitations, and provider requirements for this service.

~~"Personal services" or "PAS" means long term maintenance or support services necessary to enable an individual to remain at or return home rather than enter an inpatient hospital or a nursing facility. Personal assistance services include care specific to the needs of a medically stable, physically disabled individual. Personal assistance services include, but are not limited to, assistance with ADLs,~~

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~~bowel/bladder programs, range of motion exercises, routine wound care that does not include sterile technique, and external catheter care. Supportive services are those that substitute for the absence, loss, diminution, or impairment of a physical function. When specified, supportive services may include assistance with IADLs that are incidental to the care furnished or that are essential to the health and welfare of the individual. Personal assistance services shall not include either practical or professional nursing services as defined in Chapters 30 and 34 of Title 54.1 of the Code of Virginia, as appropriate.~~

"Personal care agency" means a participating provider that renders services designed to offer an alternative to institutionalization by providing eligible individuals with personal care aides who provide personal care services.

"Personal care services" means long-term maintenance or support services necessary to enable the individual to remain at or return home rather than enter an inpatient hospital or a nursing facility. Personal care services are provided to individuals in the areas of activities of daily living, instrumental activities of daily living, access to the community, monitoring of self-administered medications or other medical needs, and the monitoring of health status and physical condition. It shall be provided in home and community settings to enable an individual to maintain the health status and functional skills necessary to live in the community or participate in community activities.

"Personal services" or "PAS" means long-term maintenance or support services necessary to enable an individual to remain at or return home rather than enter an inpatient hospital or a nursing facility. Personal assistance services include care specific to the needs of a medically stable, physically disabled individual. Personal assistance services include, but are not limited to, assistance with ADLs, bowel/bladder programs, range of motion exercises, routine wound care that does not include sterile technique, and external catheter care. Supportive services are those that substitute for the absence, loss, diminution, or impairment of a physical function. When specified, supportive services may include assistance with IADLs that are incidental to the care furnished or that are essential to the health and welfare of the individual. Personal assistance services shall not include either practical or professional nursing services as defined in § 32.1-162.7 of the Code of Virginia and 12VAC5-381-360, as appropriate.

"Plan of care" means the written plan developed by the provider related solely to the specific services required by the individual to ensure optimal health and safety for the delivery of home and community-based care.

"Preadmission Screening Authorization Form" means a part of the preadmission screening packet that must be filled out by a Level One screener on a preadmission screening team. It gives preadmission authorization to the provider and the

individual for Medicaid services, and designates the type of service the individual is authorized to receive.

~~"Preadmission screening committee/team" or "PAS committee" or "PAS team" means the entity contracted with DMAS that is responsible for performing preadmission screening. For individuals in the community, this entity is a committee comprised of a nurse from the local health department and a social worker from the local department of social services. For individuals in an acute care facility who require preadmission screening, this entity is a team of nursing and social work staff. A physician must be a member of both the local committee and the acute care team.~~

"Preadmission screening" or "PAS" means the process to (i) evaluate the functional, nursing, and social needs of individuals referred for preadmission screening; (ii) analyze what specific services the individuals need; (iii) evaluate whether a service or a combination of existing community services are available to meet the individuals' needs; and (iv) develop the service plan.

"Preadmission screening committee/team" or "PAS committee" or "PAS team" means the entity contracted with DMAS that is responsible for performing preadmission screening. For individuals in the community, this entity is a committee comprised of a nurse from the local health department and a social worker from the local department of social services. For individuals in an acute care facility who require preadmission screening, this entity is a team of nursing and social work staff. A physician must be a member of both the local committee and the acute care team.

"Private duty nursing" means individual and continuous nursing care provided by a registered nurse or a licensed practical nurse under the supervision of a registered nurse.

"Program" means the Virginia Medicaid program as administered by the Department of Medical Assistance Services.

"Reconsideration" means the supervisory review of information submitted to DMAS or the designated preauthorization contractor in the event of a disagreement of an initial decision that is related to a denial in the reimbursement of services already rendered by a provider.

"Respite care" means services specifically designed to provide a temporary, periodic relief to the primary caregiver of an individual who is incapacitated or dependent due to AIDS. Respite care services include assistance with personal hygiene, nutritional support and environmental maintenance authorized as either episodic, temporary relief or as a routine periodic relief of the caregiver.

Consumer-directed respite care services may only be offered to individuals who have an unpaid primary caregiver who requires temporary relief to avoid institutionalization of the individual. Respite services are designed to focus on the need

of the unpaid caregiver for temporary relief and to help prevent the breakdown of the unpaid caregiver due to the physical burden and emotional stress of providing continuous support and care to the individual.

"Respite care agency" means a participating provider that renders services designed to prevent or reduce inappropriate institutional care by providing eligible individuals with respite care aides who provide respite care services.

"Service plan" means the written plan of services certified by the PAS team physician as needed by the individual to ensure optimal health and safety for the delivery of home and community-based care.

"State Plan for Medical Assistance" or "the Plan" or "the State Plan" means the document containing the covered groups, covered services and their limitations, and provider reimbursement methodologies as provided for under Title XIX of the Social Security Act.

"Transition services" means set-up expenses for individuals who are transitioning from an institution or licensed or certified provider-operated living arrangement to a living arrangement in a private residence where the person is directly responsible for his own living expenses. 12VAC30-120-2010 provides the service description, criteria, service units and limitations, and provider requirements for this service.

"Uniform Assessment Instrument" or "UAI" means the standardized multidimensional questionnaire that assesses an individual's social, physical health, mental health, and functional abilities.

## Part IV Mental Retardation Waiver

### Article 1 Definitions and General Requirements

#### **12VAC30-120-211. Definitions.**

"Activities of daily living" or "ADL" means personal care tasks, e.g., bathing, dressing, toileting, transferring, and eating/feeding. An individual's degree of independence in performing these activities is a part of determining appropriate level of care and service needs.

"Appeal" means the process used to challenge adverse actions regarding services, benefits and reimbursement provided by Medicaid pursuant to 12VAC30-110 and 12VAC30-20-500 through 12VAC30-20-560.

"Assistive technology" or "AT" means specialized medical equipment and supplies to include devices, controls, or appliances, specified in the consumer service plan but not available under the State Plan for Medical Assistance, which enable individuals to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live. This

service also includes items necessary for life support, ancillary supplies and equipment necessary to the proper functioning of such items, and durable and nondurable medical equipment not available under the Medicaid State Plan.

"Behavioral health authority" or "BHA" means the local agency, established by a city or county under Chapter 1 (§ 37.2-100) of Title 37.2 of the Code of Virginia that plans, provides, and evaluates mental health, mental retardation, and substance abuse services in the locality that it serves.

"CMS" means the Centers for Medicare and Medicaid Services, which is the unit of the federal Department of Health and Human Services that administers the Medicare and Medicaid programs.

"Case management" means the assessing and planning of services; linking the individual to services and supports identified in the consumer service plan; assisting the individual directly for the purpose of locating, developing or obtaining needed services and resources; coordinating services and service planning with other agencies and providers involved with the individual; enhancing community integration; making collateral contacts to promote the implementation of the consumer service plan and community integration; monitoring to assess ongoing progress and ensuring services are delivered; and education and counseling that guides the individual and develops a supportive relationship that promotes the consumer service plan.

"Case manager" means the individual on behalf of the community services board or behavioral health authority possessing a combination of mental retardation work experience and relevant education that indicates that the individual possesses the knowledge, skills and abilities as established by the Department of Medical Assistance Services in 12VAC30-50-450.

"Community services board" or "CSB" means the local agency, established by a city or county or combination of counties or cities under Chapter 5 (§ 37.2-500 et seq.) of Title 37.2 of the Code of Virginia, that plans, provides, and evaluates mental health, mental retardation, and substance abuse services in the jurisdiction or jurisdictions it serves.

"Companion" means, for the purpose of these regulations, a person who provides companion services.

"Companion services" means nonmedical care, support, and socialization, provided to an adult (age 18 and over). The provision of companion services does not entail hands-on care. It is provided in accordance with a therapeutic goal in the consumer service plan and is not purely diversional in nature.

"Comprehensive assessment" means the gathering of relevant social, psychological, medical and level of care

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information by the case manager and is used as a basis for the development of the consumer service plan.

"Consumer-directed model" means services for which the individual and the individual's family/caregiver, as appropriate, is responsible for hiring, training, supervising, and firing of the staff.

"Consumer-directed (CD) services facilitator" means the DMAS-enrolled provider who is responsible for supporting the individual and the individual's family/caregiver, as appropriate, by ensuring the development and monitoring of the Consumer-Directed Services Individual Service Plan, providing employee management training, and completing ongoing review activities as required by DMAS for consumer-directed companion, personal assistance, and respite services.

"Consumer service plan" or "CSP" means documents addressing needs in all life areas of individuals who receive mental retardation waiver services, and is comprised of individual service plans as dictated by the individual's health care and support needs. The individual service plans are incorporated in the CSP by the case manager.

"Crisis stabilization" means direct intervention to persons with mental retardation who are experiencing serious psychiatric or behavioral challenges that jeopardize their current community living situation, by providing temporary intensive services and supports that avert emergency psychiatric hospitalization or institutional placement or prevent other out-of-home placement. This service shall be designed to stabilize the individual and strengthen the current living situation so the individual can be supported in the community during and beyond the crisis period.

"DMAS" means the Department of Medical Assistance Services.

"DMAS staff" means persons employed by the Department of Medical Assistance Services.

"DMHMRSAS" means the Department of Mental Health, Mental Retardation and Substance Abuse Services.

"DMHMRSAS staff" means persons employed by the Department of Mental Health, Mental Retardation and Substance Abuse Services.

"DRS" means the Department of Rehabilitative Services.

"DSS" means the Department of Social Services.

"Day support" means training, assistance, and specialized supervision in the acquisition, retention, or improvement of self-help, socialization, and adaptive skills, which typically take place outside the home in which the individual resides. Day support services shall focus on enabling the individual to attain or maintain his maximum functional level.

"Developmental risk" means the presence before, during or after an individual's birth of conditions typically identified as related to the occurrence of a developmental disability and for which no specific developmental disability is identifiable through existing diagnostic and evaluative criteria.

"Direct marketing" means either (i) conducting directly or indirectly door-to-door, telephonic or other "cold call" marketing of services at residences and provider sites; (ii) mailing directly; (iii) paying "finders' fees"; (iv) offering financial incentives, rewards, gifts or special opportunities to eligible individuals and the individual's family/caregivers, as appropriate, as inducements to use the providers' services; (v) continuous, periodic marketing activities to the same prospective individual and the individual's family/caregiver, as appropriate, for example, monthly, quarterly, or annual giveaways as inducements to use the providers' services; or (vi) engaging in marketing activities that offer potential customers rebates or discounts in conjunction with the use of the providers' services or other benefits as a means of influencing the individual's and the individual's family/caregiver's, as appropriate, use of the providers' services.

"Enroll" means that the individual has been determined by the case manager to meet the eligibility requirements for the MR Waiver and DMHMRSAS has verified the availability of a MR Waiver slot for that individual, and DSS has determined the individual's Medicaid eligibility for home and community-based services.

"Entrepreneurial model" means a small business employing eight or fewer individuals who have disabilities on a shift and usually involves interactions with the public and with coworkers without disabilities.

"Environmental modifications" means physical adaptations to a house, place of residence, primary vehicle or work site (when the work site modification exceeds reasonable accommodation requirements of the Americans with Disabilities Act) that are necessary to ensure the individual's health and safety or enable functioning with greater independence when the adaptation is not being used to bring a substandard dwelling up to minimum habitation standards and is of direct medical or remedial benefit to the individual.

"EPSDT" means the Early Periodic Screening, Diagnosis and Treatment program administered by DMAS for children under the age of 21 according to federal guidelines that prescribe preventive and treatment services for Medicaid-eligible children as defined in 12VAC30-50-130.

"Fiscal agent" means an agency or organization within DMAS or contracted by DMAS to handle employment, payroll, and tax responsibilities on behalf of individuals who are receiving consumer-directed personal assistance, respite, and companion services.

"Health Planning Region" or "HPR" means the federally designated geographical area within which health care needs assessment and planning takes place, and within which health care resource development is reviewed.

"Health, welfare, and safety standard" means that an individual's right to receive a waiver service is dependent on a finding that the individual needs the service, based on appropriate assessment criteria and a written individual service plan and that services can safely be provided in the community.

"Home- and community-based waiver services" or "waiver services" means the range of community support services approved by the Centers for Medicare and Medicaid Services (CMS) pursuant to § 1915(c) of the Social Security Act to be offered to persons with mental retardation and children younger than age six who are at developmental risk who would otherwise require the level of care provided in an Intermediate Care Facility for the Mentally Retarded (ICF/MR.)

"ICF/MR" means a facility or distinct part of a facility certified by the Virginia Department of Health, as meeting the federal certification regulations for an Intermediate Care Facility for the Mentally Retarded and persons with related conditions. These facilities must address the total needs of the residents, which include physical, intellectual, social, emotional, and habilitation, and must provide active treatment.

"Individual" means the person receiving the services or evaluations established in these regulations.

"Individual service plan" or "ISP" means the service plan related solely to the specific waiver service. Multiple ISPs help to comprise the overall consumer service plan.

"Instrumental activities of daily living" or "IADLs" means tasks such as meal preparation, shopping, housekeeping, laundry, and money management.

"ISAR" means the Individual Service Authorization Request and is the DMAS form used by providers to request prior authorization for MR waiver services.

"Mental retardation" or "~~MR~~" means ~~mental retardation a disability~~ as defined by the American Association on ~~Mental Retardation~~ (AAMR) Intellectual and Developmental Disabilities (AAIDD).

"Participating provider" means an entity that meets the standards and requirements set forth by DMAS and DMHMRSAS, and has a current, signed provider participation agreement with DMAS.

"Pend" means delaying the consideration of an individual's request for services until all required information is received by DMHMRSAS.

"Personal assistance services" means assistance with activities of daily living, instrumental activities of daily living, access to the community, self-administration of medication, or other medical needs, and the monitoring of health status and physical condition.

"Personal assistant" means a person who provides personal assistance services.

"Personal emergency response system (PERS)" is an electronic device that enables certain individuals at high risk of institutionalization to secure help in an emergency. PERS services are limited to those individuals who live alone or are alone for significant parts of the day and who have no regular caregiver for extended periods of time, and who would otherwise require extensive routine supervision.

"Preauthorized" means that an individual service has been approved by DMHMRSAS prior to commencement of the service by the service provider for initiation and reimbursement of services.

"Prevocational services" means services aimed at preparing an individual for paid or unpaid employment. The services do not include activities that are specifically job-task oriented but focus on concepts such as accepting supervision, attendance, task completion, problem solving and safety. Compensation, if provided, is less than 50% of the minimum wage.

"Primary caregiver" means the primary person who consistently assumes the role of providing direct care and support of the individual to live successfully in the community without compensation for providing such care.

"Qualified mental retardation professional" or "QMRP" means a professional possessing: (i) at least one year of documented experience working directly with individuals who have mental retardation or developmental disabilities; (ii) a bachelor's degree in a human services field including, but not limited to, sociology, social work, special education, rehabilitation counseling, or psychology; and (iii) the required Virginia or national license, registration, or certification in accordance with his profession, if applicable.

"Residential support services" means support provided in the individual's home by a DMHMRSAS-licensed residential provider or a DSS-approved provider of adult foster care services. This service is one in which training, assistance, and supervision is routinely provided to enable individuals to maintain or improve their health, to develop skills in activities of daily living and safety in the use of community resources, to adapt their behavior to community and home-like environments, to develop relationships, and participate as citizens in the community.

"Respite services" means services provided to individuals who are unable to care for themselves, furnished on a short-

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term basis because of the absence or need for relief of those unpaid persons normally providing the care.

"Services facilitator" means the DMAS-enrolled provider who is responsible for supporting the individual and the individual's family/caregiver, as appropriate, by ensuring the development and monitoring of the Consumer-Directed Services Individual Service Plan, providing employee management training, and completing ongoing review activities as required by DMAS for services with an option of a consumer-directed model. These services include companion, personal assistance, and respite services.

"Skilled nursing services" means services that are ordered by a physician and required to prevent institutionalization, that are not otherwise available under the State Plan for Medical Assistance and that are provided by a licensed registered professional nurse, or by a licensed practical nurse under the supervision of a licensed registered professional nurse, in each case who is licensed to practice in the Commonwealth.

"Slot" means an opening or vacancy of waiver services for an individual.

"State Plan for Medical Assistance" or "Plan" means the Commonwealth's legal document approved by CMS identifying the covered groups, covered services and their limitations, and provider reimbursement methodologies as provided for under Title XIX of the Social Security Act.

"Supported employment" means work in settings in which persons without disabilities are typically employed. It includes training in specific skills related to paid employment and the provision of ongoing or intermittent assistance and specialized supervision to enable an individual with mental retardation to maintain paid employment.

"Support plan" means the report of recommendations resulting from a therapeutic consultation.

"Therapeutic consultation" means activities to assist the individual and the individual's family/caregiver, as appropriate, staff of residential support, day support, and any other providers in implementing an individual service plan.

"Transition services" means set-up expenses for individuals who are transitioning from an institution or licensed or certified provider-operated living arrangement to a living arrangement in a private residence where the person is directly responsible for his own living expenses. 12VAC30-120-2010 provides the service description, criteria, service units and limitations, and provider requirements for this service.

## **12VAC30-120-213. General coverage and requirements for MR waiver services.**

A. Waiver service populations. Home- and community-based waiver services shall be available through a § 1915(c)

of the Social Security Act waiver for the following individuals who have been determined to require the level of care provided in an ICF/MR.

1. Individuals with mental retardation; or

2. Individuals younger than the age of six who are at developmental risk. At the age of six years, these individuals must have a diagnosis of mental retardation to continue to receive home and community-based waiver services specifically under this program. Mental Retardation (MR) Waiver recipients who attain the age of six years of age, who are determined to not have a diagnosis of mental retardation, and who meet all IFDDS Waiver eligibility criteria, shall be eligible for transfer to the IFDDS Waiver effective up to their seventh birthday. Psychological evaluations (or standardized developmental assessment for children under six years of age) confirming diagnoses must be completed less than one year prior to transferring to the IFDDS Waiver. These recipients transferring from the MR Waiver will automatically be assigned a slot in the IFDDS Waiver, subject to the approval of the slot by CMS. The case manager will submit the current Level of Functioning Survey, CSP and psychological evaluation (or standardized developmental assessment for children under six years of age) to DMAS for review. Upon determination by DMAS that the individual is appropriate for transfer to the IFDDS Waiver, the case manager will provide the family with a list of IFDDS Waiver case managers. The case manager will work with the selected IFDDS Waiver case manager to determine an appropriate transfer date and submit a DMAS-122 to the local DSS. The MR Waiver slot will be held by the CSB until the child has successfully transitioned to the IFDDS Waiver. Once the child has successfully transitioned, the CSB will reallocate the slot.

### B. Covered services.

1. Covered services shall include: residential support services, day support, supported employment, personal assistance (both consumer-directed and agency-directed), respite services (both consumer-directed and agency-directed), assistive technology, environmental modifications, skilled nursing services, therapeutic consultation, crisis stabilization, prevocational services, personal emergency response systems (PERS), ~~and~~ companion services (both consumer-directed and agency-directed-), and transition services.

2. These services shall be appropriate and necessary to maintain the individual in the community. Federal waiver requirements provide that the average per capita fiscal year expenditures under the waiver must not exceed the average per capita expenditures for the level of care provided in ~~Intermediate Care Facilities for the Mentally Retarded~~ an ICF/MR under the State Plan that would have been provided had the waiver not been granted.

3. Waiver services shall not be furnished to individuals who are inpatients of a hospital, nursing facility, ICF/MR, or inpatient rehabilitation facility. Individuals with mental retardation who are inpatients of these facilities may receive case management services as described in 12VAC30-50-450. The case manager may recommend waiver services that would promote exiting from the institutional placement; however, these services shall not be provided until the individual has exited the institution.

4. Under this § 1915(c) waiver, DMAS waives § 1902(a)(10)(B) of the Social Security Act related to comparability.

C. Requests for increased services. All requests for increased waiver services by MR Waiver recipients will be reviewed under the health, welfare, and safety standard. This standard assures that an individual's right to receive a waiver service is dependent on a finding that the individual needs the service, based on appropriate assessment criteria and a written ISP and that services can safely be provided in the community.

D. Appeals. Individual appeals shall be considered pursuant to 12VAC30-110-10 through 12VAC30-110-380. Provider appeals shall be considered pursuant to 12VAC30-10-1000 and 12VAC30-20-500 through 12VAC30-20-560.

E. Urgent criteria. The CSB/BHA will determine, from among the individuals included in the urgent category, who should be served first, based on the needs of the individual at the time a slot becomes available and not on any predetermined numerical or chronological order.

1. The urgent category will be assigned when the individual is in need of services because he is determined to meet one of the criteria established in subdivision 2 of this subsection and services are needed within 30 days. Assignment to the urgent category may be requested by the individual, his legally responsible relative, or primary caregiver. The urgent category may be assigned only when the individual, the individual's spouse, or the parent of an individual who is a minor child would accept the requested service if it were offered. Only after all individuals in the Commonwealth who meet the urgent criteria have been served can individuals in the nonurgent category be served. Individuals in the nonurgent category are those who meet the diagnostic and functional criteria for the waiver, including the need for services within 30 days, but who do not meet the urgent criteria. In the event that a CSB/BHA has a vacant slot and does not have an individual who meets the urgent criteria, the slot can be held by the CSB/BHA for 90 days from the date it is identified as vacant, in case someone in an urgent situation is identified. If no one meeting the urgent criteria is identified within 90 days, the slot will be made available for allocation to another CSB/BHA in the Health Planning Region (HPR). If there is no urgent need at the time that the HPR is to

make a regional reallocation of a waiver slot, the HPR shall notify DMHMRSAS. DMHMRSAS shall have the authority to reallocate said slot to another HPR or CSB/BHA where there is unmet urgent need. Said authority must be exercised, if at all, within 30 days from receiving such notice.

2. Satisfaction of one or more of the following criteria shall indicate that the individual should be placed on the urgent need of waiver services list:

- a. Both primary caregivers are 55 years of age or older, or if there is one primary caregiver, that primary caregiver is 55 years of age or older;
- b. The individual is living with a primary caregiver, who is providing the service voluntarily and without pay, and the primary caregiver indicates that he can no longer care for the individual with mental retardation;
- c. There is a clear risk of abuse, neglect, or exploitation;
- d. A primary caregiver has a chronic or long-term physical or psychiatric condition or conditions which significantly limits the abilities of the primary caregiver or caregivers to care for the individual with mental retardation;
- e. Individual is aging out of publicly funded residential placement or otherwise becoming homeless (exclusive of children who are graduating from high school); or
- f. The individual with mental retardation lives with the primary caregiver and there is a risk to the health or safety of the individual, primary caregiver, or other individual living in the home due to either of the following conditions:
  - (1) The individual's behavior or behaviors present a risk to himself or others which cannot be effectively managed by the primary caregiver even with generic or specialized support arranged or provided by the CSB/BHA; or
  - (2) There are physical care needs (such as lifting or bathing) or medical needs that cannot be managed by the primary caregiver even with generic or specialized supports arranged or provided by the CSB/BHA.

F. Reevaluation of service need and utilization review. Case managers shall complete reviews and updates of the CSP and level of care as specified in 12VAC30-120-215 D. Providers shall meet the documentation requirements as specified in 12VAC30-120-217 B.

**12VAC30-120-225. Consumer-directed model of service delivery.**

A. Criteria.

1. The MR Waiver has three services, companion, personal assistance, and respite, ~~which~~ that may be provided through a consumer-directed model.

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2. Individuals who choose the consumer-directed model must have the capability to hire ~~and~~, train, and fire their own personal ~~assistants~~ assistant or ~~companions~~ companion and supervise the assistant's or companion's performance. If an individual is unable to direct his own care or is under 18 years of age, a family/caregiver may serve as the employer on behalf of the individual.

3. The individual, or if the individual is unable, then family/caregiver, shall be the employer in this service, and therefore shall be responsible for hiring, training, supervising, and firing assistants and companions. Specific employer duties include checking of references of personal assistants/companions, determining that personal assistants/companions meet basic qualifications, training assistants/companions, supervising the assistant's/companion's performance, and submitting timesheets to the fiscal agent on a consistent and timely basis. The individual and the individual's family/caregiver, as appropriate, must have a back-up plan in case the assistant/companion does not show up for work as expected or terminates employment without prior notice.

4. Individuals choosing consumer-directed models of service delivery must receive support from a CD services facilitator. This is not a separate waiver service, but is required in conjunction with consumer-directed personal assistance, respite, or companion services. The CD services facilitator will be responsible for assessing the individual's particular needs for a requested CD service, assisting in the development of the ISP, providing training to the individual and the individual's family/caregiver, as appropriate, on his responsibilities as an employer, and providing ongoing support of the consumer-directed models of services. The CD services facilitator cannot be the individual, the individual's case manager, direct service provider, spouse, or parent of the individual who is a minor child, or a family/caregiver employing the assistant/companion. If an individual enrolled in consumer-directed services has a lapse in services facilitator for more than 90 consecutive days, the case manager must notify DMHMRSAS and the consumer-directed services will be discontinued.

5. DMAS shall provide for fiscal agent services for consumer-directed personal assistance services, consumer-directed companion services, and consumer-directed respite services. The fiscal agent will be reimbursed by DMAS to perform certain tasks as an agent for the individual/employer who is receiving consumer-directed services. The fiscal agent will handle the responsibilities of employment taxes for the individual. The fiscal agent will seek and obtain all necessary authorizations and approvals of the Internal Revenue Services in order to fulfill all of these duties.

B. Provider qualifications. In addition to meeting the general conditions and requirements for home- and community-based services participating providers as specified in 12VAC30-120-217 and 12VAC30-120-219, the CD services facilitator must meet the following qualifications:

1. To be enrolled as a Medicaid CD services facilitator and maintain provider status, the CD services facilitator shall have sufficient resources to perform the required activities. In addition, the CD services facilitator must have the ability to maintain and retain business and professional records sufficient to document fully and accurately the nature, scope, and details of the services provided.

2. It is preferred that the CD services facilitator possess a minimum of an undergraduate degree in a human services field or be a registered nurse currently licensed to practice in the Commonwealth. In addition, it is preferable that the CD services facilitator have two years of satisfactory experience in a human service field working with persons with mental retardation. The facilitator must possess a combination of work experience and relevant education that indicates possession of the following knowledge, skills, and abilities. Such knowledge, skills, and abilities must be documented on the provider's application form, found in supporting documentation, or be observed during a job interview. Observations during the interview must be documented. The knowledge, skills, and abilities include:

a. Knowledge of:

(1) Types of functional limitations and health problems that may occur in persons with mental retardation, or persons with other disabilities, as well as strategies to reduce limitations and health problems;

(2) Physical assistance that may be required by people with mental retardation, such as transferring, bathing techniques, bowel and bladder care, and the approximate time those activities normally take;

(3) Equipment and environmental modifications that may be required by people with mental retardation that reduce the need for human help and improve safety;

(4) Various long-term care program requirements, including nursing home and ICF/MR placement criteria, Medicaid waiver services, and other federal, state, and local resources that provide personal assistance, respite, and companion services;

(5) MR waiver requirements, as well as the administrative duties for which the services facilitator will be responsible;

(6) Conducting assessments (including environmental, psychosocial, health, and functional factors) and their uses in service planning;

(7) Interviewing techniques;

(8) The individual's right to make decisions about, direct the provisions of, and control his consumer-directed personal assistance, companion and respite services, including hiring, training, managing, approving time sheets, and firing an assistant/companion;

(9) The principles of human behavior and interpersonal relationships; and

(10) General principles of record documentation.

b. Skills in:

(1) Negotiating with individuals and the individual's family/caregivers, as appropriate, and service providers;

(2) Assessing, supporting, observing, recording, and reporting behaviors;

(3) Identifying, developing, or providing services to individuals with mental retardation; and

(4) Identifying services within the established services system to meet the individual's needs.

c. Abilities to:

(1) Report findings of the assessment or onsite visit, either in writing or an alternative format for individuals who have visual impairments;

(2) Demonstrate a positive regard for individuals and their families;

(3) Be persistent and remain objective;

(4) Work independently, performing position duties under general supervision;

(5) Communicate effectively, orally and in writing; and

(6) Develop a rapport and communicate with persons of diverse cultural backgrounds.

3. If the CD services facilitator is not a RN, the CD services facilitator must inform the primary health care provider that services are being provided and request skilled nursing or other consultation as needed.

4. Initiation of services and service monitoring.

a. For consumer-directed services, the CD services facilitator must make an initial comprehensive home visit to collaborate with the individual and the individual's family/caregiver, as appropriate, to identify the needs, assist in the development of the ISP with the individual and the individual's family/caregiver, as appropriate, and provide employee management training. The initial comprehensive home visit is done only once upon the individual's entry into the consumer-directed model of service regardless of the number or type of consumer-directed services that an individual chooses to receive. If an individual changes CD services facilitators, the new

CD services facilitator must complete a reassessment visit in lieu of a comprehensive visit.

b. After the initial visit, the CD services facilitator will continue to monitor the companion, or personal assistant ISP quarterly and on an as-needed basis. The CD services facilitator will review the utilization of consumer-directed respite services, either every six months or upon the use of 300 respite services hours, whichever comes first.

c. A face-to-face meeting with the individual must be conducted at least every six months to reassess the individual's needs and to ensure appropriateness of any CD services received by the individual.

5. During visits with the individual, the CD services facilitator must observe, evaluate, and consult with the individual and the individual's family/caregiver, as appropriate, and document the adequacy and appropriateness of consumer-directed services with regard to the individual's current functioning and cognitive status, medical needs, and social needs.

6. The CD services facilitator must be available to the individual by telephone.

7. The CD services facilitator must submit a criminal record check pertaining to the assistant/companion on behalf of the individual and report findings of the criminal record check to the individual and the individual's family/caregiver, as appropriate, and the program's fiscal agent. If the individual is a minor, the assistant/companion must also be screened through the DSS Child Protective Services Central Registry. Assistants/companions will not be reimbursed for services provided to the individual effective the date that the criminal record check confirms an assistant/companion has been found to have been convicted of a crime as described in § 37.2-416 of the Code of Virginia or if the assistant/companion has a confirmed record on the DSS Child Protective Services Central Registry. The criminal record check and DSS Child Protective Services Central Registry finding must be requested by the CD services facilitator within 15 calendar days of employment. The services facilitator must maintain evidence that a criminal record check was obtained and must make such evidence available for DMAS review.

8. The CD services facilitator shall review timesheets during the face-to-face visits or more often as needed to ensure that the number of ISP-approved hours is not exceeded. If discrepancies are identified, the CD services facilitator must discuss these with the individual to resolve discrepancies and must notify the fiscal agent.

9. The CD services facilitator must maintain a list of persons who are available to provide consumer-directed personal assistance, consumer-directed companion, or consumer-directed respite services.

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10. The CD services facilitator must maintain records of each individual as described in 12VAC30-120-217, 12VAC30-120-223, and 12VAC30-120-233.

11. Upon the individual's request, the CD services facilitator shall provide the individual and the individual's family/caregiver, as appropriate, with a list of persons who can provide temporary assistance until the assistant/companion returns or the individual is able to select and hire a new personal assistant/companion. If an individual is consistently unable to hire and retain the employment of an assistant/companion to provide consumer-directed personal assistance, companion, or respite services, the CD services facilitator will make arrangements with the case manager to have the services transferred to an agency-directed services provider or to discuss with the individual and the individual's family/caregiver, as appropriate, other service options.

## **12VAC30-120-229. Day support services.**

A. Service description. Day support services shall include a variety of training, assistance, support, and specialized supervision for the acquisition, retention, or improvement of self-help, socialization, and adaptive skills. These services are typically offered in a nonresidential setting that allows peer interactions and community and social integration.

B. Criteria. For day support services, individuals must demonstrate the need for functional training, assistance, and specialized supervision offered primarily in settings other than the individual's own residence that allows an opportunity for being productive and contributing members of communities.

C. Types of day support. The amount and type of day support included in the individual's service plan is determined according to the services required for that individual. There are two types of day support: center-based, which is provided primarily at one location/building, or noncenter-based, which is provided primarily in community settings. Both types of day support may be provided at either intensive or regular levels.

D. Levels of day support. There are two levels of day support, intensive and regular. To be authorized at the intensive level, the individual must meet at least one of the following criteria: (i) requires physical assistance to meet the basic personal care needs (toileting, feeding, etc); (ii) has extensive disability-related difficulties and requires additional, ongoing support to fully participate in programming and to accomplish his service goals; or (iii) requires extensive constant supervision to reduce or eliminate behaviors that preclude full participation in the program. In this case, written behavioral objectives are required to address behaviors such as, but not limited to, withdrawal, self-injury, aggression, or self-stimulation.

E. Service units and service limitations. Day support services are billed ~~in units. Units shall be defined as:~~ according to the DMAS fee schedule.

- ~~1. One unit is 1 to 3.99 hours of service a day.~~
- ~~2. Two units are 4 to 6.99 hours of service a day.~~
- ~~3. Three units are 7 or more hours of service a day.~~

Day support cannot be regularly or temporarily provided in an individual's home or other residential setting (e.g., due to inclement weather or individual illness) without prior written approval from DMHMRSAS. Noncenter-based day support services must be separate and distinguishable from either residential support services or personal assistance services. There must be separate supporting documentation for each service and each must be clearly differentiated in documentation and corresponding billing. The supporting documentation must provide an estimate of the amount of day support required by the individual. Service providers are reimbursed only for the amount and level of day support services included in the individual's approved ISP based on the setting, intensity, and duration of the service to be delivered. This service shall be limited to 780 units, or its equivalent under the DMAS fee schedule, per CSP year. If this service is used in combination with prevocational and/or group supported employment services, the combined total units for these services cannot exceed 780 units, or its equivalent under the DMAS fee schedule, per CSP year.

F. Provider requirements. In addition to meeting the general conditions and requirements for home and community-based participating providers as specified in 12VAC30-120-217 and 12VAC30-120-219, day support providers need to meet additional requirements.

1. The provider of day support services must be licensed by DMHMRSAS as a provider of day support services.
2. In addition to licensing requirements, day support staff must also have training in the characteristics of mental retardation and appropriate interventions, training strategies, and support methods for persons with mental retardation and functional limitations. All providers of day support services must pass an objective, standardized test of skills, knowledge, and abilities approved by DMHMRSAS and administered according to DMHMRSAS' defined procedures.
3. Required documentation in the individual's record. The provider must maintain records of each individual receiving services. At a minimum, these records must contain the following:
  - a. A functional assessment conducted by the provider to evaluate each individual in the day support environment and community settings.

b. An ISP that contains, at a minimum, the following elements:

- (1) The individual's strengths, desired outcomes, required or desired supports and training needs;
- (2) The individual's goals and measurable objectives to meet the above identified outcomes;
- (3) Services to be rendered and the frequency of services to accomplish the above goals and objectives;
- (4) A timetable for the accomplishment of the individual's goals and objectives as appropriate;
- (5) The estimated duration of the individual's needs for services; and
- (6) The provider staff responsible for the overall coordination and integration of the services specified in the ISP.

c. Documentation confirming the individual's attendance and amount of time in services and specific information regarding the individual's response to various settings and supports as agreed to in the ISP objectives. An attendance log or similar document must be maintained that indicates the date, type of services rendered, and the number of hours and units, or their equivalent under the DMAS fee schedule, provided.

d. Documentation indicating whether the services were center-based or noncenter-based.

e. Documentation regarding transportation. In instances where day support staff are required to ride with the individual to and from day support, the day support staff time can be billed as day support, provided that the billing for this time does not exceed 25% of the total time spent in the day support activity for that day. Documentation must be maintained to verify that billing for day support staff coverage during transportation does not exceed 25% of the total time spent in the day support for that day.

f. If intensive day support services are requested, documentation indicating the specific supports and the reasons they are needed. For ongoing intensive day support services, there must be clear documentation of the ongoing needs and associated staff supports.

g. Documentation indicating that the ISP goals, objectives, and activities have been reviewed by the provider quarterly, annually, and more often as needed. The results of the review must be submitted to the case manager. For the annual review and in cases where the ISP is modified, the ISP must be reviewed with the individual and the individual's family/caregiver, as appropriate.

h. Copy of the most recently completed DMAS-122 form. The provider must clearly document efforts to obtain the completed DMAS-122 form from the case manager.

**12VAC30-120-237. Prevocational services.**

A. Service description. Prevocational services are services aimed at preparing an individual for paid or unpaid employment, but are not job-task oriented. Prevocational services are provided to individuals who are not expected to be able to join the general work force without supports or to participate in a transitional sheltered workshop within one year of beginning waiver services, (excluding supported employment programs). Activities included in this service are not primarily directed at teaching specific job skills but at underlying rehabilitative goals such as accepting supervision, attendance, task completion, problem solving, and safety.

B. Criteria. In order to qualify for prevocational services, the individual shall have a demonstrated need for support in skills that are aimed toward preparation of paid employment that may be offered in a variety of community settings.

C. Service units and service limitations. Billing is ~~for one unit of service~~ in accordance with the DMAS fee schedule.

1. Units shall be defined as:

- a. One unit is 1 to 3.99 hours of service a day.
- b. Two units are 4 to 6.99 hours of service a day.
- c. Three units are 7 or more hours of service a day.

1. This service is limited to 780 units, or its equivalent under the DMAS fee schedule, per CSP year. If this service is used in combination with day support and /or group-supported employment services, the combined total units for these services cannot exceed 780 units, or its equivalent under the DMAS fee schedule, per CSP year.

2. Prevocational services can be provided in center- or noncenter-based settings. Center-based means services are provided primarily at one location/building and noncenter-based means services are provided primarily in community settings. Both center-based or noncenter-based prevocational services may be provided at either regular or intensive levels.

3. Prevocational services can be provided at either a regular or intensive level. For prevocational services to be authorized at the intensive level, the individual must meet at least one of the following criteria: (i) require physical assistance to meet the basic personal care needs (toileting, feeding, etc); (ii) have extensive disability-related difficulties and require additional, ongoing support to fully participate in programming and to accomplish service goals; or (iii) require extensive constant supervision to reduce or eliminate behaviors that preclude full participation in the program. In this case, written

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behavioral objectives are required to address behaviors such as, but not limited to, withdrawal, self-injury, aggression, or self-stimulation.

4. There must be documentation regarding whether prevocational services are available in vocational rehabilitation agencies through § 110 of the Rehabilitation Act of 1973 or through the Individuals with Disabilities Education Act (IDEA). If the individual is not eligible for services through the IDEA, documentation is required only for lack of DRS funding. When services are provided through these sources, the ISP shall not authorize them as a waiver expenditure.

5. Prevocational services can only be provided when the individual's compensation is less than 50% of the minimum wage.

D. Provider requirements. In addition to meeting the general conditions and requirements for home and community-based services participating providers as specified in 12VAC30-120-217 and 12VAC30-120-219, prevocational providers must also meet the following qualifications:

1. The provider of prevocational services must be a vendor of extended employment services, long-term employment services, or supported employment services for DRS, or be licensed by DMHMRSAS as a provider of day support services.

2. Providers must ensure and document that persons providing prevocational services have training in the characteristics of mental retardation and appropriate interventions, training strategies, and support methods for persons with mental retardation and functional limitations. All providers of prevocational services must pass an objective, standardized test of skills, knowledge, and abilities approved by DMHMRSAS and administered according to DMHMRSAS' defined procedures.

3. Required documentation in the individual's record. The provider must maintain a record regarding each individual receiving prevocational services. At a minimum, the records must contain the following:

a. A functional assessment conducted by the provider to evaluate each individual in the prevocational environment and community settings.

b. An ISP, which contains, at a minimum, the following elements:

(1) The individual's strengths, desired outcomes, required or desired supports, and training needs;

(2) The individual's goals and measurable objectives to meet the above identified outcomes;

(3) Services to be rendered and the frequency of services to accomplish the above goals and objectives;

(4) A timetable for the accomplishment of the individual's goals and objectives;

(5) The estimated duration of the individual's needs for services; and

(6) The provider staff responsible for the overall coordination and integration of the services specified in the ISP.

c. Documentation indicating that the ISP goals, objectives, and activities have been reviewed by the provider quarterly, annually, and more often as needed, modified as appropriate, and that the results of these reviews have been submitted to the case manager. For the annual review and in cases where the ISP is modified, the ISP must be reviewed with the individual and the individual's family/caregiver, as appropriate.

d. Documentation confirming the individual's attendance, amount of time spent in services, and type of services rendered, and specific information regarding the individual's response to various settings and supports as agreed to in the ISP objectives. An attendance log or similar document must be maintained that indicates the date, type of services rendered, and the number of hours and units, or their equivalent under the DMAS fee schedule, provided.

e. Documentation indicating whether the services were center-based or noncenter-based.

f. Documentation regarding transportation. In instances where prevocational staff are required to ride with the individual to and from prevocational services, the prevocational staff time can be billed for prevocational services, provided that billing for this time does not exceed 25% of the total time spent in prevocational services for that day. Documentation must be maintained to verify that billing for prevocational staff coverage during transportation does not exceed 25% of the total time spent in the prevocational services for that day.

g. If intensive prevocational services are requested, documentation indicating the specific supports and the reasons they are needed. For ongoing intensive prevocational services, there must be clear documentation of the ongoing needs and associated staff supports.

h. Documentation indicating whether prevocational services are available in vocational rehabilitation agencies through § 110 of the Rehabilitation Act of 1973 or through the Individuals with Disabilities Education Act (IDEA).

i. A copy of the most recently completed DMAS-122. The provider must clearly document efforts to obtain the completed DMAS-122 form from the case manager.

**12VAC30-120-247. Supported employment services.****A. Service description.**

1. Supported employment services are provided in work settings where persons without disabilities are employed. It is especially designed for individuals with developmental disabilities, including individuals with mental retardation, who face severe impediments to employment due to the nature and complexity of their disabilities, irrespective of age or vocational potential.

2. Supported employment services are available to individuals for whom competitive employment at or above the minimum wage is unlikely without ongoing supports and who because of their disability need ongoing support to perform in a work setting.

3. Supported employment can be provided in one of two models. Individual supported employment shall be defined as intermittent support, usually provided one-on-one by a ~~job coach~~ an employment assistant as defined in 12VAC30-120-211 to an individual in a supported employment position. Group supported employment shall be defined as continuous support provided by staff to eight or fewer individuals with disabilities in an enclave, work crew, bench work, or entrepreneurial model. The individual's assessment and CSP must clearly reflect the individual's need for training and supports.

**B. Criteria.**

1. Only job development tasks that specifically include the individual are allowable job search activities under the MR waiver supported employment and only after determining this service is not available from DRS.

2. In order to qualify for these services, the individual shall have demonstrated that competitive employment at or above the minimum wage is unlikely without ongoing supports, and that because of his disability, he needs ongoing support to perform in a work setting.

3. A functional assessment must be conducted to evaluate the individual in his work environment and related community settings.

4. The ISP must document the amount of supported employment required by the individual. Service providers are reimbursed only for the amount and type of supported employment included in the individual's ISP based on the intensity and duration of the service delivered.

**C. Service units and service limitations.**

1. Supported employment for individual job placement is provided in one hour units. This service is limited to 40 hours per week.

2. Group models of supported employment (enclaves, work crews, bench work and entrepreneurial model of supported

employment) will be billed at the unit rate. ~~For group models of supported employment, units shall be defined as: according to the DMAS fee schedule.~~

~~a. One unit is 1 to 3.99 hours of service a day.~~

~~b. Two units are 4 to 6.99 hours of service a day.~~

~~c. Three units are 7 or more hours of service a day.~~

This service is limited to 780 units, or its equivalent under the DMAS fee schedule, per CSP year. If this service is used in combination with prevocational and day support services, the combined total units for these services cannot exceed 780 units, or its equivalent under the DMAS fee schedule, per CSP year.

3. For the individual job placement model, reimbursement of supported employment will be limited to actual documented interventions or collateral contacts by the provider, not the amount of time the individual is in the supported employment situation.

**D. Provider requirements.** In addition to meeting the general conditions and requirements for home and community-based participating providers as specified in 12VAC30-120-217 and 12VAC30-120-219, supported employment provider qualifications include:

1. Supported Group and agency-directed individual supported employment shall be provided only by agencies that are DRS vendors of supported employment services;

2. Required documentation in the individual's record. The provider must maintain a record regarding each individual receiving supported employment services. At a minimum, the records must contain the following:

a. A functional assessment conducted by the provider to evaluate each individual in the supported employment environment and related community settings.

b. Documentation indicating individual ineligibility for supported employment services through DRS or IDEA. If the individual is not eligible through IDEA, documentation is required only for the lack of DRS funding;

c. An ISP that contains, at a minimum, the following elements:

(1) The individual's strengths, desired outcomes, required/desired supports and training needs;

(2) The individual's goals and, for a training goal, a sequence of measurable objectives to meet the above identified outcomes;

(3) Services to be rendered and the frequency of services to accomplish the above goals and objectives;

(4) A timetable for the accomplishment of the individual's goals and objectives;

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(5) The estimated duration of the individual's needs for services; and

(6) Provider staff responsible for the overall coordination and integration of the services specified in the plan.

d. The ISP goals, objectives, and activities must be reviewed by the provider quarterly, annually, and more often as needed, modified as appropriate, and the results of these reviews submitted to the case manager. For the annual review and in cases where the ISP is modified, the ISP must be reviewed with the individual and the individual's family/caregiver, as appropriate.

e. In instances where supported employment staff are required to ride with the individual to and from supported employment activities, the supported employment staff time can be billed for supported employment provided that the billing for this time does not exceed 25% of the total time spent in supported employment for that day. Documentation must be maintained to verify that billing for supported employment staff coverage during transportation does not exceed 25% of the total time spent in supported employment for that day.

f. There must be a copy of the completed DMAS-122 in the record. Providers must clearly document efforts to obtain the DMAS-122 form from the case manager.

## Part VIII

### Individual and Family Developmental Disabilities Support Waiver

#### Article 1

#### General Requirements

#### **12VAC30-120-700. Definitions.**

"Activities of daily living (ADL)" means personal care tasks, e.g., bathing, dressing, toileting, transferring, and eating/feeding. An individual's degree of independence in performing these activities is a part of determining appropriate level of care and services.

"Appeal" means the process used to challenge adverse actions regarding services, benefits, and reimbursement provided by Medicaid pursuant to 12VAC30-110, Eligibility and Appeals, and 12VAC30-20-500 through 12VAC30-20-560.

"Assistive technology" means specialized medical equipment and supplies including those devices, controls, or appliances specified in the plan of care but not available under the State Plan for Medical Assistance that enable individuals to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live, or that are necessary to the proper functioning of the specialized equipment.

"Behavioral health authority" or "BHA" means the local agency, established by a city or county or a combination of

counties or cities or cities and counties under Chapter 6 (§ 37.2-600 et seq.) of Title 37.2 of the Code of Virginia, that plans, provides, and evaluates mental health, mental retardation, and substance abuse services in the jurisdiction or jurisdictions it serves.

"CARF" means the Rehabilitation Accreditation Commission, formerly known as the Commission on Accreditation of Rehabilitation Facilities.

"Case management" means services as defined in 12VAC30-50-490.

"Case manager" means the provider of case management services as defined in 12VAC30-50-490.

"Centers for Medicare and Medicaid Services" or "CMS" means the unit of the federal Department of Health and Human Services that administers the Medicare and Medicaid programs.

"Community-based waiver services" or "waiver services" means a variety of home and community-based services paid for by DMAS as authorized under a § 1915(c) waiver designed to offer individuals an alternative to institutionalization. Individuals may be preauthorized to receive one or more of these services either solely or in combination, based on the documented need for the service or services to avoid ICF/MR placement.

"Community services board" or "CSB" means the local agency established by a city or county or combination of counties or cities, or cities and counties, under Chapter 5 (§ 37.2-500 et seq.) of Title 37.2 of the Code of Virginia, that plans, provides, and evaluates mental health, mental retardation, and substance abuse services in the jurisdiction or jurisdictions it serves.

"Companion" means, for the purpose of these regulations, a person who provides companion services.

"Companion services" means nonmedical care, supervision and socialization provided to an adult (age 18 and older). The provision of companion services does not entail hands-on care. It is provided in accordance with a therapeutic goal in the plan of care and is not purely diversional in nature.

"Consumer-directed employee" means, for purposes of these regulations, a person who provides consumer-directed services, personal care, companion services, and/or respite care, who is also exempt from workers' compensation.

"Consumer-directed services" means personal care, companion services, and/or respite care services where the individual or his family/caregiver, as appropriate, is responsible for hiring, training, supervising, and firing of the employee or employees.

"Consumer-directed (CD) services facilitator" means the provider enrolled with DMAS who is responsible for

management training and review activities as required by DMAS for consumer-directed services.

"Crisis stabilization" means direct intervention for persons with related conditions who are experiencing serious psychiatric or behavioral challenges, or both, that jeopardize their current community living situation. This service must provide temporary intensive services and supports that avert emergency psychiatric hospitalization or institutional placement or prevent other out-of-home placement. This service shall be designed to stabilize individuals and strengthen the current living situations so that individuals may be maintained in the community during and beyond the crisis period.

"Current functional status" means an individual's degree of dependency in performing activities of daily living.

"DMAS" means the Department of Medical Assistance Services.

"DMAS staff" means DMAS employees who perform utilization review, preauthorize service type and intensity, provide technical assistance, and review of individual level of care criteria.

"DMHMRSAS" means the Department of Mental Health, Mental Retardation and Substance Abuse Services.

"DRS" means the Department of Rehabilitative Services.

"DSS" means the Department of Social Services.

"Day support" means training in intellectual, sensory, motor, and affective social development including awareness skills, sensory stimulation, use of appropriate behaviors and social skills, learning and problem solving, communication and self care, physical development, services and support activities. These services take place outside of the individual's home/residence.

"Direct marketing" means either (i) conducting directly or indirectly door-to-door, telephonic, or other "cold call" marketing of services at residences and provider sites; (ii) mailing directly; (iii) paying "finders' fees"; (iv) offering financial incentives, rewards, gifts, or special opportunities to eligible individuals or family/caregivers as inducements to use the providers' services; (v) continuous, periodic marketing activities to the same prospective individual or his family/caregiver, as appropriate, for example, monthly, quarterly, or annual giveaways as inducements to use the providers' services; or (vi) engaging in marketing activities that offer potential customers rebates or discounts in conjunction with the use of the providers' services or other benefits as a means of influencing the individual's or his family/caregiver's, as appropriate, use of the providers' services.

"Enroll" means that the individual has been determined by the IFDDS screening team to meet the eligibility

requirements for the waiver, DMAS has approved the individual's plan of care and has assigned an available slot to the individual, and DSS has determined the individual's Medicaid eligibility for home and community-based services.

"Entrepreneurial model" means a small business employing eight or fewer individuals with disabilities on a shift and may involve interactions with the public and coworkers with disabilities.

"Environmental modifications" means physical adaptations to a house, place of residence, primary vehicle or work site, when the work site modification exceeds reasonable accommodation requirements of the Americans with Disabilities Act, necessary to ensure individuals' health and safety or enable functioning with greater independence when the adaptation is not being used to bring a substandard dwelling up to minimum habitation standards and is of direct medical or remedial benefit to individuals.

"EPSDT" means the Early Periodic Screening, Diagnosis and Treatment program administered by DMAS for children under the age of 21 according to federal guidelines that prescribe specific preventive and treatment services for Medicaid-eligible children as defined in 12VAC30-50-130.

"Face-to-face visit" means the case manager or service provider must meet with the individual in person and that the individual should be engaged in the visit to the maximum extent possible.

"Family/caregiver training" means training and counseling services provided to families or caregivers of individuals receiving services in the IFDDS Waiver.

"Fiscal agent" means an entity handling employment, payroll, and tax responsibilities on behalf of individuals who are receiving consumer-directed services.

"Home" means, for purposes of the IFDDS Waiver, an apartment or single family dwelling in which no more than four individuals who require services live with the exception of siblings living in the same dwelling with family. This does not include an assisted living facility or group home.

"Home and community-based waiver services" means a variety of home and community-based services reimbursed by DMAS as authorized under a § 1915(c) waiver designed to offer individuals an alternative to institutionalization. Individuals may be preauthorized to receive one or more of these services either solely or in combination, based on the documented need for the service or services to avoid ICF/MR placement.

"ICF/MR" means a facility or distinct part of a facility certified as meeting the federal certification regulations for an Intermediate Care Facility for the Mentally Retarded and persons with related conditions. These facilities must address the residents' total needs including physical, intellectual, social, emotional, and habilitation. An ICF/MR must provide

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active treatment, as that term is defined in 42 CFR 483.440(a).

"IFDDS screening team" means the persons employed by the entity under contract with DMAS who are responsible for performing level of care screenings for the IFDDS Waiver.

"IFDDS Waiver" means the Individual and Family Developmental Disabilities Support Waiver.

"In-home residential support services" means support provided primarily in the individual's home, which includes training, assistance, and specialized supervision to enable the individual to maintain or improve his health; assisting in performing individual care tasks; training in activities of daily living; training and use of community resources; providing life skills training; and adapting behavior to community and home-like environments.

"Instrumental activities of daily living (IADL)" means meal preparation, shopping, housekeeping, laundry, and money management.

"Mental retardation" means a disability as defined by the American Association on ~~Mental Retardation (AAMR)~~ Intellectual and Developmental Disabilities (AAIDD).

"MR Waiver" means the mental retardation waiver.

"Participating provider" means an entity that meets the standards and requirements set forth by DMAS and has a current, signed provider participation agreement with DMAS.

"Pend" means delaying the consideration of an individual's request for authorization of services until all required information is received by DMAS.

"Person-centered planning" means a process, directed by the individual or his family/caregiver, as appropriate, intended to identify the strengths, capacities, preferences, needs and desired outcomes of the individual.

"Personal care provider" means a participating provider that renders services to prevent or reduce inappropriate institutional care by providing eligible individuals with personal care aides to provide personal care services.

"Personal care services" means long-term maintenance or support services necessary to enable individuals to remain in or return to the community rather than enter an Intermediate Care Facility for the Mentally Retarded. Personal care services include assistance with activities of daily living, instrumental activities of daily living, access to the community, medication or other medical needs, and monitoring health status and physical condition. This does not include skilled nursing services with the exception of skilled nursing tasks that may be delegated in accordance with 18VAC90-20-420 through 18VAC90-20-460.

"Personal emergency response system (PERS)" is an electronic device that enables certain individuals to secure

help in an emergency. PERS services are limited to those individuals who live alone or are alone for significant parts of the day and who have no regular caregiver for extended periods of time, and who would otherwise require extensive routine supervision.

"Plan of care" means a document developed by the individual or his family/caregiver, as appropriate, and the individual's case manager addressing all needs of individuals of home and community-based waiver services, in all life areas. Supporting documentation developed by waiver service providers is to be incorporated in the plan of care by the case manager. Factors to be considered when these plans are developed must include, but are not limited to, individuals' ages, levels of functioning, and preferences.

"Preauthorized" means the preauthorization agent has approved a service for initiation and reimbursement ~~prior to the commencement~~ of the service by the service provider.

"Primary caregiver" means the ~~main~~ primary person who consistently assumes the role of providing direct care and support of the individual to live successfully in the community without compensation for such care.

"Qualified developmental disabilities professional" or "QDDP" means a professional who (i) possesses at least one year of documented experience working directly with individuals who have related conditions; (ii) is one of the following: a doctor of medicine or osteopathy, a registered nurse, a provider holding at least a bachelor's degree in a human service field including, but not limited to, sociology, social work, special education, rehabilitation engineering, counseling or psychology, or a provider who has documented equivalent qualifications; and (iii) possesses the required Virginia or national license, registration, or certification in accordance with his profession, if applicable.

"Related conditions" means those persons who have autism or who have a severe chronic disability that meets all of the following conditions identified in 42 CFR 435.1009:

1. It is attributable to:
  - a. Cerebral palsy or epilepsy; or
  - b. Any other condition, other than mental illness, found to be closely related to mental retardation because this condition results in impairment of general intellectual functioning or adaptive behavior similar to that of persons with mental retardation, and requires treatment or services similar to those required for these persons.
2. It is manifested before the person reaches age 22.
3. It is likely to continue indefinitely.
4. It results in substantial functional limitations in three or more of the following areas of major life activity:
  - a. Self-care.

- b. Understanding and use of language.
- c. Learning.
- d. Mobility.
- e. Self-direction.
- f. Capacity for independent living.

"Respite care" means services provided for unpaid caregivers of eligible individuals who are unable to care for themselves and are provided on an episodic or routine basis because of the absence of or need for relief of those unpaid persons who routinely provide the care.

"Respite care provider" means a participating provider that renders services designed to prevent or reduce inappropriate institutional care by providing respite care services for unpaid caregivers of eligible individuals.

"Screening" means the process conducted by the IFDDS screening team to evaluate the medical, nursing, and social needs of individuals referred for screening and to determine eligibility for an ICF/MR level of care.

"Skilled nursing services" means nursing services (i) listed in the plan of care that do not meet home health criteria, (ii) required to prevent institutionalization, (iii) not otherwise available under the State Plan for Medical Assistance, (iv) provided within the scope of the state's Nursing Act (§ 54.1-3000 et seq. of the Code of Virginia) and Drug Control Act (§ 54.1-3400 et seq. of the Code of Virginia), and (v) provided by a registered professional nurse or by a licensed practical nurse under the supervision of a registered nurse who is licensed to practice in the state. Skilled nursing services are to be used to provide training, consultation, nurse delegation as appropriate and oversight of direct care staff as appropriate.

"Slot" means an opening or vacancy of waiver services for an individual.

"Specialized supervision" means staff presence necessary for ongoing or intermittent intervention to ensure an individual's health and safety.

"State Plan for Medical Assistance" or "the Plan" means the document containing the covered groups, covered services and their limitations, and provider reimbursement methodologies as provided for under Title XIX of the Social Security Act.

"Supporting documentation" means the specific plan of care developed by the individual and waiver service provider related solely to the specific tasks required of that service provider. Supporting documentation helps to comprise the overall plan of care for the individual, developed by the case manager and the individual.

"Supported employment" means work in settings in which persons without disabilities are typically employed. It

includes training in specific skills related to paid employment and provision of ongoing or intermittent assistance and specialized supervision to enable an individual to maintain paid employment.

"Therapeutic consultation" means consultation provided by members of psychology, social work, rehabilitation engineering, behavioral analysis, speech therapy, occupational therapy, psychiatry, psychiatric clinical nursing, therapeutic recreation, or physical therapy or behavior consultation to assist individuals, parents, family members, in-home residential support, day support and any other providers of support services in implementing a plan of care.

"Transition services" means set-up expenses for individuals who are transitioning from an institution or licensed or certified provider-operated living arrangement to a living arrangement in a private residence where the person is directly responsible for his or her own living expenses. 12VAC30-120-2010 provides the service description, criteria, service units and limitations, and provider requirements for this service.

"VDH" means the Virginia Department of Health.

**12VAC30-120-710. General coverage and requirements for all home and community-based waiver services.**

A. Waiver service populations. Home and community-based services shall be available through a § 1915(c) waiver. Coverage shall be provided under the waiver for individuals six years of age and older with related conditions as defined in 12VAC30-120-700, including autism, who have been determined to require the level of care provided in an ICF/MR. The individual must not have a diagnosis of mental retardation as defined by the American Association on ~~Mental Retardation~~ (AAMR) Intellectual and Developmental Disabilities (AAIDD). Mental Retardation (MR) Waiver recipients who are six years of age on or after October 1, 2002, who are determined to not have a diagnosis of mental retardation, and who meet all IFDDS Waiver eligibility criteria, shall be eligible for and shall transfer to the IFDDS Waiver effective with their sixth birthday. Psychological evaluations confirming diagnoses must be completed less than one year prior to the child's sixth birthday. These recipients transferring from the MR Waiver will automatically be assigned a slot in the IFDDS Waiver. Such slot shall be in addition to those slots available through the screening process described in 12VAC30-120-720 B and C.

B. Covered services.

1. Covered services shall include in-home residential supports, day support, prevocational services, supported employment, personal care (both agency-directed and consumer-directed), respite care (both agency-directed and consumer-directed), assistive technology, environmental modifications, skilled nursing services, therapeutic consultation, crisis stabilization, personal emergency

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response systems (PERS), family/caregiver training, ~~and~~ companion services (both agency-directed and consumer-directed), and transition services.

2. These services shall be appropriate and medically necessary to maintain these individuals in the community. Federal waiver requirements provide that the average per capita fiscal year expenditures under the waiver must not exceed the average per capita expenditures for the level of care provided in ICFs/MR under the State Plan that would have been made had the waiver not been granted.

3. Under this § 1915(c) waiver, DMAS waives subdivision (a)(10)(B) of § 1902 of the Social Security Act related to comparability.

## C. Eligibility criteria for emergency access to the waiver.

1. Subject to available funding and a finding of eligibility under 12VAC30-120-720, individuals must meet at least one of the emergency criteria of this subdivision to be eligible for immediate access to waiver services without consideration to the length of time an individual has been waiting to access services. In the absence of waiver services, the individual would not be able to remain in his home. The criteria are as follows:

- a. The primary caregiver has a serious illness, has been hospitalized, or has died;
- b. The individual has been determined by the DSS to have been abused or neglected and is in need of immediate waiver services;
- c. The individual demonstrates behaviors that present risk to personal or public safety;
- d. The individual presents extreme physical, emotional, or financial burden at home, and the family or caregiver is unable to continue to provide care; or
- e. The individual lives in an institutional setting and has a viable discharge plan in place.

## 2. When emergency slots become available:

- a. All individuals who have been found eligible for the IFDDS Waiver but have not been enrolled shall be notified by either DMAS or the individual's case manager.
- b. Individuals and their family/caregivers shall be given 30 calendar days to request emergency consideration.
- c. An interdisciplinary team of DMAS professionals shall evaluate the requests for emergency consideration within 10 calendar days from the 30-calendar day deadline using the emergency criteria to determine who will be assigned an emergency slot. If DMAS receives more requests than the number of available emergency slots, then the interdisciplinary team will make a decision on slot allocation based on need as documented in the request

for emergency consideration. A waiting list of emergency cases will not be kept.

D. Appeals. Individual appeals shall be considered pursuant to 12VAC30-110-10 through 12VAC30-110-380. Provider appeals shall be considered pursuant to 12VAC30-10-1000 and 12VAC30-20-500 through 12VAC30-20-599.

## 12VAC30-120-754. Supported employment services.

### A. Service description.

1. Supported employment services shall include training in specific skills related to paid employment and provision of ongoing or intermittent assistance or specialized training to enable an individual to maintain paid employment. Each supporting documentation must confirm whether supported employment services are available to the individual in vocational rehabilitation agencies through the Rehabilitation Act of 1973 or in special education services through 20 USC § 1401 of the Individuals with Disabilities Education Act (IDEA). Providers of these DRS and IDEA services cannot be reimbursed by Medicaid with the IFDDS Waiver funds. Waiver service providers are reimbursed only for the amount and type of habilitation services included in the individual's approved plan of care based on the intensity and duration of the service delivered. Reimbursement shall be limited to actual interventions by the provider of supported employment, not for the amount of time the recipient is in the supported employment environment.

2. Supported employment may be provided in one of two models. Individual supported employment is defined as intermittent support, usually provided one on one by a job coach for an individual in a supported employment position. Group supported employment is defined as continuous support provided by staff for eight or fewer individuals with disabilities in an enclave, work crew, or bench work/entrepreneurial model. The individual's assessment and plan of care must clearly reflect the individual's need for training and supports.

### B. Criteria for receipt of services.

1. Only job development tasks that specifically include the individual are allowable job search activities under the IFDDS Waiver supported employment and only after determining this service is not available from DRS or IDEA.

2. In order to qualify for these services, the individual shall have a demonstrated need for training, specialized supervision, or assistance in paid employment and for whom competitive employment at or above the minimum wage is unlikely without this support and who, because of the disability, needs ongoing support, including supervision, training and transportation to perform in a work setting.

3. A functional assessment must be conducted to evaluate each individual in his work environment and related community settings.

4. The supporting documentation must document the amount of supported employment required by the individual. Service providers are reimbursed only for the amount and type of supported employment included in the plan of care based on the intensity and duration of the service delivered.

C. Service units and service limitations.

1. Supported employment for individual job placement is provided in one-hour units. This service is limited to 40 hours per week.

2. Group models of supported employment (enclaves, work crews, bench work, and entrepreneurial model of supported employment) will be billed ~~at the unit rate~~ according to the DMAS fee schedule.

- a. ~~One unit is 1 to 3.99 hours of service a day.~~
- b. ~~Two units are 4 to 6.99 or more hours of service a day.~~
- c. ~~Three units are 7 or more hours of service a day.~~

3. Supported employment services are limited to 780 units per plan of care year. If used in combination with prevocational and day support services, the combined total units for these services cannot exceed 780 units, or its equivalent under the DMAS fee schedule, per plan of care year.

4. For the individual job placement model, ~~reimbursement of supported employment~~ will be limited to actual documented interventions or collateral contacts by the provider, not the amount of time the individual is in the supported employment situation.

D. Provider requirements. In addition to meeting the general conditions and requirements for home and community-based care participating providers as specified in 12VAC30-120-730 and 12VAC30-120-740, supported employment providers must meet the following requirements:

1. Supported employment services shall be provided by agencies that are programs certified by ~~CARF~~ the Commission on Accreditation of Rehabilitation Facilities (CARF) to provide supported employment services or are DRS vendors of supported employment services.

2. Individual ineligibility for supported employment services through DRS or IDEA must be documented in the individual's record, as applicable. If the individual is ~~eligible~~ ineligible to receive services through ~~the Individuals with Disabilities Education Act~~ IDEA, documentation is required only for lack of DRS funding. Acceptable documentation would include a copy of a letter from DRS or the local school system or a record of a ~~phone~~

telephone call (name, date, person contacted) documented in the case manager's case notes, Consumer Profile/Social assessment or on the supported employment supporting documentation. Unless the individual's circumstances change, the original verification may be forwarded into the current record or repeated on the supporting documentation or revised Social Assessment on an annual basis.

3. Supporting documentation and ongoing documentation consistent with licensing regulations, if a DMHMRSAS licensed program.

4. For non-DMHMRSAS programs certified as supported employment programs, there must be supporting documentation that contains, at a minimum, the following elements:

- a. The individual's strengths, desired outcomes, required/desired supports and training needs;
- b. The individual's goals and, for a training goal, a sequence of measurable objectives to meet the above identified outcomes;
- c. Services to be rendered and the frequency of services to accomplish the above goals and objectives;
- d. All entities that will provide the services specified in the statement of services;
- e. A timetable for the accomplishment of the individual's goals and objectives;
- f. The estimated duration of the individual's needs for services; and
- g. Entities responsible for the overall coordination and integration of the services specified in the plan of care.

5. Documentation must confirm the individual's attendance, the amount of time the individual spent in services, and must provide specific information regarding the individual's response to various settings and supports as agreed to in the supporting documentation objectives. Assessment results should be available in at least a daily note or weekly summary.

6. The provider must review the supporting documentation with the individual, and this written review submitted to the case manager, at least semi-annually, with goals, objectives and activities modified as appropriate. For the annual review and in cases where the plan of care is modified, the plan of care must be reviewed with the individual or his family/caregiver, as appropriate.

7. In instances where supported employment staff are required to ride with the individual to and from supported employment activities, the supported employment staff time may be billed for supported employment provided that the billing for this time does not exceed 25% of the total time spent in supported employment for that day.

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Documentation must be maintained to verify that billing supported employment staff coverage during transportation does not exceed 25% of the total time spent in supported employment for that day.

8. There must be a copy of the completed DMAS-122 form in the record. Providers must clearly document efforts to obtain the DMAS-122 form from the case manager.

### **12VAC30-120-758. Environmental modifications.**

A. Service description. Environmental modifications shall be defined as those physical adaptations to the individual's primary home or primary vehicle used by the individual, documented in the individual's plan of care, that are necessary to ensure the health, welfare, and safety of the individual, or that enable the individual to function with greater independence in the primary home and, without which, the individual would require institutionalization. Such adaptations may include the installation of ramps and grab-bars, widening of doorways, modification of bathroom facilities, or installation of specialized electrical and plumbing systems that are necessary to accommodate the medical equipment and supplies that are necessary for the welfare of the individual. Excluded are those adaptations or improvements to the home that are of general utility and are not of direct medical or remedial benefit to the individual, such as carpeting, roof repairs, central air conditioning, etc. Adaptations that add to the total square footage of the home shall be excluded from this benefit, except when necessary to complete an adaptation, as determined by DMAS or its designated agent. All services shall be provided in the individual's primary home in accordance with applicable state or local building codes. All modifications must be prior authorized by the prior authorization agent. Modifications may be made to a vehicle if it is the primary vehicle being used by the individual. This service does not include the purchase of vehicles.

B. Criteria. In order to qualify for these services, the individual must have a demonstrated need for equipment or modifications of a remedial or medical benefit offered in an individual's primary home, primary vehicle used by the individual, community activity setting, or day program to specifically improve the individual's personal functioning. This service shall encompass those items not otherwise covered in the State Plan for Medical Assistance or through another program. Environmental modifications shall be covered in the least expensive, most cost-effective manner. For enrollees in the Acquired Immunodeficiency Syndrome (AIDS) waiver (12VAC30-120-140 through 12VAC30-120-201) or the Elderly or Disabled with Consumer Direction (EDCD) waiver (12VAC30-120-900 through 12VAC30-120-980), environmental modification services shall be available only to those AIDS and EDCD enrollees who are also enrolled in the Money Follows the Person demonstration.

C. Service units and service limitations. Environmental modifications shall be available to individuals who are receiving case management services ~~in addition to at least one other waiver service.~~ To receive environmental modifications in the EDCD waiver, the individual must be receiving at least one other waiver service. To receive environmental modifications in the IFDDS waiver, the individual must be receiving case management services and at least one other waiver service. A maximum limit of \$5,000 may be reimbursed per plan of care or calendar year, as appropriate to the waiver in which the individual is enrolled. Costs for environmental modifications shall not be carried over from year to year. All environmental modifications must be prior authorized by the prior authorization agent prior to billing. Modifications shall not be used to bring a substandard dwelling up to minimum habitation standards. Also excluded are modifications that are reasonable accommodation requirements of the Americans with Disabilities Act, the Virginians with Disabilities Act, and the Rehabilitation Act.

Case managers or transition coordinators must, upon completion of each modification, meet face-to-face with the individual and his family/caregiver, as appropriate, to ensure that the modification is completed satisfactorily and is able to be used by the individual.

D. Provider requirements. In addition to meeting the general conditions and requirements for home and community-based waiver services participating providers as specified in 12VAC30-120-160, 12VAC30-120-730 and, 12VAC30-120-740, and 12VAC30-120-930, as appropriate, environmental modifications must be provided in accordance with all applicable state or local building codes by contractors who have a provider agreement with DMAS. Providers may not be spouses or parents of the individual. Modifications must be completed within the plan of care or the calendar year in which the modification was authorized, as appropriate to the waiver in which the individual is enrolled.

### **12VAC30-120-762. Assistive technology.**

A. Service description. Assistive technology (AT) is available to recipients who are receiving at least one other waiver service and may be provided in a residential or nonresidential setting. ~~Assistive technology (AT)~~ AT is the specialized medical equipment and supplies, including those devices, controls, or appliances, specified in the plan of care, but not available under the State Plan for Medical Assistance, that enable individuals to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live. This service also includes items necessary for life support, ancillary supplies, and equipment necessary to the proper functioning of such items.

B. Criteria. In order to qualify for these services, the individual must have a demonstrated need for equipment or modification for remedial or direct medical benefit primarily

in an individual's primary home, primary vehicle used by the individual, community activity setting, or day program to specifically serve to improve the individual's personal functioning. This shall encompass those items not otherwise covered under the State Plan for Medical Assistance. Assistive technology shall be covered in the least expensive, most cost-effective manner. For enrollees in the Acquired Immunodeficiency Syndrome (AIDS) waiver (12VAC30-120-140 through 12VAC30-120-201) or the Elderly or Disabled with Consumer Direction (EDCD) waiver (12VAC30-120-900 through 12VAC30-120-980), assistive technology services shall be available only to those AIDS and EDCD enrollees who are also enrolled in the Money Follows the Person demonstration.

C. Service units and service limitations. ~~Assistive technology (AT)~~ AT is available to individuals receiving at least one other waiver service and may be provided in the individual's home or community setting. A maximum limit of \$5,000 may be reimbursed per plan of care year or the calendar year, as appropriate to the waiver in which the individual is enrolled or calendar year, as appropriate to the waiver being received. Costs for assistive technology cannot be carried over from year to year and must be preauthorized each plan of care year. AT will not be approved for purposes of convenience of the caregiver/provider or restraint of the individual. An independent, professional consultation must be obtained from qualified professionals who are knowledgeable of that item for each AT request prior to approval by the prior authorization agent, and may include training on such AT by the qualified professional. All ~~assistive technology AT~~ must be prior authorized by the prior authorization agent prior to billing. Also excluded are modifications that are reasonable accommodation requirements of the Americans with Disabilities Act, the Virginians with Disabilities Act, and the Rehabilitation Act.

D. Provider requirements. In addition to meeting the general conditions and requirements for home and community-based care participating providers as specified in 12VAC30-120-160, 12VAC30-120-730 and, 12VAC30-120-740, assistive technology and 12VAC30-120-930, AT shall be provided by providers having a current provider participation agreement with DMAS as durable medical equipment and supply providers. Independent, professional consultants include speech/language therapists, physical therapists, occupational therapists, physicians, behavioral therapists, certified rehabilitation specialists, or rehabilitation engineers. Providers that supply ~~assistive technology AT~~ for an individual may not perform assessment/consultation, write specifications, or inspect the ~~assistive technology AT~~ for that individual. Providers of services may not be spouses or parents of the individual. AT must be delivered within the plan of care year, or within a year from the start date of the authorization, as appropriate to the waiver, in which the individual is enrolled.

### **12VAC30-120-770. Consumer-directed model of service delivery.**

#### A. Criteria.

1. The IFDDS Waiver has three services, companion, personal care, and respite services, that may be provided through a consumer-directed model.
2. Individuals who are eligible for consumer-directed services must have the capability to hire ~~and~~, train, and fire their consumer-directed employees and supervise the employee's work performance. If an individual is unable to direct his own care or is under 18 years of age, a family/caregiver may serve as the employer on behalf of the individual.
3. Responsibilities as employer. The individual, or if the individual is unable, then a family caregiver, is the employer in this service and is responsible for hiring, training, supervising, and firing employees. Specific duties include checking references of employees, determining that employees meet basic qualifications, training employees, supervising the employees' performance, and submitting timesheets to the fiscal agent on a consistent and timely basis. The individual or his family/caregiver, as appropriate, must have an emergency back-up plan in case the employee does not show up for work.
4. DMAS shall contract for the services of a fiscal agent for consumer-directed personal care, companion, and respite care services. The fiscal agent will be paid by DMAS to perform certain tasks as an agent for the individual/employer who is receiving consumer-directed services. The fiscal agent will handle responsibilities for the individual for employment taxes. The fiscal agent will seek and obtain all necessary authorizations and approvals of the Internal Revenue Services in order to fulfill all of these duties.
5. Individuals choosing consumer-directed services must receive support from a CD services facilitator. Services facilitators assist the individual or his family/caregiver, as appropriate, as they become employers for consumer-directed services. This function includes providing the individual or his family/caregiver, as appropriate, with management training, review and explanation of the Employee Management Manual, and routine visits to monitor the employment process. The CD services facilitator assists the individual/employer with employer issues as they arise. The services facilitator meeting the stated qualifications may also complete the assessments, reassessments, and related supporting documentation necessary for consumer-directed services if the individual or his family/caregiver, as appropriate, chooses for the CD services facilitator to perform these tasks rather than the case manager. Services facilitation services are provided on an as-needed basis as determined by the individual,

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family/caregiver, and CD services facilitator. This must be documented in the supporting documentation for consumer-directed services and the services facilitation provider bills accordingly. If an individual enrolled in consumer-directed services has a lapse in consumer-directed services for more than 60 consecutive calendar days, the case manager must notify DMAS so that consumer-directed services may be discontinued and the option given to change to agency-directed services.

B. Provider qualifications. In addition to meeting the general conditions and requirements for home and community-based care participating providers as specified in 12VAC30-120-730 and 12VAC30-120-740, services facilitators providers must meet the following qualifications:

1. To be enrolled as a Medicaid CD services facilitation provider and maintain provider status, the CD services facilitation provider must operate from a business office and have sufficient qualified staff who will function as CD services facilitators to perform the service facilitation and support activities as required. It is preferred that the employee of the CD services facilitation provider possess a minimum of an undergraduate degree in a human services field or be a registered nurse currently licensed to practice in the Commonwealth. In addition, it is preferable that the CD services facilitator has two years of satisfactory experience in the human services field working with individuals with related conditions.

2. The CD services facilitator must possess a combination of work experience and relevant education which indicates possession of the following knowledge, skills, and abilities. Such knowledge, skills and abilities must be documented on the application form, found in supporting documentation, or be observed during the job interview. Observations during the interview must be documented. The knowledge, skills, and abilities include:

a. Knowledge of:

(1) Various long-term care program requirements, including nursing home, ICF/MR, and assisted living facility placement criteria, Medicaid waiver services, and other federal, state, and local resources that provide personal care services;

(2) DMAS consumer-directed services requirements, and the administrative duties for which the individual will be responsible;

(3) Interviewing techniques;

(4) The individual's right to make decisions about, direct the provisions of, and control his consumer-directed services, including hiring, training, managing, approving time sheets, and firing an employee;

(5) The principles of human behavior and interpersonal relationships; and

(6) General principles of record documentation.

(7) For CD services facilitators who also conduct assessments and reassessments, the following is also required. Knowledge of:

(a) Types of functional limitations and health problems that are common to different disability types and the aging process as well as strategies to reduce limitations and health problems;

(b) Physical assistance typically required by people with developmental disabilities, such as transferring, bathing techniques, bowel and bladder care, and the approximate time those activities normally take;

(c) Equipment and environmental modifications commonly used and required by people with developmental disabilities that reduces the need for human help and improves safety;

(d) Conducting assessments (including environmental, psychosocial, health, and functional factors) and their uses in care planning.

b. Skills in:

(1) Negotiating with individuals or their family/caregivers, as appropriate, and service providers;

(2) Observing, recording, and reporting behaviors;

(3) Identifying, developing, or providing services to persons with developmental disabilities; and

(4) Identifying services within the established services system to meet the individual's needs.

c. Abilities to:

(1) Report findings of the assessment or onsite visit, either in writing or an alternative format for persons who have visual impairments;

(2) Demonstrate a positive regard for individuals and their families;

(3) Be persistent and remain objective;

(4) Work independently, performing position duties under general supervision;

(5) Communicate effectively, orally and in writing;

(6) Develop a rapport and communicate with different types of persons from diverse cultural backgrounds; and

(7) Interview.

3. If the CD services facilitator is not an RN, the CD services facilitator must inform the primary health care provider that services are being provided and request skilled nursing or other consultation as needed.

4. Initiation of services and service monitoring.

a. If the services facilitator has responsibility for individual assessments and reassessments, these must be conducted as specified in 12VAC30-120-766 and 12VAC30-120-776.

b. Management training.

(1) The CD services facilitation provider must make an initial visit with the individual or his family/caregiver, as appropriate, to provide management training. The initial management training is done only once upon the individual's entry into the service. If an individual served under the waiver changes CD services facilitation providers, the new CD services facilitator must bill for a regular management training in lieu of initial management training.

(2) After the initial visit, two routine visits must occur within 60 days of the initiation of care or the initial visit to monitor the employment process.

(3) For personal care services, the CD services facilitation provider will continue to monitor on an as needed basis, not to exceed a maximum of one routine visit every 30 calendar days but no less than the minimum of one routine visit every 90 calendar days per individual. After the initial visit, the CD services facilitator will periodically review the utilization of companion services at a minimum of every six months and for respite services, either every six months or upon the use of 300 respite care hours, whichever comes first.

5. The CD services facilitator must be available to the individual or his family/caregiver, as appropriate, by telephone during normal business hours, have voice mail capability, and return phone calls within 24 hours or have an approved back-up CD services facilitator.

6. The CD services fiscal contractor for DMAS must submit a criminal record check within 15 calendar days of employment pertaining to the consumer-directed employees on behalf of the individual or family/caregiver and report findings of the criminal record check to the individual or his family/caregiver, as appropriate.

7. The CD services facilitator shall verify bi-weekly timesheets signed by the individual or his family caregiver, as appropriate, and the employee to ensure that the number of plan of care approved hours are not exceeded. If discrepancies are identified, the CD services facilitator must contact the individual to resolve discrepancies and must notify the fiscal agent. If an individual is consistently being identified as having discrepancies in his timesheets, the CD services facilitator must contact the case manager to resolve the situation.

8. Consumer-directed employee registry. The CD services facilitator must maintain a consumer-directed employee registry, updated on an ongoing basis.

9. Required documentation in individuals' records. CD services facilitators responsible for individual assessment and reassessment must maintain records as described in 12VAC30-120-766 and 12VAC30-120-776. For CD services facilitators conducting management training, the following documentation is required in the individual's record:

a. All copies of the plan of care, all supporting documentation related to consumer-directed services, and all DMAS-122 forms.

b. CD services facilitator's notes recorded and dated at the time of service delivery.

c. All correspondence to the individual, others concerning the individual, and to DMAS.

d. All training provided to the consumer-directed employees on behalf of the individual or his family/caregiver, as appropriate.

e. All management training provided to the individuals or his family/caregivers, as appropriate, including the responsibility for the accuracy of the timesheets.

f. All documents signed by the individual or his family/caregiver, as appropriate, that acknowledge the responsibilities of the services.

Part IX

Elderly or Disabled with Consumer Direction Waiver

**12VAC30-120-900. Definitions.**

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

"Activities of daily living" or "ADLs" means tasks such as bathing, dressing, toileting, transferring, and eating/feeding. An individual's degree of independence in performing these activities is a part of determining appropriate level of care and service needs.

"Adult day health care center" or "ADHC" means a DMAS-enrolled provider that offers a community-based day program providing a variety of health, therapeutic, and social services designed to meet the specialized needs of those elderly and disabled individuals at risk of placement in a nursing facility. The ADHC must be licensed by DSS as an ADHC.

"Adult day health care services" means services designed to prevent institutionalization by providing participants with health, maintenance, and coordination of rehabilitation services in a congregate daytime setting.

"Agency-directed services" means services provided by a personal care agency.

"Americans with Disabilities Act" or "ADA" means the United States Code pursuant to 42 USC § 12101 et seq.

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"Appeal" means the process used to challenge adverse actions regarding services, benefits, and reimbursement provided by Medicaid pursuant to 12VAC30-110 and 12VAC30-20-500 through 12VAC30-20-560.

"Assistive technology" means specialized medical equipment and supplies including those devices, controls, or appliances specified in the plan of care but not available under the State Plan for Medical Assistance that enable individuals to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live, or that are necessary to the proper functioning of the specialized equipment. This service shall be available only to those EDCD waiver enrollees who are participants in the Money Follows the Person demonstration.

"Barrier crime" means those crimes as defined at § 32.1-162.9:1 of the Code of Virginia.

"CMS" means the Centers for Medicare and Medicaid Services, which is the unit of the U.S. Department of Health and Human Services that administers the Medicare and Medicaid programs.

"Cognitive impairment" means a severe deficit in mental capability that affects an individual's areas of functioning such as thought processes, problem solving, judgment, memory, or comprehension that interferes with such things as reality orientation, ability to care for self, ability to recognize danger to self or others, or impulse control.

"Consumer-directed services" means services for which the individual or family/caregiver is responsible for hiring, training, supervising, and firing of the personal care aide.

"Consumer-directed (CD) services facilitator" or "facilitator" means the DMAS-enrolled provider who is responsible for supporting the individual and family/caregiver by ensuring the development and monitoring of the Consumer-Directed Services Plan of Care, providing employee management training, and completing ongoing review activities as required by DMAS for consumer-directed personal care and respite services.

"Designated preauthorization contractor" means DMAS or the entity that has been contracted by DMAS to perform preauthorization of services.

"Direct marketing" means either (i) conducting either directly or indirectly door-to-door, telephonic, or other "cold call" marketing of services at residences and provider sites; (ii) using direct mailing; (iii) paying "finders fees"; (iv) offering financial incentives, rewards, gifts, or special opportunities to eligible individuals or family/caregivers as inducements to use the providers' services; (v) providing continuous, periodic marketing activities to the same prospective individual or family/caregiver, for example, monthly, quarterly, or annual giveaways as inducements to

use the providers' services; or (vi) engaging in marketing activities that offer potential customers rebates or discounts in conjunction with the use of the providers' services or other benefits as a means of influencing the individual's or family/caregiver's use of the providers' services.

"DMAS" means the Department of Medical Assistance Services.

"DMAS staff" means persons employed by the Department of Medical Assistance Services.

"DRS" means the Department of Rehabilitative Services.

"DSS" means the Department of Social Services.

"Elderly or Disabled with Consumer Direction Waiver" or "EDCD waiver" means the CMS-approved waiver that covers a range of community support services offered to individuals who are elderly or disabled who would otherwise require a nursing facility level of care.

"Environmental modifications" means physical adaptations to a house, place of residence, primary vehicle or work site, when the work site modification exceeds reasonable accommodation requirements of the Americans with Disabilities Act (42 USC § 1201 et seq.), necessary to ensure the individuals' health and safety or enable functioning with greater independence when the adaptation is not being used to bring a substandard dwelling up to minimum habitation standards and is of direct medical or remedial benefit to individuals. 12VAC30-120-758 provides the service description, criteria, service units and limitations, and provider requirements for this service. This service shall be available only to those EDCD waiver enrollees who are participants in the Money Follows the Person demonstration.

"Fiscal agent" means an agency or division within DMAS or contracted by DMAS to handle employment, payroll, and tax responsibilities on behalf of individuals who are receiving consumer-directed personal care services and respite services.

"Home and community-based waiver services" or "waiver services" means the range of community support services approved by the CMS pursuant to § 1915(c) of the Social Security Act to be offered to persons who are elderly or disabled who would otherwise require the level of care provided in a nursing facility. DMAS or the designated preauthorization contractor shall only give preauthorization for medically necessary Medicaid reimbursed home and community care.

"Individual" means the person receiving the services established in these regulations.

"Instrumental activities of daily living" or "IADLs" means tasks such as meal preparation, shopping, housekeeping and laundry. An individual's degree of independence in performing these activities is a part of determining appropriate level of care and service needs.

"Medication monitoring" means an electronic device, which is only available in conjunction with Personal Emergency Response Systems, that enables certain individuals at high risk of institutionalization to be reminded to take their medications at the correct dosages and times.

"Participating provider" means an entity that meets the standards and requirements set forth by DMAS and has a current, signed provider participation agreement with DMAS.

"Personal care agency" means a participating provider that provides personal care services.

"Personal care aide" means a person who provides personal care services.

"Personal care services" means long-term maintenance or support services necessary to enable the individual to remain at or return home rather than enter a nursing facility. Personal care services are provided to individuals in the areas of activities of daily living, access to the community, monitoring of self-administered medications or other medical needs, and the monitoring of health status and physical condition. Where the individual requires assistance with activities of daily living, and where specified in the plan of care, such supportive services may include assistance with instrumental activities of daily living. Services may be provided in home and community settings to enable an individual to maintain the health status and functional skills necessary to live in the community or participate in community activities.

"Personal emergency response system (PERS)" means an electronic device and monitoring service that enable certain individuals at high risk of institutionalization to secure help in an emergency. PERS services are limited to those individuals who live alone or are alone for significant parts of the day and who have no regular caregiver for extended periods of time, and who would otherwise require extensive routine supervision.

"PERS provider" means a certified home health or a personal care agency, a durable medical equipment provider, a hospital, or a PERS manufacturer that has the ability to provide PERS equipment, direct services (i.e., installation, equipment maintenance, and services calls), and PERS monitoring. PERS providers may also provide medication monitoring.

"Plan of care" means the written plan developed by the provider related solely to the specific services required by the individual to ensure optimal health and safety while remaining in the community.

"Preadmission screening" means the process to: (i) evaluate the functional, nursing, and social supports of individuals referred for preadmission screening; (ii) assist individuals in determining what specific services the individuals need; (iii) evaluate whether a service or a combination of existing community services are available to meet the individuals'

needs; and (iv) refer individuals to the appropriate provider for Medicaid-funded nursing facility or home and community-based care for those individuals who meet nursing facility level of care.

"Preadmission Screening Committee/Team" means the entity contracted with DMAS that is responsible for performing preadmission screening pursuant to § 32.1-330 of the Code of Virginia.

"Primary caregiver" means the primary person who consistently assumes the role of providing direct care and support of the individual to live successfully in the community without compensation for providing such care.

"Respite care agency" or "respite care facility" means a participating provider that renders respite services.

"Respite services" means those short-term personal care services provided to individuals who are unable to care for themselves because of the absence of or need for the relief of those unpaid caregivers who normally provide the care.

"State Plan for Medical Assistance" or "State Plan" means the regulations identifying the covered groups, covered services and their limitations, and provider reimbursement methodologies as provided for under Title XIX of the Social Security Act.

"Transition coordinator" means the DMAS-enrolled provider who is responsible for supporting the individual and family/caregiver, as appropriate, with the activities associated with transitioning from an institution to the community. 12VAC30-120-2000 provides the service description, criteria, service units and limitations, and provider requirements for this service.

"Transition services" means set-up expenses for individuals who are transitioning from an institution or licensed or certified provider-operated living arrangement to a living arrangement in a private residence where the person is directly responsible for his own living expenses. 12VAC30-120-2010 provides the service description, criteria, service units and limitations, and provider requirements for this service.

"Uniform Assessment Instrument" or "UAI" means the standardized multidimensional questionnaire that is completed by the Preadmission Screening Team that assesses an individual's physical health, mental health, and social and functional abilities to determine if the individual meets the nursing facility level of care.

## **12VAC30-120-910. General coverage and requirements for Elderly or Disabled with Consumer Direction Waiver services.**

A. EDCD Waiver services populations. Home and community-based waiver services shall be available through a § 1915(c) of the Social Security Act waiver for the following

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Medicaid-eligible individuals who have been determined to be eligible for waiver services and to require the level of care provided in a nursing facility:

1. Individuals who are elderly as defined by § 1614 of the Social Security Act; or
2. Individuals who are disabled as defined by § 1614 of the Social Security Act.

## B. Covered services.

1. Covered services shall include: adult day health care, personal care (both consumer-directed and agency-directed), respite services (~~both~~ (consumer-directed, agency-directed, and facility-based), and PERS, assistive technology, environmental modifications, transition coordinator and transition services. Assistive technology and environmental modification services shall be available only to those EDCD waiver enrollees who are participants in the Money Follows the Person demonstration.

2. These services shall be medically appropriate and medically necessary to maintain the individual in the community and prevent institutionalization.

3. A recipient of EDCD Waiver services may receive personal care (agency- and consumer-directed), respite care (agency- and consumer-directed), adult day health care, transition services, transition coordination, assistive technology, environmental modifications, and PERS services in conjunction with hospice services, regardless of whether the hospice provider receives reimbursement from Medicare or Medicaid for the services covered under the hospice benefit. Services under this waiver will not be available to hospice recipients unless the hospice can document the provision of at least 21 hours per week of homemaker/home health aide services and that the recipient needs personal care-type services that exceed this amount. Assistive technology and environmental modification services shall be available only to those EDCD waiver enrollees who are participants in the Money Follows the Person demonstration.

4. Under this § 1915(c) waiver, DMAS waives §§ 1902(a)(10)(B) and (C) of the Social Security Act related to comparability of services.

## 12VAC30-120-920. Individual eligibility requirements.

A. The Commonwealth has elected to cover low-income families with children as described in § 1931 of the Social Security Act; aged, blind, or disabled individuals who are eligible under 42 CFR 435.121; optional categorically needy individuals who are aged and disabled who have incomes at 80% of the federal poverty level; the special home and community-based waiver group under 42 CFR 435.217; and the medically needy groups specified in 42 CFR 435.320, 435.322, 435.324, and 435.330.

1. Under this waiver, the coverage groups authorized under § 1902(a)(10)(A)(ii)(VI) of the Social Security Act will be considered as if they were institutionalized for the purpose of applying institutional deeming rules. All recipients under the waiver must meet the financial and nonfinancial Medicaid eligibility criteria and meet the institutional level of care criteria. The deeming rules are applied to waiver eligible individuals as if the individual were residing in an institution or would require that level of care.

2. Virginia shall reduce its payment for home and community-based services provided to an individual who is eligible for Medicaid services under 42 CFR 435.217 by that amount of the individual's total income (including amounts disregarded in determining eligibility) that remains after allowable deductions for personal maintenance needs, deductions for other dependents, and medical needs have been made, according to the guidelines in 42 CFR 435.735 and § 1915(c)(3) of the Social Security Act as amended by the Consolidated Omnibus Budget Reconciliation Act of 1986. DMAS will reduce its payment for home and community-based waiver services by the amount that remains after the following deductions:

a. For individuals to whom § 1924(d) applies (Virginia waives the requirement for comparability pursuant to § 1902(a)(10)(B)), deduct the following in the respective order:

(1) An amount for the maintenance needs of the individual that is equal to 165% of the SSI income limit for one individual. Working individuals have a greater need due to expenses of employment; therefore, an additional amount of income shall be deducted. Earned income shall be deducted within the following limits: (i) for individuals employed 20 hours or more per week, earned income shall be disregarded up to a maximum of both earned and unearned income up to 300% of SSI and (ii) for individuals employed at least eight but less than 20 hours per week, earned income shall be disregarded up to a maximum of both earned and unearned income up to 200% of SSI. However, in no case, shall the total amount of income (both earned and unearned) that is disregarded for maintenance exceed 300% of SSI. If the individual requires a guardian or conservator who charges a fee, the fee, not to exceed an amount greater than 5.0% of the individual's total monthly income, is added to the maintenance needs allowance. However, in no case shall the total amount of the maintenance needs allowance (basic allowance plus earned income allowance plus guardianship fees) for the individual exceed 300% of SSI. (The guardianship fee is not to exceed 5.0% of the individual's total monthly income.);

(2) For an individual with only a spouse at home, the community spousal income allowance determined in accordance with § 1924(d) of the Social Security Act;

(3) For an individual with a family at home, an additional amount for the maintenance needs of the family determined in accordance with § 1924(d) of the Social Security Act; and

(4) Amounts for incurred expenses for medical or remedial care that are not subject to payment by a third party, including Medicare and other health insurance premiums, deductibles, or coinsurance charges and necessary medical or remedial care recognized under the state law but not covered under the State Plan.

b. For individuals to whom § 1924(d) of the Social Security Act does not apply, deduct the following in the respective order:

(1) An amount for the maintenance needs of the individual that is equal to 165% of the SSI income limit for one individual. Working individuals have a greater need due to expenses of employment; therefore, an additional amount of income shall be deducted. Earned income shall be deducted within the following limits: (i) for individuals employed 20 hours or more, earned income shall be disregarded up to a maximum of 300% of SSI and (ii) for individuals employed at least eight but less than 20 hours, earned income shall be disregarded up to a maximum of 200% of SSI. However, in no case, shall the total amount of income (both earned and unearned) that is disregarded for maintenance exceed 300% of SSI. If the individual requires a guardian or conservator who charges a fee, the fee, not to exceed an amount greater than 5.0% of the individual's total monthly income, is added to the maintenance needs allowance. However, in no case shall the total amount of the maintenance needs allowance (basic allowance plus earned income allowance plus guardianship fees) for the individual exceed 300% of SSI. (The guardianship fee is not to exceed 5.0% of the individual's total monthly income.);

(2) For an individual with a family at home, an additional amount for the maintenance needs of the family that shall be equal to the medically needy income standard for a family of the same size; and

(3) Amounts for incurred expenses for medical or remedial care that are not subject to payment by a third party including Medicare and other health insurance premiums, deductibles, or coinsurance charges and necessary medical or remedial care recognized under state law but not covered under the State Plan.

B. Assessment and authorization of home and community-based services.

1. To ensure that Virginia's home and community-based waiver programs serve only Medicaid eligible individuals who would otherwise be placed in a nursing facility, home and community-based waiver services shall be considered

only for individuals who are eligible for admission to a nursing facility. Home and community-based waiver services shall be the critical service to enable the individual to remain at home and in the community rather than being placed in a nursing facility.

2. The individual's eligibility for home and community-based services shall be determined by the Preadmission Screening Team after completion of a thorough assessment of the individual's needs and available support. If an individual meets nursing facility criteria, the Preadmission Screening Team shall provide the individual and family/caregiver with the choice of Elderly or Disabled with Consumer Direction Waiver services or nursing facility placement.

3. The Preadmission Screening Team shall explore alternative settings or services to provide the care needed by the individual. When Medicaid-funded home and community-based care services are determined to be the critical services necessary to delay or avoid nursing facility placement, the Preadmission Screening Team shall initiate referrals for services.

4. Medicaid will not pay for any home and community-based care services delivered prior to the individual establishing Medicaid eligibility and prior to the date of the preadmission screening by the Preadmission Screening Team and the physician signature on the Medicaid Funded Long-Term Care Services Authorization Form (DMAS-96).

5. Before Medicaid will assume payment responsibility of home and community-based services, preauthorization must be obtained from the designated preauthorization contractor on all services requiring preauthorization. Providers must submit all required information to the designated preauthorization contractor within 10 business days of initiating care or within 10 business days of receiving verification of Medicaid eligibility from the local DSS. If the provider submits all required information to the designated preauthorization contractor within 10 business days of initiating care, services may be authorized beginning from the date the provider initiated services but not preceding the date of the physician's signature on the Medicaid Funded Long-Term Care Services Authorization Form (DMAS-96). If the provider does not submit all required information to the designated preauthorization contractor within 10 business days of initiating care, the services may be authorized beginning with the date all required information was received by the designated preauthorization contractor, but in no event preceding the date of the Preadmission Screening Team physician's signature on the DMAS-96 form.

6. Once services for the individual have been authorized by the designated preauthorization contractor, the provider/services facilitator will submit a Patient

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Information Form (DMAS-122), along with a written confirmation of level of care eligibility from the designated preauthorization contractor, to the local DSS to determine financial eligibility for the waiver program and any patient pay responsibilities. After the provider/services facilitator has received written notification of Medicaid eligibility by DSS and written enrollment from the designated preauthorization contractor, the provider/services facilitator shall inform the individual or family/caregiver so that services may be initiated.

7. The provider/services facilitator with the most billable hours must request an updated DMAS-122 form from the local DSS annually and forward a copy of the updated DMAS-122 form to all service providers when obtained.

8. Home and community-based care services shall not be offered or provided to any individual who resides in a nursing facility, an intermediate care facility for the mentally retarded, a hospital, an assisted living facility licensed by DSS ~~or an Adult Foster Care provider certified by DSS, that serves five or more individuals~~, or a group home licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services with the exception of transition coordination and transition services. Additionally, home and community-based care services shall not be provided to any individual who resides outside of the physical boundaries of the Commonwealth, with the exception of brief periods of time as approved by DMAS or the designated preauthorization contractor. Brief periods of time may include, but are not necessarily restricted to, vacation or illness.

9. Certain home and community-based services shall not be available to individuals residing in an assisted living facility licensed by DSS that serves four individuals. These services are: respite, PERS, environmental modifications and transition services. Personal care services are limited to five hours per day of ADL care.

C. Appeals. Recipient appeals shall be considered pursuant to 12VAC30-110-10 through 12VAC30-110-380. Provider appeals shall be considered pursuant to 12VAC30-10-1000 and 12VAC30-20-500 through 12VAC30-20-560.

## **12VAC30-120-970. Personal emergency response system (PERS).**

A. Service description. PERS is a service that monitors individual safety in the home and provides access to emergency assistance for medical or environmental emergencies through the provision of a two-way voice communication system that dials a 24-hour response or monitoring center upon activation and via the individual's home telephone line. PERS may also include medication monitoring devices.

B. Standards for PERS equipment. All PERS equipment must be approved by the Federal Communications

Commission and meet the Underwriters' Laboratories, Inc. (UL) safety standard Number 1635 for digital alarm communicator system units and Number 1637 for home health care signaling equipment. The UL listing mark on the equipment will be accepted as evidence of the equipment's compliance with such standard. The PERS device must be automatically reset by the response center after each activation, ensuring that subsequent signals can be transmitted without requiring manual reset by the recipient.

C. Criteria. PERS services are limited to those individuals ages 14 and older who live alone or are alone for significant parts of the day and who have no regular caregiver for extended periods of time and who would otherwise require extensive routine supervision. PERS may only be provided in conjunction with personal care (agency- or consumer-directed), respite (agency- or consumer-directed), or adult day health care. An individual may not receive PERS if he has a cognitive impairment as defined in 12VAC30-120-900.

1. PERS can be authorized when there is no one else, other than the individual, in the home who is competent and continuously available to call for help in an emergency. If the individual's caregiver has a business in the home, such as, but not limited to, a day care center, PERS will only be approved if the individual is evaluated as being dependent in the categories of "Behavior Pattern" and "Orientation" on the Uniform Assessment Instrument (UAI).

2. Medication monitoring units must be physician ordered. In order to receive medication monitoring services, an individual must also receive PERS services. The physician orders must be maintained in the individual's file.

D. Services units and services limitations.

1. A unit of service shall include administrative costs, time, labor, and supplies associated with the installation, maintenance, adjustments, and monitoring of the PERS. A unit of service equals the one-month rental of PERS, the price of which is set by DMAS. The one-time installation of the unit includes installation, account activation, and individual and caregiver instruction. The one-time installation fee shall also include the cost of the removal of the PERS equipment.

2. PERS service must be capable of being activated by a remote wireless device and be connected to the individual's telephone line. The PERS console unit must provide hands-free voice-to-voice communication with the response center. The activating device must be waterproof, automatically transmit to the response center an activator low battery alert signal prior to the battery losing power, and be able to be worn by the individual.

3. In cases where medication monitoring units must be filled by the provider, the person filling the unit must be a registered nurse, a licensed practical nurse, or a licensed

pharmacist. The units can be refilled every 14 days. There must be documentation of this in the individual's record.

E. Provider requirements. In addition to meeting the general conditions and requirements for home and community-based waiver participating providers as specified in 12VAC30-120-80, 12VAC30-120-160, and 12VAC30-120-930, PERS providers must also meet the following qualifications and requirements:

1. A PERS provider must be either a personal care agency, a durable medical equipment provider, a hospital, a licensed home health provider, or a PERS manufacturer. All such providers shall have the ability to provide PERS equipment, direct services (i.e., installation, equipment maintenance, and service calls), and PERS monitoring;

2. The PERS provider must provide an emergency response center with fully trained operators who are capable of (i) receiving signals for help from an individual's PERS equipment 24 hours a day, 365 or 366 days per year as appropriate; (ii) determining whether an emergency exists; and (iii) notifying an emergency response organization or an emergency responder that the PERS individual needs emergency help;

3. A PERS provider must comply with all applicable Virginia statutes, all applicable regulations of DMAS, and all other governmental agencies having jurisdiction over the services to be performed;

4. The PERS provider has the primary responsibility to furnish, install, maintain, test, and service the PERS equipment, as required, to keep it fully operational. The provider shall replace or repair the PERS device within 24 hours of the individual's notification of a malfunction of the console unit, activating devices, or medication monitoring unit and shall provide temporary equipment while the original equipment is being repaired;

5. The PERS provider must properly install all PERS equipment into a PERS individual's functioning telephone line within seven days of the request unless there is appropriate documentation of why this timeframe cannot be met. The PERS provider must furnish all supplies necessary to ensure that the system is installed and working properly. The PERS provider must test the PERS device monthly, or more frequently if needed, to ensure that the device is fully operational;

6. The PERS installation shall include local seize line circuitry, which guarantees that the unit will have priority over the telephone connected to the console unit should the telephone be off the hook or in use when the unit is activated;

7. A PERS provider must maintain a data record for each PERS individual at no additional cost to DMAS or the individual. The record must document all of the following:

a. Delivery date and installation date of the PERS;

b. Individual/caregiver signature verifying receipt of the PERS device;

c. Verification by a test that the PERS device is operational, monthly or more frequently as needed;

d. Updated and current individual responder and contact information, as provided by the individual or the individual's caregiver; and

e. A case log documenting the individual's utilization of the system, all contacts, and all communications with the individual, caregiver, and responders;

8. The PERS provider must have backup monitoring capacity in case the primary system cannot handle incoming emergency signals;

9. All PERS equipment must be approved by the Federal Communications Commission and meet the Underwriters' Laboratories, Inc. (UL) Safety Standard Number 1635 for digital alarm communicator system units and Safety Standard Number 1637 for home health care signaling equipment. The UL listing mark on the equipment will be accepted as evidence of the equipment's compliance with such standard. The PERS device must be automatically reset by the response center after each activation, ensuring that subsequent signals can be transmitted without requiring a manual reset by the individual;

10. A PERS provider must furnish education, data, and ongoing assistance to DMAS and the designated preauthorization contractor to familiarize staff with the services, allow for ongoing evaluation and refinement of the program, and instruct the individual, caregiver, and responders in the use of the PERS services;

11. The emergency response activator must be activated either by breath, by touch, or by some other means, and must be usable by individuals who are visually or hearing impaired or physically disabled. The emergency response communicator must be capable of operating without external power during a power failure at the individual's home for a minimum period of 24 hours and automatically transmit a low battery alert signal to the response center if the backup battery is low. The emergency response console unit must also be able to self-disconnect and redial the backup monitoring site without the individual resetting the system in the event it cannot get its signal accepted at the response center;

12. PERS providers must be capable of continuously monitoring and responding to emergencies under all conditions, including power failures and mechanical malfunctions. It is the PERS provider's responsibility to ensure that the monitoring agency and the monitoring agency's equipment meets the following requirements. The PERS provider must be capable of simultaneously

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responding to multiple signals for help from individuals' PERS equipment. The PERS provider's equipment must include the following:

- a. A primary receiver and a backup receiver, which must be independent and interchangeable;
  - b. A backup information retrieval system;
  - c. A clock printer, which must print out the time and date of the emergency signal, the PERS individual's identification code, and the emergency code that indicates whether the signal is active, passive, or a responder test;
  - d. A backup power supply;
  - e. A separate telephone service;
  - f. A toll-free number to be used by the PERS equipment in order to contact the primary or backup response center; and
  - g. A telephone line monitor, which must give visual and audible signals when the incoming telephone line is disconnected for more than 10 seconds;
13. The PERS provider must maintain detailed technical and operation manuals that describe PERS elements, including the installation, functioning, and testing of PERS equipment; emergency response protocols; and recordkeeping and reporting procedures;
14. The PERS provider shall document and furnish within 30 days of the action taken a written report for each emergency signal that results in action being taken on behalf of the individual. This excludes test signals or activations made in error. This written report shall be furnished to the personal care provider, the respite care provider, the CD services facilitation provider, the transition coordinator, case manager, as appropriate to the waiver in which the individual is enrolled or, in cases where the individual only receives ADHC services, to the ADHC provider;
15. The PERS provider is prohibited from performing any type of direct marketing activities to Medicaid individuals; and
16. The PERS provider must obtain and keep on file a copy of the most recently completed Patient Information form (DMAS-122). Until the PERS provider obtains a copy of the DMAS-122 form, the PERS provider must clearly document efforts to obtain the completed DMAS-122 form from the personal care provider, respite care provider, the CD services facilitation provider, the transition coordinator, the case manager, or the ADHC provider, as appropriate to the waiver in which the individual is enrolled.

## Part X

### Day Support Waiver for Individuals with Mental Retardation

#### **12VAC30-120-1500. Definitions.**

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

"Appeal" means the process used to challenge adverse actions regarding services, benefits, and reimbursement provided by Medicaid pursuant to 12VAC30-110 and 12VAC30-20-500 through 12VAC30-20-560.

"Behavioral health authority" or "BHA" means the local agency, established by a city or county under Chapter 6 (§ 37.2-600 et seq.) of Title 37.2 of the Code of Virginia, that plans, provides, and evaluates mental health, mental retardation, and substance abuse services in the locality that it serves.

"Case management" means the assessing and planning of services; linking the individual to services and supports identified in the consumer service plan; assisting the individual directly for the purpose of locating, developing or obtaining needed services and resources; coordinating services and service planning with other agencies and providers involved with the individual; enhancing community integration; making collateral contacts to promote the implementation of the consumer service plan and community integration; monitoring to assess ongoing progress and ensuring services are delivered; and education and counseling that guides the individual and develops a supportive relationship that promotes the consumer service plan.

"Case manager" means the individual who performs case management services on behalf of the community services board or behavioral health authority, and who possesses a combination of mental retardation work experience and relevant education that indicates that the individual possesses the knowledge, skills and abilities as established by the Department of Medical Assistance Services in 12VAC30-50-450.

"CMS" means the Centers for Medicare and Medicaid Services, which is the unit of the federal Department of Health and Human Services that administers the Medicare and Medicaid programs.

"Community services board" or "CSB" means the local agency, established by a city or county or combination of counties or cities under Chapter 5 (§ 37.2-500 et seq.) of Title 37.2 of the Code of Virginia, that plans, provides, and evaluates mental health, mental retardation, and substance abuse services in the jurisdiction or jurisdictions it serves.

"Comprehensive assessment" means the gathering of relevant social, psychological, medical, and level of care information by the case manager and is used as a basis for the development of the consumer service plan.

"Consumer service plan" or "CSP" means documents addressing needs in all life areas of individuals who receive Day Support Waiver services, and is comprised of individual service plans as dictated by the individual's health care and support needs. The case manager incorporates the individual service plans in the CSP.

"Date of need" means the date of the initial eligibility determination assigned to reflect that the individual is diagnostically and functionally eligible for the waiver and is willing to begin services within 30 days. The date of need is not changed unless the person is subsequently found ineligible or withdraws their request for services.

"Day support services" means training, assistance, and specialized supervision in the acquisition, retention, or improvement of self-help, socialization, and adaptive skills, which typically take place outside the home in which the individual resides. Day support services shall focus on enabling the individual to attain or maintain his maximum functional level.

"Day Support Waiver for Individuals with Mental Retardation" or "Day Support Waiver" means the program that provides day support, prevocational services, and supported employment to individuals on the Mental Retardation Waiver waiting list who have been assigned a Day Support Waiver slot.

"DMAS" means the Department of Medical Assistance Services.

"DMAS staff" means persons employed by the Department of Medical Assistance Services.

"DMHMRSAS" means the Department of Mental Health, Mental Retardation and Substance Abuse Services.

"DMHMRSAS staff" means persons employed by the Department of Mental Health, Mental Retardation and Substance Abuse Services.

"DRS" means the Department of Rehabilitative Services.

"DSS" means the Department of Social Services.

"Enroll" means that the individual has been determined by the case manager to meet the eligibility requirements for the Day Support Waiver and DMHMRSAS has verified the availability of a Day Support Waiver slot for that individual, and DSS has determined the individual's Medicaid eligibility for home and community-based services.

"EPSDT" means the Early Periodic Screening, Diagnosis and Treatment program administered by DMAS for children under the age of 21 according to federal guidelines that prescribe preventive and treatment services for Medicaid-eligible children as defined in 12VAC30-50-130.

"Home and community-based waiver services" or "waiver services" means the range of community support services

approved by the Centers for Medicare and Medicaid Services (CMS) pursuant to § 1915(c) of the Social Security Act to be offered to persons with mental retardation who would otherwise require the level of care provided in an Intermediate Care Facility for the Mentally Retarded (ICF/MR).

"Individual" means the person receiving the services or evaluations established in these regulations.

"Individual service plan" or "ISP" means the service plan related solely to the specific waiver service. Multiple ISPs help to comprise the overall consumer service plan.

"Intermediate Care Facility for the Mentally Retarded" or "ICF/MR" means a facility or distinct part of a facility certified by the Virginia Department of Health as meeting the federal certification regulations for an intermediate care facility for the mentally retarded and persons with related conditions. These facilities must address the total needs of the residents, which include physical, intellectual, social, emotional, and habilitation, and must provide active treatment.

"Mental retardation" or "MR" means ~~mental retardation a disability~~ as defined by the American Association on ~~Mental Retardation—(AAMR)~~ Intellectual and Developmental Disabilities (AAIDD).

"Participating provider" means an entity that meets the standards and requirements set forth by DMAS and DMHMRSAS, and has a current, signed provider participation agreement with DMAS.

"Preauthorized" means that an individual service has been approved by DMHMRSAS prior to commencement of the service by the service provider for initiation and reimbursement of services.

"Prevocational services" means services aimed at preparing an individual for paid or unpaid employment, but are not job-task oriented. Prevocational services are provided to individuals who are not expected to be able to join the general work force without supports or to participate in a transitional sheltered workshop within one year of beginning waiver services (excluding supported employment programs). The services do not include activities that are specifically job-task oriented but focus on concepts such as accepting supervision, attendance, task completion, problem solving and safety. Compensation, if provided, is less than 50% of the minimum wage.

"Slot" means an opening or vacancy of waiver services for an individual.

"State Plan for Medical Assistance" or "Plan" means the Commonwealth's legal document approved by CMS identifying the covered groups, covered services and their limitations, and provider reimbursement methodologies as provided for under Title XIX of the Social Security Act.

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"Supported employment" means work in settings in which persons without disabilities are typically employed. It includes training in specific skills related to paid employment and the provision of ongoing or intermittent assistance and specialized supervision to enable an individual with mental retardation to maintain paid employment.

**12VAC30-120-1550. Services: day support services, prevocational services and supported employment services.**

A. Service descriptions.

1. Day support means training, assistance, and specialized supervision in the acquisition, retention, or improvement of self-help, socialization, and adaptive skills, which typically take place outside the home in which the individual resides. Day support services shall focus on enabling the individual to attain or maintain his maximum functional level.

2. Prevocational services means services aimed at preparing an individual for paid or unpaid employment, but are not job-task oriented. Prevocational services are provided to individuals who are not expected to be able to join the general work force without supports or to participate in a transitional sheltered workshop within one year of beginning waiver services (excluding supported employment programs). The services do not include activities that are specifically job-task oriented but focus on concepts such as accepting supervision, attendance, task completion, problem solving and safety. Compensation, if provided, is less than 50% of the minimum wage.

3. Supported employment services are provided in work settings where persons without disabilities are employed. It is especially designed for individuals with developmental disabilities, including individuals with mental retardation, who face severe impediments to employment due to the nature and complexity of their disabilities, irrespective of age or vocational potential.

a. Supported employment services are available to individuals for whom competitive employment at or above the minimum wage is unlikely without ongoing supports and who because of their disability need ongoing support to perform in a work setting.

b. Supported employment can be provided in one of two models. Individual supported employment shall be defined as intermittent support, usually provided one-on-one by a job coach to an individual in a supported employment position. Group-supported employment shall be defined as continuous support provided by staff to eight or fewer individuals with disabilities in an enclave, work crew, bench work, or entrepreneurial model. The individual's assessment and CSP must clearly reflect the individual's need for training and supports.

B. Criteria.

1. For day support services, individuals must demonstrate the need for functional training, assistance, and specialized supervision offered primarily in settings other than the individual's own residence that allow an opportunity for being productive and contributing members of communities.

2. For prevocational services, the individual must demonstrate the need for support in skills that are aimed toward preparation of paid employment that may be offered in a variety of community settings.

3. For supported employment, the individual shall have demonstrated that competitive employment at or above the minimum wage is unlikely without ongoing supports, and that because of his disability, he needs ongoing support to perform in a work setting.

a. Only job development tasks that specifically include the individual are allowable job search activities under the Day Support waiver supported employment and only after determining this service is not available from DRS.

b. A functional assessment must be conducted to evaluate the individual in his work environment and related community settings.

C. Service types. The amount and type of day support and prevocational services included in the individual's service plan is determined according to the services required for that individual. There are two types of services: center-based, which is provided primarily at one location/building, and noncenter-based, which is provided primarily in community settings. Both types of services may be provided at either intensive or regular levels. For supported employment, the ISP must document the amount of supported employment required by the individual. Service providers are reimbursed only for the amount and type of supported employment included in the individual's ISP.

D. Intensive level criteria. For day support and prevocational services to be authorized at the intensive level, the individual must meet at least one of the following criteria: (i) require physical assistance to meet the basic personal care needs (toileting, feeding, etc); (ii) have extensive disability-related difficulties and require additional, ongoing support to fully participate in programming and to accomplish his service goals; or (iii) require extensive constant supervision to reduce or eliminate behaviors that preclude full participation in the program. In this case, written behavioral objectives are required to address behaviors such as, but not limited to, withdrawal, self-injury, aggression, or self-stimulation.

E. Service units. Day support, prevocational and group models of supported employment (enclaves, work crews, bench work and entrepreneurial model of supported

employment) are billed in ~~units. Units shall be defined as:~~ accordance with the DMAS fee schedule.

- ~~1. One unit is 1 to 3.99 hours of service a day.~~
- ~~2. Two units are 4 to 6.99 hours of service a day.~~
- ~~3. Three units are 7 or more hours of service a day.~~
- ~~4. Supported employment for individual job placement is provided in one hour units.~~

## F. Service limitations.

1. There must be separate supporting documentation for each service and each must be clearly differentiated in documentation and corresponding billing.
2. The supporting documentation must provide an estimate of the amount of services required by the individual. Service providers are reimbursed only for the amount and type of services included in the individual's approved ISP based on the setting, intensity, and duration of the service to be delivered.
3. Day support, prevocational and group models of supported employment services shall be limited to a total of 780 units per CSP year, or its equivalent under the DMAS fee schedule. If an individual receives a combination of day support, prevocational and/or supported employment services, the combined total shall not exceed 780 units per CSP year, or its equivalent under the DMAS fee schedule.
4. The individual job placement model of supported employment is limited to 40 hours per week.
5. For day support services:
  - a. Day support cannot be regularly or temporarily provided in an individual's home or other residential setting (e.g., due to inclement weather or individual illness) without prior written approval from DMHMRSAS.
  - b. Noncenter-based day support services must be separate and distinguishable from other services.
6. For the individual job placement model, reimbursement of supported employment will be limited to actual documented interventions or collateral contacts by the provider, not the amount of time the individual is in the supported employment situation.

G. Provider requirements. In addition to meeting the general conditions and requirements for home and community-based participating providers as specified in 12VAC30-120-217 and 12VAC30-120-219, service providers must meet the following requirements:

1. The provider of day support services must be licensed by DMHMRSAS as a provider of day support services. The provider of prevocational services must be a vendor of

extended employment services, long-term employment services, or supported employment services for DRS, or be licensed by DMHMRSAS as a provider of day support services.

2. Supported employment shall be provided only by agencies that are DRS vendors of supported employment services;

3. In addition to any licensing requirements, persons providing day support or prevocational services are required to participate in training in the characteristics of mental retardation and appropriate interventions, training strategies, and support methods for persons with mental retardation and functional limitations prior to providing direct services. All providers of services must pass an objective, standardized test of skills, knowledge, and abilities approved by DMHMRSAS and administered according to DMHMRSAS' defined procedures.

4. Required documentation in the individual's record. The provider agency must maintain records of each individual receiving services. At a minimum these records must contain the following:

a. A functional assessment conducted by the provider to evaluate each individual in the service environment and community settings.

b. An ISP that contains, at a minimum, the following elements:

(1) The individual's strengths, desired outcomes, required or desired supports and training needs;

(2) The individual's goals and, a sequence of measurable objectives to meet the above identified outcomes;

(3) Services to be rendered and the frequency of services to accomplish the above goals and objectives;

(4) A timetable for the accomplishment of the individual's goals and objectives as appropriate;

(5) The estimated duration of the individual's needs for services; and

(6) The provider staff responsible for the overall coordination and integration of the services specified in the ISP.

~~4. c.~~ c. Documentation confirming the individual's attendance and amount of time in services, type of services rendered, and specific information regarding the individual's response to various settings and supports as agreed to in the ISP objectives. An attendance log or similar document must be maintained that indicates the date, type of services rendered, and the number of hours and units provided.

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e. ~~d.~~ Documentation indicating whether day support or prevocational services were center-based or noncenter-based.

f. ~~e.~~ In instances where staff are required to ride with the individual to and from the service in order to provide needed supports as specified in the ISP, the staff time can be billed as day support, prevocational or supported employment services, provided that the billing for this time does not exceed 25% of the total time spent in the day support, prevocational or supported employment activity for that day. Documentation must be maintained to verify that billing for staff coverage during transportation does not exceed 25% of the total time spent in the service for that day.

g. ~~f.~~ If intensive day support or prevocational services are requested, there shall be documentation indicating the specific supports and the reasons they are needed. For ongoing intensive services, there must be clear documentation of the ongoing needs and associated staff supports.

h. ~~g.~~ The ISP goals, objectives, and activities must be reviewed by the provider quarterly, and annually, ~~and~~ or more often as needed and the results of the review submitted to the case manager. For the annual review and in cases where the ISP is modified, the ISP must be reviewed with the individual or family/caregiver.

i. ~~h.~~ Copy of the most recently completed DMAS-122 form. The provider must clearly document efforts to obtain the completed DMAS-122 form from the case manager.

j. ~~i.~~ For prevocational or supported employment services, documentation regarding whether prevocational or supported employment services are available through § 110 of the Rehabilitation Act of 1973 or through the Individuals with Disabilities Education Act (IDEA). If the individual is not eligible for services through the IDEA, documentation is required only for lack of DRS funding. When services are provided through these sources, the ISP shall not authorize such services as a waiver expenditure.

k. ~~j.~~ Prevocational services can only be provided when the individual's compensation is less than 50% of the minimum wage.

## **12VAC30-120-2000. Transition coordinator.**

### **A. Service description.**

1. Transition coordination means the DMAS-enrolled provider who is responsible for supporting the individual and family/caregiver, as appropriate, with the activities associated with transitioning from an institution to the community pursuant to the Elderly or Disabled with Consumer Direction waiver.

2. Transition coordination services include, but are not limited to, the development of a transition plan; the provision of information about services that may be needed, in accordance with the timeframe specified by federal law, prior to the discharge date, during and after transition; the coordination of community-based services with the case manager if case management is available; linkage to services needed prior to transition such as housing, peer counseling, budget management training, and transportation; and the provision of ongoing support for up to 12 months after discharge date.

### **B. Criteria.**

1. In order to qualify for these services, the individual shall have a demonstrated need for transition coordination of any of these services. Documented need shall indicate that the service plan cannot be implemented effectively and efficiently without such coordination from this service. Transition coordination services must be prior authorized by DMAS or its designated agent.

2. The individual's service plan shall clearly reflect the individual's needs for transition coordination provided to the individual, family/caregivers, and providers in order to implement the service plan effectively. The service plan includes, at a minimum: (i) a summary or reference to the assessment; (ii) goals and measurable objectives for addressing each identified need; (iii) the services, supports, and frequency of service to accomplish the goals and objectives; (iv) target dates for accomplishment of goals and objectives; (v) estimated duration of service; (vi) the role of other agencies if the plan is a shared responsibility; and (vii) the staff responsible for coordination and integration of services, including the staff of other agencies if the plan is a shared responsibility.

C. Service units and limitations. The unit of service shall be specified by the DMAS fee schedule. The services shall be explicitly detailed in the supporting documentation. Travel time is an in-kind expense within this service and is not billable as a separate item. Transition coordination may not be billed solely for purposes of monitoring. Transition coordination shall be available to individuals who are transitioning from institutional care to the community. Transition coordination service providers shall be reimbursed according to the amount and type of service authorized in the service plan based on a monthly fee for service.

D. Provider requirements. In addition to meeting the general conditions and requirements for home- and community-based care participating providers as specified in 12VAC30-120-217 and 12VAC30-120-219, transition coordinators shall meet the following qualifications:

1. Transition coordinators shall be employed by one of the following: a local government agency; a private, nonprofit organization qualified under 26 USC § 501(c)(3); or a

fiscal management service with experience in providing this service.

2. A qualified transition coordinator shall possess, at a minimum, a bachelor's degree in human services or health care and relevant experience that indicates the individual possesses the following knowledge, skills, and abilities. These shall be documented on the transition coordinator's job application form or supporting documentation, or observable in the job or promotion interview. The transition coordinator shall be at least 21 years of age.

3. Transition coordinators shall have knowledge of aging, independent living, the impact of disabilities and transition planning; individual assessments (including psychosocial, health, and functional factors) and their uses in service planning, interviewing techniques, individuals' rights, local human and health service delivery systems, including support services and public benefits eligibility requirements, principles of human behavior and interpersonal relationships, interpersonal communication principles and techniques, general principles of file documentation, the service planning process, and the major components of a service plan.

4. Transition coordinators shall have skills in negotiating with individuals and service providers; observing, and reporting behaviors; identifying and documenting an individual's needs for resources, services and other assistance; identifying services within the established services system to meet the individual's needs; coordinating the provision of services by diverse public and private providers; analyzing and planning for the service needs of the individual; and assessing individuals using DMAS' authorized assessment forms.

5. Transition coordinators shall have the ability to demonstrate a positive regard for individuals and their families or designated guardian; be persistent and remain objective; work as a team member, maintaining effective interagency and intraagency working relationships; work independently, performing position duties under general supervision; communicate effectively, both verbally and in writing; develop a rapport; communicate with different types of persons from diverse cultural backgrounds; and interview.

## **12VAC30-120-2010. Transition services.**

A. Service description. "Transition services" means set-up expenses for individuals who are transitioning from an institution or licensed or certified provider-operated living arrangement to a living arrangement in a private residence, which may include an adult foster home, where the person is directly responsible for his own living expenses. 12VAC30-120-2010 provides the service description, criteria, service units and limitations, and provider requirements for this service.

The individual's transition from an institution to the community shall have a transition coordinator in order to receive EDCD Waiver services or a case manager or health care coordinator if he shall be receiving services through either the HIV/AIDS, IFDDS, MR or Technology Assisted Waivers.

B. Criteria for receipt of services. In order to be provided, transition services shall be prior authorized by DMAS or its designated agent. These services include rent or utility deposits, basic furniture and appliances, health and safety assurances, and other reasonable expenses incurred as part of a transition. For the purposes of transition services, an institution means an ICF/MR, a nursing facility, or a specialized care facility/hospital as defined at 42 CFR 435.1009. Transition services do not apply to an acute care admission to a hospital.

## **C. Service units and limitations.**

1. Services are available for one transition per individual and must be expended within nine months from the date of authorization. The total cost of these services shall not exceed \$5,000, per person lifetime limit coverage of transition costs to residents of nursing facilities, specialized care facility/hospitals, or ICF/MR, who are Medicaid recipients and are able to return to the community. The \$5,000 maximum allowance must be expended within nine months from the date of authorization for transition services. It shall not be available to the individual after that period of time. The DMAS designated fiscal agent shall manage the accounting of the transition service. The transition coordinator for the EDCD Waiver or the case manager or health care coordinator, as appropriate to the waiver, shall ensure that the funding spent is reasonable and does not exceed the \$5,000 maximum limit.

## **2. Allowable costs include, but are not limited to:**

a. Security deposits that are required to obtain a lease on an apartment or home;

b. Essential household furnishings required to occupy and use a community domicile, including furniture, window coverings, food preparation items, and bed/bath linens;

c. Set-up fees or deposits for utility or services access, including telephone, electricity, heating and water;

d. Services necessary for the individual's health, safety, and welfare such as pest eradication and one-time cleaning prior to occupancy;

e. Moving expenses;

f. Fees to obtain a copy of a birth certificate or an identification card or driver's license; and

g. Activities to assess need, arrange for, and procure needed resources.

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3. The services are furnished only to the extent that they are reasonable and necessary as determined through the service plan development process, are clearly identified in the service plan and the person is unable to meet such expense, or when the services cannot be obtained from another source. The expenses do not include monthly rental or mortgage expenses, food, regular utility charges, or household items that are intended for purely diversional/recreational purposes. This service does not include services or items that are covered under other waiver services such as chore, homemaker, environmental modifications and adaptations, or specialized supplies and equipment.

D. Provider requirements. Providers must be enrolled as a Medicaid Provider for Transition Coordination or Case Management and work with the DMAS designated agent to receive reimbursement for the purchase of appropriate transition goods or services on behalf of the individual.

**NOTICE:** The forms used in administering the above regulation are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

### FORMS (12VAC30-120)

Virginia Uniform Assessment Instrument (UAI) (1994).

Consent to Exchange Information, DMAS-20 (rev. 4/03).

Provider Aide/LPN Record Personal/Respite Care, DMAS-90 (rev. 12/02).

LPN Skilled Respite Record, DMAS-90A (eff. 7/05).

Personal Assistant/Companion Timesheet, DMAS-91 (rev. 8/03).

Questionnaire to Assess an Applicant's Ability to Independently Manage Personal Attendant Services in the CD-PAS Waiver or DD Waiver, DMAS-95 Addendum (eff. 8/00).

Medicaid Funded Long-Term Care Service Authorization Form, DMAS-96 (rev. 10/06).

Screening Team Plan of Care for Medicaid-Funded Long Term Care, DMAS-97 (rev. 12/02).

Provider Agency Plan of Care, DMAS-97A (rev. 9/02).

Consumer Directed Services Plan of Care, DMAS-97B (rev. 1/98).

Community-Based Care Recipient Assessment Report, DMAS-99 (rev. 4/03).

Consumer-Directed Personal Attendant Services Recipient Assessment Report, DMAS-99B (rev. 8/03).

MI/MR Level I Supplement for EDCD Waiver Applicants, DMAS-101A (rev. 10/04).

Assessment of Active Treatment Needs for Individuals with MI, MR, or RC Who Request Services under the Elder or Disabled with Consumer-Direction Waivers, DMAS-101B (rev. 10/04).

AIDS Waiver Evaluation Form for Enteral Nutrition, DMAS-116 (6/03).

Patient Information Form, DMAS-122 (rev. ~~12/98~~ 11/07).

Technology Assisted Waiver/EPSTDT Nursing Services Provider Skills Checklist for Individuals Caring for Tracheostomized and/or Ventilator Assisted Children and Adults, DMAS-259.

Home Health Certification and Plan of Care, CMS-485 (rev. 2/94).

IFDDS Waiver Level of Care Eligibility Form (eff. 5/07).

**PATIENT INFORMATION**

Medicaid ID: \_\_\_\_\_ Provider Name \_\_\_\_\_  
 Recipient Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_  
 Address: \_\_\_\_\_

**I. Provider Section**

**Patient Status: (Complete Appropriate Blocks)**  
 Patient admitted to this facility/service on \_\_\_\_\_ (date)  
 Patient discharged or expired on \_\_\_\_\_ (date)  
 Discharged to:  Home  Hospital  Other Facility  Expired  
 Case in need of review/DMAS 122 requested  
 Personal Funds Account balance \$ \_\_\_\_\_ as of \_\_\_\_\_ (date).  
 Patient's income or deductions have changed: \_\_\_\_\_  
 Medicaid Per Diem Rate: \$ \_\_\_\_\_  
 Explain/other: \_\_\_\_\_  
 Prepared by Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax Number: \_\_\_\_\_ Date: \_\_\_\_\_

**II. DSS Section**

**Eligibility Information: (Complete Appropriate Blocks)**  
 Is eligible for full Medicaid services beginning \_\_\_\_\_ (date)  
 Is eligible for QMB Medicaid only  Is eligible for Medicare premium payment only  
 Is ineligible for Medicaid services  
 \* Is ineligible for Medicaid payment of LTC services from \_\_\_\_\_ to \_\_\_\_\_  
 Has Medicare Part A insurance  Has other health insurance  Has LTC insurance  

**III. Patient Pay Information**

	MMYY	MMYY	MMYY
Effective Date	_____	_____	_____
Patient Pay Amount	\$ _____	\$ _____	\$ _____

\*See Instructions for distribution on this form.

NOTE: Medicaid long-term care providers cannot collect more than the Medicaid rate from the patient. Income is used for the cost of care in the month in which it is received, e.g., the SSA check received in January is used toward the cost of care in January.

Eligibility Worker Name: \_\_\_\_\_  
 Agency Name: \_\_\_\_\_ FIPS Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax Number: \_\_\_\_\_ Date: \_\_\_\_\_

DMAS-122, Revision 11.28.2007

**PATIENT INFORMATION**  
**FORM NUMBER: DMAS-122**

**PURPOSE OF FORM**--To allow the local DSS and the nursing facility or Medicaid Community-based Care provider to exchange information regarding:

1. The Medicaid eligibility status of a patient;
2. The amount of income an eligible patient must pay to the provider toward the cost of care;
3. A change in the patient's level of care;
4. Admission or discharge of a patient to an institution or Medicaid CBC services, or death of a patient;
5. Other information known to the provider that might cause a change in the eligibility status or patient pay amounts.

**USE OF FORM**--Initiated by either the local DSS or the provider of care. The local DSS must complete the form for each nursing facility or CBC waiver patient at the time initial eligibility is determined or when a Medicaid enrolled recipient enters a nursing facility or CBC services. A new form must be prepared by the local DSS whenever there is any change in the patient's circumstances that results in a change in the amount of patient pay or the patient's eligibility status. The local DSS must send an updated form to the provider at least once a year, even if there is no change in patient pay.

The provider must use the form to show admission date, to request a Medicaid eligibility status, Medicaid recipient I.D., and patient pay amount; to notify the local DSS of changes in the patient's circumstances, discharge or death.

**NUMBER OF COPIES**--Original and one copy for nursing facility patients and original and two copies for CBC patients.

**DISTRIBUTION OF COPIES**--For nursing facility patients, send the original to the nursing facility. For Medicaid CBC patients, refer to section M1470.800.B2 in order to determine where the original and any copies of this form are sent. Place a copy of the DMAS-122 forms in the eligibility case file. When a period of disqualification for Medicaid payment of LTC services is established for an individual, send a copy of the DMAS-122 to: DMAS, Long-Term Care, Facility and Home Based Services Unit, 600E Broad Street, Richmond, Virginia 23219.

**INSTRUCTIONS FOR PREPARATION OF THE FORM**--Complete the heading with the name of the nursing home or Medicaid CBC provider, the address, the patient's name, Social Security number, and Medicaid recipient I.D. number.

Section I must be completed by the provider by checking the appropriate boxes or filling in the appropriate lines corresponding to the change or information that is being reported. The individual that is completing the form on behalf of the provider must furnish their name, title, telephone numbers and the date the form was completed.

Section II must be completed by the local DSS by checking the appropriate boxes or filling in the appropriate lines corresponding to the change or information that is being reported. The Eligibility Worker for the local agency must furnish their name, agency name, agency FIPS code, telephone numbers and the date the form was completed.

Section III, Patient Pay Information --To be completed by the local department of social services Eligibility Worker. Enter month and year in which the patient pay amount is effective. Enter the patient pay amount under the appropriate month and year.

DOCUMENTS INCORPORATED BY REFERENCE  
(12VAC30-120)

Mental Retardation: Definition, Classification, and Systems of Supports, 10th Edition, 2002, American Association on Mental Retardation.

Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DMS-IV-TR), 2000, American Psychiatric Association.

Underwriter's Laboratories Safety Standard 1635, Standard for Digital Alarm Communicator System Units, Third Edition, January 31, 1996, with revisions through August 15, 2005.

Underwriter's Laboratories Safety Standard 1637, Standard for Home Health Care Signaling Equipment, Fourth Edition, December 29, 2006.

VA.R. Doc. No. R08-1107; Filed February 3, 2009, 11:08 a.m.



**TITLE 13. HOUSING**

**BOARD OF HOUSING AND COMMUNITY DEVELOPMENT**

**Final Regulation**

**REGISTRAR'S NOTICE:** The Board of Housing and Community Development is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4002 B 4 of the Code of Virginia, which exempts regulations relating to grants of state or federal funds or property.

**Title of Regulation:** 13VAC5-100. Virginia Energy Assistance Program Weatherization Component (amending 13VAC5-100-10, 13VAC5-100-20).

**Statutory Authority:** § 36-137 of the Code of Virginia.

**Effective Date:** February 12, 2009.

**Agency Contact:** Steve Calhoun, Regulatory Coordinator, Department of Housing and Community Development, 501 North Second Street, Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090, or email steve.calhoun@dhdcd.virginia.gov.

**Summary:**

*These regulations set out income eligibility limits and maximum average cost per dwelling unit. The amendments remove these specific dollar limits and state that these program criteria shall conform to the requirements set out by the federal program that funds the weatherization component.*

**13VAC5-100-10. Definitions.**

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

~~"Capital intensive furnace or cooling efficiency modifications" means those major heating and cooling modifications which require a substantial amount of funds, including replacement and major repairs, but excluding such items as tune ups, minor repairs, and filters.~~

"Department" means the Department of Housing and Community Development.

"DOE" means the U. S. Department of Energy.

"Dwelling unit" means a house, including a stationary mobile home, an apartment, a condominium, a group of rooms, or a single room occupied as separate living quarters. Separate living quarters are living quarters in which the occupants do not live and eat with any other persons in the structure and that have either direct access from the outside of the building or through a common hall or complete kitchen facilities for the exclusive use of the occupants. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

"Household" means all persons living in the dwelling unit.

~~"Poverty guidelines" means the poverty income guidelines as established and published annually by the federal Department of Health and Human Services.~~

"Weatherization improvements" means determining, completing, reporting and inspecting measures that are intended to enable or improve residential energy efficiency and improve health and safety, and include, but are not limited to: (i) nonemergency heating system repairs, modifications or installations to include the fuel supply, the combustion exhaust system and the distribution systems; (ii) nonemergency cooling efficiency modifications; (iii) air sealing to include, but not limited to, sealing bypasses, chimney, plumbing and electrical chases; replacing missing or broken glass, missing windows, missing doors; sealing unused flues and fireplaces, holes, ceilings and floors; sealing or dampering dryer vents, kitchen exhaust fans, window air conditioners, utility penetrations; and providing a ground cover in crawlspaces; (iv) attic, floor, mobile home bellyboard and sidewall insulation; (v) insulating, repairing and sealing ducts and heating pipes; (vi) insulating, repairing and replacing domestic water heaters; (vii) water flow reducers; (viii) setback thermostats; (ix) energy related health and safety and indoor air quality measures such as carbon monoxide detectors, smoke detectors and passive or mechanical ventilation; and (x) compact fluorescent bulbs.

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# Regulations

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## 13VAC5-100-20. Purpose; eligibility criteria; benefits.

A. The purpose of the weatherization assistance component is to improve or enhance the energy efficiency of the dwelling unit occupied by eligible households, improve the energy related health and safety problems, and attempt to lessen dependency on the energy assistance program. The weatherization assistance component does not provide emergency assistance for energy or health and safety related problems.

B. Eligibility criteria ~~is~~ are set out in this subsection.

1. ~~Maximum income eligibility limits for the weatherization component shall be at or below 130% of the poverty the maximum allowable as defined by 45 CFR Part 96, Subpart H. Funding priorities may be established by the department within income eligibility limits. In order to be eligible for weatherization assistance, a family's income must be at or below the maximum income limits.~~

2. In order to be eligible for weatherization assistance a household's calculated income must be at or below the maximum income eligibility limit.

3. A dwelling unit may be weatherized only after written permission of the owner is received.

C. ~~Services will be provided through the department's weatherization network by qualified service providers as determined by the department.~~

D. ~~The maximum average per dwelling unit benefit will be as provided for by the DOE regulations (10 CFR 440.18). A different average may be used for units with capital intensive furnace or cooling efficiency modifications as provided for by DOE regulations. The forms of assistance or weatherization improvements shall include, but not be limited to, heating system inspections, diagnostics, repairs, replacements, installations and modifications to include the fuel supply, the combustion exhaust and the distribution systems; cooling efficiency modifications; energy efficiency improvements to include air sealing, duct repair and insulation, attic insulation and venting, sidewall insulation, mobile home bellyboard repair and insulation, domestic water heater insulation, floor insulation, repair and replacement of broken and missing glass, windows and doors, setback thermostats and water flow reducers investment of weatherization assistance component funds for weatherization improvements shall be consistent with 45 CFR Part 96, Subpart H.~~

E. When revisions to this regulation are required because of changes to federal regulations, these revisions will be reviewed by the Board of Housing and Community Development.

VA.R. Doc. No. R09-1780; Filed February 5, 2009, 1:39 p.m.

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# GUIDANCE DOCUMENTS

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Sections 2.2-4008 and 2.2-4103 of the Code of Virginia require annual publication in the *Virginia Register* of guidance document lists from state agencies covered by the Administrative Process Act and the Virginia Register Act. A guidance document is defined as "...any document developed by a state agency or staff that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations..." Agencies are required to maintain a complete, current list of all guidance documents and make the full text of such documents available to the public.

Generally, the format for the guidance document list is: document number (if any), title of document, date issued or last revised, and citation of Virginia Administrative Code regulatory authority or Code of Virginia statutory authority. Questions concerning documents or requests for copies of documents should be directed to the contact person listed by the agency.

## DEPARTMENT OF ACCOUNTS

Copies of the following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in the office of the Department of Accounts, 101 N. 14th Street, 2nd Floor, Richmond, VA 23219. Copies are available online at the Department of Accounts website ([www.doa.virginia.gov](http://www.doa.virginia.gov)); hardcopy of all documents except the CAPP Manual may be obtained free of charge by contacting Michael E. Rider at P.O. Box 1971, Richmond, VA 23218-1971, by calling (804) 225-3051, or by email at [michael.rider@doa.virginia.gov](mailto:michael.rider@doa.virginia.gov).

Questions regarding interpretation or implementation of these documents may be directed to James W. Fisher, Director of Finance & Administration, at (804) 225-3045 or email at [jim.fisher@doa.virginia.gov](mailto:jim.fisher@doa.virginia.gov).

### Guidance Documents:

Agency Risk Management and Internal Control Standards (ARMICS), updated routinely. This document provides risk management and internal control standards for state agencies and institutions.

Commonwealth Accounting Policies and Procedures (CAPP) manual, continuously updated. This document is a compendium of information that provides accounting guidance for state agencies and institutions.

Financial Statement Preparation for Agencies and Institutions, updated annually. There are two documents, one for agencies and one for institutions that provide financial statement preparation guidance.

Year End Closing Procedures, prepared annually. This document provides guidance to agencies and institutions regarding proper procedures for closing the state accounting year.

## AUDITOR OF PUBLIC ACCOUNTS

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the Auditor of Public Accounts, 101 N. 14th Street, 8th Floor, Richmond VA 23219. Copies may be obtained by contacting Kim Via at P.O. Box 1295, Richmond, VA 23218, telephone

(804) 225-3350 (ext. 360); or email [kimberly.via@apa.virginia.gov](mailto:kimberly.via@apa.virginia.gov).

Questions regarding interpretation or implementation of these documents may be directed to Kim Via, Auditor, Auditor of Public Accounts, telephone (804) 225-3350 (ext. 360), or email [kimberly.via@apa.virginia.gov](mailto:kimberly.via@apa.virginia.gov).

### Guidance Documents:

Specification for Audits of Counties, Cities, and Towns, periodically updated. \$20 for manual. This document sets standards for audits of Virginia local governments as required by § 15.2-167 of the Code of Virginia

Specification for Audits of Authorities, Boards, and Commissions. \$20 for manual. This document sets standards for audits of Virginia governmental authorities, boards, and commissions as required by § 30-140 of the Code of Virginia.

Uniform Financial Reporting Manual, periodically updated. \$20 for manual. This document provides reporting requirements for Virginia local governments to follow in the preparation and submission of their Comparative Report of Local Government Revenues and Expenditures transmittal forms. Section 15.2-2510 of the Code of Virginia requires this submission of data.

Virginia Sheriffs Accounting Manual. \$10 for manual. This document prescribes accounting procedures for funds collected by Virginia's sheriffs.

All the documents listed above are available electronically on the Internet at [http://www.apa.virginia.gov/local\\_government/manuals.htm](http://www.apa.virginia.gov/local_government/manuals.htm).

## DEPARTMENT FOR THE AGING

Copies of the following documents may be viewed during regular workdays from 9 a.m. until 5 p.m. in the office of the Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, VA 23229. Copies may be obtained free of charge by contacting Janet James at the address above, telephone (804) 662-7049, FAX (804) 662-9354, or email [janet.james@vda.virginia.gov](mailto:janet.james@vda.virginia.gov).

Questions regarding interpretation or implementation of these documents may be directed to Janet James at the address

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# Guidance Documents

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above, telephone (804) 662-7049, FAX (804) 662-9354, or email [janet.james@vda.virginia.gov](mailto:janet.james@vda.virginia.gov).

## Guidance Documents:

[10302008C] Minimum Procurement Guidelines, issued June 1, 2003

[10302008D] State Plan for Aging Services: October 1, 2007-September 30, 2011, effective October 1, 2007, implementing Title III and Title VII of the Older Americans Act of 1965 (as amended), § 2.2.703 A3.

[10302008A] Guidelines for a Client Appeals Process for Services Provided Under the Older Americans Act

[10302008B] Virginia Long-Term Care Ombudsman Program Policies and Procedures Manual, revised September 30, 2003.

[10302008E] Title III and Title V Service Standards, revised October 1, 2003, interpreting 22VAC5-20-80

[10302008F] Care Coordination for Elderly Virginians Policies and Procedures Manual, January 28, 2004.

[10302008G] Senior Employment Services Coordination Plan (Title V), PY2004 issued July 1, 2004; PY2005 Modification effective July 1, 2005.

[10302008H] Cost Sharing/Fee for Service Policy, implementing Title III and Title VII of the Older Americans Act of 1965 (as amended), Section 315(a)(2), 315(a)(5), 315(c)(1), 315(c)(2), 315(a)(6) and 315(b)(4)(A).

[10302008I] National Family Caregiver Support Program Guidelines, implementing Title III-E of the Older Americans Act

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Guidance documents are available at the Oliver W. Hill Building, 102 Governor Street; Richmond, VA (or on the Regulatory Town Hall). For information about guidance documents of the Department of Agriculture and Consumer Services, including their interpretation, please contact:

For guidance documents relating to dairy and foods, contact Mr. Doug Saunders, at (804) 692-0601.

For guidance documents relating to the State Milk Commission, contact Mr. Rodney Phillips at (804) 786-2013.

For guidance documents relating to agricultural stewardship, contact Mr. Roy E. Seward at (804) 786-3538.

For guidance documents relating to all other matters (including ginseng), contact Mr. Frank Fulgham at (804) 786-3523.

Costs associated with obtaining printed copies of these documents from the agency vary. Guidance documents are available electronically for no charge on the Town Hall.

## Board of Agriculture and Consumer Services

### Guidance Documents:

[Approved Capture Drugs and Drug Administering Equipment](#)

[Avian Influenza \(H5 and H7\) Proclamation](#)

[Dairy Services Procedure Manual](#)

[Food Safety & Security Field Operations Manual](#)

[Food Safety and Security Manual](#)

[Guidelines for Approving Industrial Co-Products for Agricultural Use under the Virginia Fertilizer & Agricultural Liming Materials Laws](#)

[Guidelines for Enforcement of the Virginia Code Relating to Motor Fuels and Lubricating Oils - Civil Penalty Assessment Decision Matrix](#)

[Guidelines for Enforcement of the Virginia Weights and Measures Law - Civil Penalty Assessment Decision Matrix](#)

[Guidelines for the Virginia Ginseng Management Program](#)

[Labeling of Cetane on Diesel Dispensers](#)

[Methods Prescribed or Approved for Animal Euthanasia and Competency Certification Requirements](#)

[Virginia Cotton Boll Weevil Trapping Program, 2008 Guidelines](#)

[Virginia Shipping Requirements for Package Bees and Queens](#)

[\[1743\] Agricultural Stewardship Act Guidelines \(Part 1\)](#)

[\[1744\] Agricultural Stewardship Act Guidelines \(Part 2\)](#)

[\[751\] Virginia Cooperative Gypsy Moth Suppression Program, 2009 Guidelines](#)

[\[756\] Virginia Entry Requirements for Honey Bee Hives and Appliances](#)

## Pesticide Control Board

### Guidance Documents:

[Administrative Procedure for Processing Violations for Civil Penalty Assessment and Actions on Certificates, Licenses, and Registrations](#)

[Interpreting PPE Standards on Pesticide Labels](#)

[USDA Restricted Use Pesticide Recordkeeping and WPS Pesticide Application Information Requirements](#)

[Agents of the VA Cooperative Extension Program Proctoring Commercial Applicator Examinations](#)

[Answering Telephone Requests for Pesticide Applicator or Pesticide Business License Examination Scores](#)

[Applicator Recertification Options; Approval Procedures for Recertification Courses](#)

[Applicator Testing in Order to Recertify](#)

[Commercial Carpet Cleaners who Apply Pesticides for Flea and Tick Control](#)

[Guidelines for Enforcement of the Virginia Pesticide Control Act](#)

[Handling of Information Changes on Applications for Recertification](#)

[How to Handle a Situation when a Person Applies for a Commercial Applicator Certificate and a Pesticide Business License at the Same Time](#)

[How to Handle Requests for Reinstatement, without Reexamination, of Expired Certificates Beyond the 60-Day Grace Period](#)

[Interpretation of Whether a Person Needs a Private Certificate or a Commercial Certificate to Engage in Producing Agricultural Commodities on Private Property](#)

[Issuance of Duplicate Applicator Certificates and Business Licenses](#)

[Issuance, Use, and Handling of Letters of Authorization \(LOA\) to Take Commercial Pesticide Applicator Certification Examination](#)

[Pesticide Applicator Reexamination Intervals](#)

[Requests for Lists of Certified Applicators; Licensed Pesticide Businesses, and/or Registered Pesticide Products](#)

[Supervision of Registered Technicians \(Including Government Employees and Not-for-Hire Individuals\)](#)

[Worker Protection Standard--Self Inspection Checklist](#)

## State Milk Commission

### Guidance Documents:

[2727] VA State Milk Commission Monthly Report Audit Manual

[2728] Informational Memorandum VASMC B92-1

[2729] Informational Memorandum VASMC B92-2

[2730] Informational Memorandum VASMC B93-2

[2730] Informational Memorandum VASMC B93-3

[2732] Informational Memorandum VASMC B93-4

[2733] Informational Memorandum VASMC B93-5

## DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Copies of guidance documents may be viewed during regular workdays from 8:15 a.m. until 5 p.m. in the office of the Virginia Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, VA 23220. Copies may be obtained free of charge from and questions regarding interpretation or implementation of these documents may be directed to W. Curtis Coleburn, Chief Operating Officer, at the same address, telephone (804) 213-4409, FAX (804) 213-4411, or email at [curtis.coleburn@abc.virginia.gov](mailto:curtis.coleburn@abc.virginia.gov). Guidance documents are available electronically for no charge on the Virginia Regulatory Town Hall, [www.townhall.virginia.gov](http://www.townhall.virginia.gov).

### Guidance Documents:

[Circular Letter 06-01](#)

[Circular Letter 06-02](#)

[Circular Letter 06-03](#)

[Circular Letter 06-04](#)

[Circular Letter 07-01](#)

[Circular Letter 07-02](#)

[Circular Letter 07-03](#)

[Circular Letter 07-04](#)

[Circular Letter 07-05](#)

[Circular Letter 07-08](#)

[Circular Letter 92-1](#)

[Foam Board Advertising Approval](#)

[Licensee Bulletin Vol. 56, No.2](#)

[\[Issued Quarterly\] Licensee Newsletter - Spring 2003](#)

## Alcoholic Beverage Control Board

### Guidance Documents:

[Application for ABC License](#)

[Circular Letter 01-2](#)

[Circular Letter 08-01](#)

[Circular Letter 1-01](#)

[Circular Letter 1-04](#)

[Circular Letter 2-04](#)

[Circular Letter 84-3](#)

[Circular Letter 84-4](#)

[Circular Letter 84-7](#)

[Circular Letter 84-8](#)

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# Guidance Documents

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[Circular Letter 85-3](#)

[Circular Letter 85-5](#)

[Circular Letter 85-6](#)

[Circular Letter 85-9](#)

[Circular Letter 87-1](#)

[Circular Letter 87-2](#)

[Circular Letter 88-2](#)

[Circular Letter 88-3](#)

[Circular Letter 89-1](#)

[Circular Letter 89-4](#)

[Circular Letter 90-1](#)

[Circular Letter 90-2](#)

[Circular Letter 90-4](#)

[Circular Letter 92-1](#)

[Circular Letter 92-2](#)

[Circular Letter 94-1](#)

[Circular Letter 98-1](#)

[Circular Letter 98-2](#)

[Farm Winery Remote – Festivals Bulletin.](#)

[Licensee Bulletin - Vol.56, No.1](#)

[Licensee Bulletin Vol. 56 , No. 4](#)

[Licensee Bulletin Vol.56, No.3](#)

[Retail Licensee Guide](#)

[Virginia's Licensing Process](#)

[Wholesale Licensee Bulletin](#)

## VIRGINIA COMMISSION FOR THE ARTS

Copies of the following document may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of the Virginia Commission for the Arts, Lewis House, 2nd Floor, 223 Governor Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Lorraine Lacy at the same address, telephone (804) 225-3132, FAX (804) 225-4327 or email [arts@arts.virginia.gov](mailto:arts@arts.virginia.gov). The document may be found on the Virginia Commission for the Arts homepage (<http://www.arts.virginia.gov>).

Questions regarding interpretation or implementation of this document may be directed to Peggy Baggett, Executive Director, at the address above or email [peggy.baggett@arts.virginia.gov](mailto:peggy.baggett@arts.virginia.gov).

## Guidance Document:

Guidelines for Funding ([http://www.arts.virginia.gov/grants/2008-2010GuidelinesforFunding\\_fin.pdf](http://www.arts.virginia.gov/grants/2008-2010GuidelinesforFunding_fin.pdf)), revised July 1, 2008 - June 30, 2010

## BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [AudBD@dhp.virginia.gov](mailto:AudBD@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Lisa R. Hahn, Executive Director of the Board, at the address above or by telephone at (804) 367-4630. Copies are free of charge.

## Guidance Documents:

30-2, By-Laws of the Board of Audiology and Speech-Language Pathology, amended October 9, 2008

30-3, Board guidance on use of confidential consent agreements, re-adopted October 9, 2008

30-4, Board guidance for process of delegation of informal fact-finding to an agency subordinate, November 4, 2004

30-5, Board guidance on meeting continuing competency requirements, revised October 9, 2008

## DEPARTMENT OF AVIATION

Copies of the referenced document may be viewed during normal business days from 8 a.m. until 5 p.m. at the Virginia Department of Aviation, 5702 Gulfstream Road, Richmond, VA 23250-2422. Single copies may be obtained free of charge by contacting Cherry A. Evans at the same address, telephone (804) 236-3631, FAX (804) 236-3635 or email [cherry.evans@doav.virginia.gov](mailto:cherry.evans@doav.virginia.gov). The referenced guidance document can also be found on line at [www.doav.virginia.gov](http://www.doav.virginia.gov) in either text form or through links to source depositories.

Questions regarding interpretation of these documents may be directed to Cherry A. Evans, Director of Communications and Education, Virginia Department of Aviation, 5702 Gulfstream Road, Richmond, VA 23250-2422, telephone (804) 236-3631, FAX (804) 236-3635 or email [cherry.evans@doav.virginia.gov](mailto:cherry.evans@doav.virginia.gov).

## Guidance Document:

Commonwealth of Virginia Airport Program Manual updated April 2006, 24VAC5-20. The Virginia Aviation Regulations

(24VAC5-20) and the Airport Program Manual address all state requirements for topics including, but not limited to (1) public airport sponsors, (2) private airport registration, (3) pilots, (4) aircraft owners, (5) aircraft licenses and insurance, (6) aerial applicators, (7) aircraft dealers, and associated businesses, and (8) obstructions to airspace.

### **DEPARTMENT FOR THE BLIND AND VISION IMPAIRED**

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 4:30 p.m. at the administrative headquarters building of the Virginia Department for the Blind and Vision Impaired, 397 Azalea Avenue, Richmond, VA 23227. Please note that Policy and Procedures Directives are issued occasionally for the purpose of updating program service manuals. Copies of these documents, as well as those listed below, may be obtained at a cost of \$.10 per page by contacting Kathy C. Proffitt at the same address, telephone (804) 371-3145, FAX (804) 371-3157 or email [kathy.proffitt@dbvi.virginia.gov](mailto:kathy.proffitt@dbvi.virginia.gov).

Questions regarding the interpretation or implementation of these documents may be directed to Eva F. Ampey, Special Assistant to the Commissioner, Virginia Department for the Blind and Vision Impaired, Richmond, VA 23227, telephone (804) 371-3110, FAX (804) 371-3351 or email [eva.ampey@dbvi.virginia.gov](mailto:eva.ampey@dbvi.virginia.gov).

#### **Guidance Documents:**

Randolph-Sheppard Vending Facility Program Operators Manual, issue March 1992, 22VAC45-20

Rehabilitation Teaching and Independent Living Services Policy and Procedure Manual, revised October 2008, 22VAC45-70 and 22VAC45-80

Virginia Department for the Blind and Vision Impaired Library and Resource Application for Service, revised January 2008

Library and Resource Center Policy and Procedures Manual for Educators of the Visually Impaired, revised October 1999

Education Services Policy and Procedure Manual, revised October 2008, § 22.1-217

Virginia Rehabilitation Center for the Blind and Vision Impaired Operations Manual, revised November 2004, § 51.5-73

VRCBVI Student Handbook, revised September 2008

Vocational Rehabilitation Policies and Procedures Manual, revised August 2008, 22VAC45-50

Low Vision Policies and Procedures Manual, revised August 2007

Orientation and Mobility Policy and Procedure Manual, revised September 2005

Policy and Procedures Directives, issued periodically to update service program manuals

### **VIRGINIA DEPARTMENT OF BUSINESS ASSISTANCE**

Copies of the following document may be viewed during regular workdays from 8 a.m. until 5 p.m. in the offices of the Virginia Department of Business Assistance, 707 E. Main Street, Suite 300, Richmond, VA 23219. Copies may be obtained free of charge by contacting Elizabeth J. Moran at the same address, telephone (804) 371-8260, FAX (804) 371-2115 or email [elizabeth.moran@vdba.virginia.gov](mailto:elizabeth.moran@vdba.virginia.gov).

Questions regarding interpretation or implementation of the Virginia Department of Business Assistance Workforce Services Jobs Investment Program Guidelines may be directed to Preston Wilhelm, Director, Workforce Services, Department of Business Assistance, 707 East Main Street, Richmond, VA 23219, telephone (804) 371-8132, FAX (804) 371-8137, or email [preston.wilhelm@vdba.virginia.gov](mailto:preston.wilhelm@vdba.virginia.gov).

#### **Guidance Documents:**

Virginia Department of Business Assistance Workforce Services Jobs Investment Program Guidelines, June 30, 2006. § 2.2-902 A 1 of the Code of Virginia.

### **STATE CERTIFIED SEED BOARD**

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Certified Seed Board, 330 Smyth Hall, Blacksburg, VA 24061. Copies may be obtained free of charge by contacting Dr. Steve Hodges at the same address, telephone (540) 231-9775 or FAX (540) 231-3431.

Questions regarding interpretation or implementation of this document may be directed to David Whitt, Agricultural Program Manager, 9225 Atlee Branch Road, Mechanicsville, VA 23116, telephone (804) 746-4884 or FAX (804) 746-9447.

State Certified Seed Board Annual Report, 2000

State Certified Seed Board Annual Report, 2001

State Certified Seed Board Annual Report, 2002 - 2003

State Certified Seed Board Annual Report, 2004

State Certified Seed Board Annual Report, 2005

State Certified Seed Board Annual Report, 2006

State Certified Seed Board Annual Report, 2007

State Certified Seed Board Annual Report, 2008

### **CHRISTOPHER NEWPORT UNIVERSITY**

Copies of the following documents may be viewed during regular workdays from 8 a.m. until 5 p.m. in the Office of

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## Guidance Documents

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Institutional Research, Analysis and Reports, 1 University Place, Newport News, Virginia, 23606. Copies may be obtained free of charge by contacting Carol Safko, Director of Reports at the same address, FAX (757) 594-7508, telephone (757) 594-7609 or email [irar@cnu.edu](mailto:irar@cnu.edu) or through Town Hall. Internet addresses for accessing the documents are listed below.

Questions regarding interpretation or implementation of these documents may also be directed to Carol Safko, Director of Reports, at the same address

### Guidance documents:

Undergraduate Course Catalog and academic policies, revised June 2008, <http://undergradcatalog.cnu.edu/>

Graduate Course Catalog and academic policies, revised May 2008, <http://gradstudies.cnu.edu/gradcat.pdf>

Student Handbook, revised August 2008, [http://studentlife.cnu.edu/pdf/student\\_handbook.pdf](http://studentlife.cnu.edu/pdf/student_handbook.pdf)

Residence Hall Handbook, revised August 2007, <http://studentlife.cnu.edu/pdf/residencelife/2007Handbook1.pdf>

University Handbook, revised May 2008, <http://public.cnu.edu/uhandbook/uhandbook09.pdf>

Adjunct Faculty Handbook, revised May 2008, [http://provost.cnu.edu/documents/08\\_adjunctfac\\_hndbk.pdf](http://provost.cnu.edu/documents/08_adjunctfac_hndbk.pdf)

CNU Clery Report, revised May 2006, <http://police.cnu.edu/pdf/06clery.pdf>

### VIRGINIA CODE COMMISSION

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Code Commission, General Assembly Building, 2nd Floor, 910 Capitol Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Terri Edwards at the same address, telephone (804) 786-3591, FAX (804) 692-0625 or email [tedwards@dls.virginia.gov](mailto:tedwards@dls.virginia.gov). Internet addresses for accessing the documents are found below.

Questions regarding interpretation or implementation of these documents may be directed to Jane Chaffin, Registrar of Regulations, Virginia Code Commission, General Assembly Building, 2nd Floor, 910 Capitol Street, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625 or email [jchaffin@dls.virginia.gov](mailto:jchaffin@dls.virginia.gov).

### Guidance Documents:

Form, Style and Procedure Manual for Publication of Virginia Regulations, Seventh Edition, (<http://register.dls.virginia.gov/StyleManual.doc>), revised November 2008, § 2.2-4104

### VIRGINIA COMMUNITY COLLEGE SYSTEM

Copies of the following document may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Community College System, James Monroe Building, 101 N. 14th Street, 15th Floor, Richmond, VA 23219. Copies may be obtained by contacting Ms. Sharon Hutcheson at the same address, telephone (804) 819-4910, FAX (804) 819-4761 or email [shutcheson@vccs.edu](mailto:shutcheson@vccs.edu). The document may be downloaded from the Virginia Community College System homepage (<http://www.vccs.edu>).

Questions regarding interpretation or implementation of this document may be directed to Dr. Glenn DuBois, Chancellor, Virginia Community College System, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4903, FAX (804) 819-4760, or email [gdubois@vccs.edu](mailto:gdubois@vccs.edu).

### Guidance Document:

Virginia Community College System Policy Manual, (approximately 319 pages), revised July 17, 2008, §§ 23-214 through 23-231.1, \$25.

### DEPARTMENT OF CONSERVATION AND RECREATION

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the Office of the Director of the Department of Conservation and Recreation, 203 Governor Street, Suite 302, Richmond, VA 23219. The Director's Office serves as the central repository for the Department of Conservation and Recreation, the Board of Conservation and Recreation, the Virginia Soil and Water Conservation Board, the Chesapeake Bay Local Assistance Board, the Virginia Cave Board, the Virginia Scenic River Board, the Chippokes Plantation Farm Foundation, the Virginia Land Conservation Foundation, and the Virginia Outdoors Foundation. Individual copies of listed publications may be obtained free of charge, unless a price is listed, by contacting the Regulatory Coordinator at the above address, telephone (804) 786-6124 or FAX (804) 786-6141. Most manuals and reports listed without a price attached were produced in very limited quantities and are available for copying charges. For documents with a cost associated, please refer to the document listings. Individual copies of certain documents may also be viewed at the department's divisional headquarters and in some cases at regional or district offices or at Virginia State Parks.

Questions regarding interpretation or implementation of these documents may be directed to David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor Street, Suite 302, Richmond, VA 23219, telephone (804) 786-2291 or FAX (804) 786-6141. Other staff may be assigned by the Director or Mr. Dowling to answer specific questions regarding these documents.

## Guidance Documents:

### Division of Dam Safety and Floodplain Management

DCR - DS - 006, The Floodplain Management Plan for the Commonwealth of Virginia, 2005 Revised Plan, 12/01/2005, §§ 10.1-600 through 10.1-603

DCR - DS - 009, Virginia Citizen's Guide to Floodplain Management, 12/01/2005. §§ 10.1-600 through 10.1-603

DCR - DS - 010, Virginia Local Officials Guide to Floodplain Management, 12/01/2005, §§ 10.1-600 through 10.1-603

### Division of Natural Heritage

DCR - NH - 059, Natural Heritage Information Services, 12/01/2007, §§ 10.1-209 through 10.1-217

DCR - NH - 061, Natural Heritage Technical Document No. 95-9, North Landing River Natural Area Preserve Resource Management Plan, First Edition, 02/15/1995, §§ 10.1-209 through 10.1-217, cost: \$25 (spiral bound report, shipping and handling included)

DCR - NH - 062, Natural Heritage Technical Document No. 95-10, Bethel Beach Natural Area Preserve Resource Management Plan, First Edition, 02/15/1995, §§ 10.1-209 through 10.1-217, cost: \$25 (spiral bound report, shipping and handling included)

DCR - NH -063, Natural Heritage Ranks - Definition of Abbreviations Used on Natural Heritage Resource Lists of the Virginia Department of Conservation and Recreation, 05/01/1996, §§ 10.1-209 through 10.1- 217

DCR - NH - 064, Natural Heritage Resources of Virginia - Rare Animal Species, Natural Heritage Technical Report 06-10, 06/01/2006, §§ 10.1-209 through 10.1-217

DCR - NH - 065, The Natural Communities of Virginia: Classification of Ecological Community Groups - Second Approximation, Natural Heritage Technical Report 04 - 01, 01/01/2004, §§ 10.1-209 through 10.1-217

DCR - NH - 066, Natural Heritage Resource Fact Sheet - Conserving Endangered Species (brochure), 07/01/1997, §§ 10.1-209 through 10.1-217

DCR - NH - 067, Native Plants for Conservation, Restoration and Landscaping - Master List (comb-bound booklet), 07/01/1997, §§ 10.1-209 through 10.1-217

DCR - NH - 068, Virginia Natural Heritage Program Twelve Year Report, 06/01/1998, §§ 10.1-209 through 10.1-217

DCR - NH - 071, Bull Run Mountains Natural Area Preserve Resource Management Plan, First Edition, 12/01/2004, §§ 10.1-209 through 10.1-217, cost: \$25 (spiral bound report, shipping and handling included)

DCR - NH - 072, Chub Sandhill Natural Area Preserve Resource Management Plan, First Edition, 12/01/2004, §§ 10.1-209 through 10.1-217, cost: \$25 (spiral bound report, shipping and handling included)

DCR - NH - 073, Chotank Creek Natural Area Preserve Resource Management Plan, First Edition, 12/01/2004, §§ 10.1-209 through 10.1-217, cost: \$25 (spiral bound report, shipping and handling included)

DCR - NH - 074, Virginia's Precious Heritage: A Report on the Status of Virginia's Natural Communities, Plants, and Animals, and a Plan for Preserving Virginia's Natural Heritage Resources, 2003, §§ 10.1-209 through 10.1-217, cost: \$5 (dvd, shipping and handling included)

DCR - NH - 075, Natural Heritage Resources of Virginia - Rare Plants, Natural Heritage Technical Report 07-13, 05/01/2007, §§ 10.1-209 through 10.1-217

### Division of Planning and Recreation Resources

DCR - PRR - 001, 2007 Virginia Outdoors Plan, 2008 [a plan for meeting Virginia's outdoor recreational needs and conserving the environment (a 716 page document)], §§ 10.1-200 and 10.1-207, cost: \$48 plus \$7 for shipping and handling - CD Rom version available for \$2.50 plus \$1.50 shipping and handling

DCR - PRR - 002, Virginia Recreational Trails Fund Program, 11/01/2006 (project application for the grant program established for the purposes of providing and maintaining recreational trails and trails-related facilities), § 10.1-200

DCR - PRR - 003, Land & Water Conservation Fund Grant Application Manual 2007, 09/07/2007 (describes the Virginia Outdoors Fund Grant Program and provides appropriate application instructions and forms), § 10.1-200

DCR - PRR - 010, Bear Creek State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 09/06/2002, and adopted by Joseph H. Maroon, 12/06/2002, §§ 10.107, 10.1-200 and 10.1-200.1

DCR - PRR - 011, Belle Isle State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/07/1998, and adopted by David G. Brickley, 12/29/1998. The master plan was given a 5-year review by the Board of Conservation and Recreation on 11/04/2004 and was renewed by Joseph H. Maroon on 12/16/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 012, Caledon Natural Area Master Plan, Reviewed by the Board of Conservation and Recreation on 12/07/1998, and adopted by David G. Brickley, 12/29/1998. The master plan was given a 5-year review by the Board of Conservation and Recreation on 11/04/2004 and was renewed by Joseph H. Maroon on 12/16/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

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## Guidance Documents

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DCR - PRR - 013, Chippokes State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/02/1999, adopted by David G. Brickley, 05/16/2000. The Master Plan was revised and reviewed by the Board of Conservation and Recreation on 04/26/2006 and adopted by Joseph H. Maroon on 11/14/2006, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 014, Claytor Lake State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/12/2000, and adopted by David Brickley, 03/06/2001. The Master Plan was revised and reviewed by the Board of Conservation and Recreation on 08/04/2006 and adopted by Joseph H. Maroon on 08/12/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 015, Douthat State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/07/1998, and adopted by David G. Brickley, 12/29/1998. The master plan was given a 5-year review by the Board of Conservation and Recreation on 11/04/2004 and was renewed by Joseph H. Maroon on 12/16/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 016, False Cape State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/07/1998, and adopted by David G. Brickley, 12/29/1998. The master plan was given a 5-year review by the Board of Conservation and Recreation on 11/04/2004 and was renewed by Joseph H. Maroon on 12/16/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 017, First Landing State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 09/27/1999, and adopted by David G. Brickley, 11/15/1999. The Master Plan was given a 5-year review by the Board of Conservation and Recreation on 11/04/2004 and renewed by Joseph H. Maroon on 12/17/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 018, Hungry Mother State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/12/2000, and adopted by David G. Brickley, 03/06/2001, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 019, James River State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/07/1998, and adopted by David G. Brickley, 12/29/1998. The master plan was given a 5-year review by the Board of Conservation and Recreation on 11/04/2004 and was renewed by Joseph H. Maroon on 12/16/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 020, Kiptopeke State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/12/2000, and adopted by David G. Brickley, 03/11/2001, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 021, Lake Anna State Park Master Plan, Reviewed by the Board of Conservation and Recreation on

11/30/2001, and adopted by David G. Brickley, 01/08/2002. The Master Plan was revised and reviewed by the Board of Conservation and Recreation on 11/04/2004 and adopted by Joseph H. Maroon on 12/16/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 022, Mason Neck State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 06/17/2003, and adopted by Joseph H. Maroon, 02/19/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 023, New River Trail State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 04/26/1999, and adopted by David G. Brickley, 11/15/1999. The Master Plan was revised and reviewed by the Board of Conservation and Recreation on 01/08/2004 and approved by Joseph H. Maroon on 09/09/2005, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 024, Natural Tunnel State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/02/1999, and adopted by David G. Brickley, 05/16/2000, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 025, Occoneechee State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 11/07/2002, and adopted by Joseph H. Maroon, 06/09/2003. The Master Plan was revised and reviewed by the Board of Conservation and Recreation on 01/04/2005 and adopted by Joseph H. Maroon on 03/14/2005, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 026, Pocahontas State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/07/1998, and adopted by David G. Brickley, 12/29/1998. The master plan was given a 5-year review by the Board of Conservation and Recreation on 11/04/2004 and was renewed by Joseph H. Maroon on 12/16/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 027, Raymond R. "Andy" Guest Jr./Shenandoah River State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/12/2000, and adopted by David G. Brickley, 03/11/2001. The Master Plan was revised and reviewed by the Board of Conservation and Recreation on 04/29/2006 and adopted by Joseph H. Maroon on 11/14/2006, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 028, Sailor's Creek State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 09/06/2002, and adopted by Joseph H. Maroon, 12/04/2002, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 029, Sky Meadows State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 06/17/2003, and adopted by Joseph H. Maroon, 02/19/2004, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 030, Smith Mountain Lake State Park Master Plan, Reviewed by the Board of Conservation and Recreation

on 11/07/2002, and adopted by Joseph H. Maroon, 06/06/2003, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 031, Staunton River Battlefield State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 12/07/1998, and adopted by David G. Brickley, 12/29/1998, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 032, Wilderness Road State Park Master Plan (formerly Karlan State Park), Reviewed by the Board of Conservation and Recreation on 06/30/1998 and 12/07/1998, and adopted by David G. Brickley on 07/02/1998 and 12/14/1998, updated 03/21/2002, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 033, Grayson Highlands State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 01/08/2004, and adopted by Joseph H. Maroon, 09/09/2005, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 034, Leesylvania State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 01/08/2004, and adopted by Joseph H. Maroon, 09/09/2005, §§ 10.1-107, 10.1-200 and 10.1-200.1

DCR - PRR - 035, Holiday Lake State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 01/06/2005, and adopted by Joseph H. Maroon, 12/20/2005, §§ 10.1-107, 10.1-200 and 10.1-200

DCR - PRR - 036, Twin Lakes State Park Master Plan, Reviewed by the Board of Conservation and Recreation on January 6, 2005, and adopted by Joseph H. Maroon, 12/20/2005, §§ 10.1-107, 10.1-200 and 10.1-200.

DCR - PRR - 037, York River State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 06/02/2005 and adopted by Joseph H. Maroon on 01/10/2006, §§ 10.1-107, 10.1-200 and 10.1-200.

DCR - PRR - 038, Westmoreland State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 06/02/2005 and adopted by Joseph H. Maroon on 01/10/2006, §§ 10.1-107, 10.1-200 and 10.1-200

DCR- PRR- 039, Fairy Stone State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 01/08/2004 and adopted by Joseph H. Maroon, 12/20/2005, §§ 10.1-107, 10.1-200 and 10.1-200

DCR- PRR- 040, Powhatan State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 11/30/2006 and adopted by Joseph H. Maroon, 02/22/2007, §§ 10.1-107, 10.1-200 and 10.1-200

DCR- PRR- 041, High Bridge State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 11/30/2006 and adopted by Joseph H. Maroon, 02/22/2007, §§ 10.1-107, 10.1-200 and 10.1-200

DCR- PRR- 042, Seven Bends State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 08/01/2008 and adopted by Joseph H. Maroon, 11/26/2008, §§ 10.1-107, 10.1-200 and 10.1-200

DCR – PRR – 043, Widewater State Park Master Plan, Reviewed by the Board of Conservation and Recreation on 08/01/2008 and adopted by Joseph H. Maroon, 11/26/2008, §§ 10.1-107, 10.1-200 and 10.1-200

## **Division of Soil and Water Conservation**

DCR - SW - 007, Virginia Nutrient Management Guidelines for Continuing Education Meetings, 05/01/1997, 4VAC5-15-40 A

DCR - SW - 008, Virginia Nutrient Management Certification Education and Experience Guidelines, Document currently under revision, 4VAC5-15-40 A

DCR - SW - 009, Virginia Nutrient Management Application Instruction Packet, 10/01/1997, 4VAC5-15-40 A 1

DCR - SW - 010, Virginia Nutrient Management Standards and Criteria, 10/01/2005, 4VAC5-15

DCR - SW - 014, DCR Guidance for Crop Nutrient Recommendations for Hay/Pasture Fields, 01/01/2001, 4VAC5-15-150

DCR - SW - 015, DCR Guidance for Fall Applied Manure Nitrogen Rates for Small Grains, Document currently under revision, 4VAC5-15-150

DCR - SW - 016, DCR Guidance for Manure Storage Facilities for Nutrient Management Plans Developed for a VPA Permit, 01/01/2001, 9VAC25-192

DCR – SW – 017, Grant Project Management Manual, 12/01/07

## **Division of State Parks**

DCR - SP - 001, Virginia State Parks, Bear Creek Lake State Park Guide, revised 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 002, Virginia State Parks, Belle Isle State Park Guide, 05/01/1995, §§ 10.1-200 and 10.1-201

DCR - SP - 003, Virginia State Parks, Caledon Natural Area Guide, 06/01/1995, §§ 10.1-200 and 10.1-201

DCR - SP - 004, Virginia State Parks, Chippokes Plantation State Park, 06/01/2003, §§ 10.1-200 and 10.1-201

DCR - SP - 005, Virginia State Parks, Claytor Lake State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 006, Virginia State Parks, Douthat State Park Facilities Guide, 10/01/2003, §§ 10.1-200 and 10.1-201

DCR - SP - 007, Virginia State Parks, Douthat State Park Trails Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

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DCR - SP - 008, Virginia State Parks, Fairy Stone State Park Facilities Guide, 12/01/2007, §§ 10.1-200 and 10.1-201

DCR - SP - 009, Virginia State Parks, False Cape State Park Guide, 04/01/1993, §§ 10.1-200, 10.1-201, and 10.1-205

DCR - SP - 010, Virginia State Parks, First Landing State Park and Natural Area Trail Guide, 12/01/2008, §§ 10.1-200 and 10.1-201

DCR - SP - 011, Virginia State Parks, Grayson Highlands State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 012, Virginia State Parks, Holliday Lake State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 013, Virginia State Parks, Hungry Mother State Park Guide, 05/01/1998, §§ 10.1-200 and 10.1-201

DCR - SP - 014, Virginia State Parks, James River State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 015, Virginia State Parks, Kiptopeke State Park Guide, 12/01/2006, § 10.1-200 and 10.1-201

DCR - SP - 016, Virginia State Parks, Lake Anna State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 017, Virginia State Parks, Leesylvania State Park, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 018, Virginia State Parks, Mason Neck State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 019, Virginia State Parks, Natural Tunnel State Park Guide, 07/01/1996, §§ 10.1-200 and 10.1-201

DCR - SP - 020, Virginia State Parks, New River Trail State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 021, Virginia State Parks, Occoneechee State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 022, Virginia State Parks, Pocahontas State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 024, Virginia State Parks, Raymond R. "Andy" Guest, Jr./Shenandoah River State Park, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 025, Shot Tower Historical State Park, 09/01/1998, §§ 10.1-200 and 10.1-201

DCR - SP - 026, Virginia State Parks, Sky Meadows State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 027, Virginia State Parks, Smith Mountain Lake State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201

DCR - SP - 028, Virginia State Parks, Staunton River State Park Guide, 04/01/1994, §§ 10.1-200 and 10.1-201

DCR - SP - 030, Virginia State Parks, Twin Lakes State Park Guide, 07/01/2003, §§ 10.1-200 and 10.1-201

DCR - SP - 032, Virginia State Parks, Westmoreland State Park Guide, 12/01/2006, §§ 10.1-200 and 10.1-201,

DCR - SP - 033, Wilderness Road State Park, 11/01/1999, §§ 10.1-200 and 10.1-201

DCR - SP - 034, Virginia State Parks, York River State Park Guide, 06/01/2000, §§ 10.1-200 and 10.1-201

DCR - SP - 035, Virginia State Parks, First Landing State Park and Natural Area Trail System Guide, 12/01/2008, §§ 10.1-200 and 10.1-201

DCR - SP - 036, The 2008 Virginia State Parks' Guide to Virginia State Parks, §§ 10.1-200 and 10.1-201

DCR - SP - 037, Virginia State Parks 2008 Outdoor Adventure Guide and Calendar, §§ 10.1-200 and 10.1-201

DCR - SP - 038, Virginia State Parks Fee Guide, 12/01/2008, §§ 10.1-200 and 10.1-201

DCR - SP - 039, Virginia State Parks, Bear Creek Lake State Park, Cumberland Multi-Use Trail Map and Guide, 04/01/2000, §§ 10.1-200 and 10.1-201

DCR - SP - 043, Virginia State Parks, Chippokes Farm and Forestry Museum, §§ 10.1-200 and 10.1-201

DCR - SP - 046, Virginia State Parks, Fairy Stone State Park Trail Guide, 10/01/2003, §§ 10.1-200 and 10.1-201

DCR - SP - 047, Virginia State Parks, First Landing State Park Facilities Guide, 12/01/2008, §§ 10.1-200 and 10.1-201

### **Chesapeake Bay Local Assistance Board**

DCR - CBLAB - 001, 1989 Atty. Gen. Ann. Rep, at 32 (to Delegate John G. Dicks, III, regarding vested rights), 10/19/1989, § 10.1-2115

DCR - CBLAB - 002, 1990 Atty. Gen. Ann. Rep, at 33 (to Prince William County Attorney Sharon E. Pandak, regarding septic system requirements), 09/10/1990, 9VAC10-20-120 (7)

DCR - CBLAB - 003, 1991 Atty. Gen. Ann. Rep, at 31 (to Delegate John C. Watkins, regarding grandfathering), 06/28/1991, § 10.1-2115

DCR - CBLAB - 004, 1991 Atty. Gen. Ann. Rep, at 36 (to Delegate George F. Allen, regarding unconstitutional taking of agricultural land), 07/02/1991, 9VAC10-20-130 B4

DCR - CBLAB - 005, 2001 Attorney General Opinion (letter to Michael D. Clower, CBLAD Executive Director) regarding the authority of the Chesapeake Bay Local Assistance Board to institute legal action to enforce the Chesapeake Bay Preservation Act and associated regulations, 11/26/2001, §§ 10.1-2103.10 and 10.1-2104, and 9VAC10-20-250

DCR - CBLAB - 006, 2002 Attorney General Opinion (letter to Leslie Kiduff, Jr., County Attorney for Northumberland County) regarding Equal Protection Clause of the

Constitution of the United States, 10/30/2002, 9VAC10-20-120 and 9VAC10-20-130 (5)

DCR - CBLAB - 007, Board Guidance Document: Agricultural Operations: Soil and Water Quality Conservation Assessment/Plans, 12/09/2002, 9VAC10-20-120 (9)

DCR - CBLAB - 009, Board Determination of Consistency Regarding Local Designation of Resource Protection Areas, 02/01/1992, 9VAC10-20-80

DCR - CBLAB - 011, Department Checklist Used to Evaluate the Consistency of Locally Adopted Ordinances With the Chesapeake Bay Preservation Act and CBLAB Regulations, § 10.1-2109 B

DCR - CBLAB - 012, Department Checklist Used to Evaluate the Consistency of Locally Proposed or Adopted Comprehensive Plans, 01/01/1992, § 10.1-2109 B

DCR - CBLAB - 013, Board Guidance Document: Resource Protection Area - Onsite Buffer Area Delineation, 09/16/2002, 9VAC10-20-105

DCR - CBLAB - 014, Board Guidance Document: Resource Protection Area - Buffer Area Encroachments, 09/16/2002, 9VAC10-20-130 (3)

DCR - CBLAB - 015, Board Guidance Document: Stormwater Management Requirements, 09/16/2002, 9VAC10-20-120 (8)

DCR - CBLAB - 016, Board Guidance Document: Silvicultural Operations, 09/16/2002, 9VAC10-20-120 (10)

DCR - CBLAB - 017, Board Guidance Document: Exceptions, 09/16/2002, 9VAC10-20-150 C

DCR - CBLAB - 018, Board Guidance Document: Nonconforming Structures and Uses, 09/16/2002, 9VAC10-20-150 A

DCR - CBLAB - 019, Board Guidance Document: Determinations of Water Bodies with Perennial Flow, 12/10/2007, 9VAC10-20-105

DCR - CBLAB - 020, Board Guidance Document: Resource Protection Areas: Permitted Development Activities, 09/19/2005, 9VAC10-20-130

DCR - CBLAB - 021, Board Guidance Document: Administrative Procedures for the Designation and Refinement of Chesapeake Bay Preservation Area Boundaries, 09/15/2008, 9VAC10-20-60

DCR - CBLAB - 022, Guidance Manual: Riparian Buffers Modification & Mitigation Manual, 09/15/2003, 9VAC10-20-130

DCR - CBLAB - 023, Memorandum of Understanding between the Chesapeake Bay Local Assistance Department and the Department of Forestry, 12/15/2000, 9VAC10-20-120-10

DCR - CBLAB - 024, Letter to Henrico County, 03/03/2000, regarding the location of fences in the RPA, 9VAC10-20-130

DCR - CBLAB - 025, Letter to Hanover County, 04/20/2000, regarding the location of fences in the RPA, 9VAC10-20-130

DCR - CBLAB - 069, Letter to all Tidewater Administrators, Mayors and Town and City Managers, 04/14/2004, regarding stream and wetland restoration in RPAs and vesting issues, 9VAC10-20-130.1.b and § 15.2-2307

DCR - CBLAB - 080, Board Guidance Document: Agricultural Operations, Appendices, 12/09/2002, 9VAC10-20-120 (9)

DCR - CBLAB - 085, Procedural Policies for Local Program Review, 06/16/2008, 9VAC10-20

DCR - CBLAB - 086, Resource Protection Areas: Nontidal Wetland, 12/10/2007, 9VAC10-20

### **Chippokes Plantation Farm Foundation**

DCR - CPFF - 002, Chippokes Farm and Forestry Museum brochure, 12/01/2004, §§ 3.1-22.6 through 3.1-22.12

DCR - CPFF - 003, Chippokes Calendar of Events brochure, §§ 3.1-22.6 through 3.1-22.12

DCR - CPFF - 005, SOL Programs Brochure, Chippokes Farm and Forestry Museum, §§ 3.1-22.6 through 3.1-22.12

DCR - CPFF - 006, Volunteering at the Chippokes Farm & Forestry Museum, 12/01/2002, §§ 3.1-22.6 through 3.1-22.12

DCR - CPFF - 007, Self-Guided Museum Tour Brochure, §§ 3.1-22.6 through 3.1-22.12

DCR - CPFF - 008, Self-Guided Farm Tour Brochure, §§ 3.1-22.6 through 3.1-22.12

### **Virginia Land Conservation Foundation**

DCR - VLCF - 002, Virginia Land Conservation Foundation's 2008 Grant Program Manual, 09/01/2008, §§ 10.1-1017 through 10.1-1026

DCR - VLCF - 003, Virginia Land Conservation Foundation's Land Preservation Tax Credits, Conservation Value Review Criteria, adopted 11/21/2006 and amended 08/07/2008, § 58.1-512

DCR - VLCF - 004, Procedural Guidelines for Land Conservation Tax Credits Conservation Value Review, 12/22/2006, § 58.1-512

DCR - VLCF - 005, Virginia's Land Preservation Tax Credit Brochure, 10/31/2007, § 58.1-512

DCR - VLCF - 006, Land Preservation Tax Credit Questions and Answers, 02/01/2008, § 58.1-512

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## Virginia Scenic River Board

DCR - VSRB- 002, Scenic River Designation Factsheet, 08/26/2005, §§ 10.1-400 and 10.1-402

DCR - VSRB - 003, A Guide to Citizen Involvement in the Scenic River Designation Process, 09/01/2005, §§ 10.1-400 and 10.1-402

DCR - VSRB - 004, Evaluation Criteria (evaluating and ranking of streams according to relative uniqueness or quality), § 10.1-401

DCR - VSRB - 006, Virginia's Scenic Rivers Program...its mission and process, 12/01/2006, §§ 10.1-400, 10.1-402 and 10.1-411

## Virginia Soil and Water Conservation Board

DCR - VSWCB - 002, Virginia Soil & Water Conservation Board Policy on Financial Assistance for Soil & Water Conservation Districts, 05/17/2007, §§ 10.1-502 through 10.1-505

DCR - VSWCB - 003, Financial Commitments for Establishment of a New Soil and Water Conservation District (SWCD/district), or Realignment of an Existing District, 10/15/2003

DCR - VSWCB - 004, Dam Safety Fact Sheet 1: Rodent Control on Earthfilled Dams, 10/01/2008, §§ 10.1-604 through 10.1-613.5

DCR - VSWCB - 005, Fact Sheet for Dam Ownership: Vegetation and Erosion Control on Earthfill Dams, 10/01/2008, §§ 10.1-604 through 10.1-613.5

DCR - VSWCB - 011, Virginia Stormwater Management Handbook, 12/01/1999, § 10.1-603.1, cost: \$78 (shipping and handling included)

DCR - VSWCB - 012, Stormwater Management Enforcement Manual, 11/01/2005, 4VAC50-60

DCR - VSWCB - 013, Virginia Erosion and Sediment Control Handbook, Third Edition, 12/01/1992, 4VAC5-30, §§ 10.1-560 through 10.1-571, cost: \$53 (shipping and handling included)

DCR - VSWCB - 014, Virginia Erosion and Sediment Control Field Manual, Second Edition, 12/01/1995, 4VAC5-30, §§ 10.1-560 through 10.1-571, cost: \$25 (shipping and handling included)

DCR - VSWCB - 015, Virginia Erosion and Sediment Control Handbook AutoCad Drawings, 4VAC5-30, §§ 10.1-560 through 10.1-571, cost: \$30 (shipping and handling included)

DCR - VSWCB - 018, Virginia Dam Safety, Flood Prevention & Protection Assistance Fund Loan and Grant Manual, 09/01/2007, § 10.1-603.16 et seq.

DCR - VSWCB - 019, Guidance Document on Impounding Structure Ownership, 09/25/2008, § 10.1-603.16 et seq.

## STATE CORPORATION COMMISSION

### Office of the Clerk of the Commission

Copies of the following forms and documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the State Corporation Commission, Clerk's Office, 1st Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Copies may be obtained free of charge by contacting the Clerk's Office by telephone at (804) 371-9733 or toll-free in Virginia at (866) 722-2551, or FAX (804) 371-9654. The forms may be downloaded from the Clerk's Office section on the State Corporation Commission's homepage ([www.scc.virginia.gov/clk/index.aspx](http://www.scc.virginia.gov/clk/index.aspx)).

Questions regarding interpretation or implementation of these forms/documents may be directed to Joel H. Peck, Clerk of the Commission, State Corporation Commission, 1st Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9834 or toll-free in Virginia, (866) 722-2551, or FAX (804) 371-9912. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197.

### Guidance Documents:

SCC 21.2, Expedited Service Request - Business Entity Filing, August 2007, § 12.1-21.2

SCC 544, Articles of Incorporation of a Virginia Professional Stock Corporation, revised July 2005, § 13.1-544

SCC 607/807, Guide for Articles of Correction for a Virginia Corporation, revised July 2008, §§ 13.1-607 and 13.1-807

SCC 615/815, Notice of Assessment of Annual Registration Fee (Corporate), revised annually, §§ 13.1-615 and 13.1-815

SCC 619, Articles of Incorporation of a Virginia Stock Corporation, revised July 2005, § 13.1-619

SCC 631/830, Application for Reservation or for Renewal of Reservation of a Corporate Name, revised March 2008, §§ 13.1-631 and 13.1-830

SCC 632/831, Application for Registration or for Renewal of Registration of Corporate Name (foreign corporations), revised July 2005, §§ 13.1-632 and 13.1-831

SCC 635/834, Statement of Change of Registered Office and/or Registered Agent of a Corporation, revised July 2005, §§ 13.1-635, 13.1-764, 13.1-834 and 13.1-926

SCC 636/835, Statement of Resignation of Registered Agent of a Corporation, revised July 2005, §§ 13.1-636, 13.1-765, 13.1-835 and 13.1-927

SCC 710, Guide for Articles of Amendment - Virginia Stock Corporation, revised April 2008, § 13.1-710

- SCC 710N, Articles of Amendment - Changing the Name of a Virginia Stock Corporation By Unanimous Consent of the Shareholders, revised July 2007, § 13.1-710
- SCC 711, Guide for Articles of Restatement of a Virginia Stock Corporation, revised April 2008, § 13.1-711
- SCC 720, Guide for Articles of Merger of a Virginia Stock Corporation, revised April 2008, § 13.1-720
- SCC 722.4, Guide for Articles of Domestication (Foreign stock corporation intending to become a Virginia stock corporation), revised April 2008, § 13.1-722.4
- SCC 722.5, Guide for Articles of Incorporation Surrender (Virginia stock corporation to be domesticated under the laws of another jurisdiction), revised April 2008, § 13.1-722.5
- SCC 722.12 - CORP, Guide for Articles of Entity Conversion (Virginia limited liability company converting to a Virginia stock corporation), revised April 2008, § 13.1-722.12
- SCC 722.12 - LLC, Guide for Articles of Entity Conversion (Virginia stock corporation converting to a Virginia limited liability company), revised July 2007, § 13.1-722.12
- SCC 743, Articles of Dissolution (Virginia stock corporation), revised July 2007, § 13.1-743
- SCC 744, Articles of Revocation of Dissolution (Virginia stock corporation), revised July 2007, § 13.1-744
- SCC 750, Articles of Termination of Corporate Existence (Virginia stock corporation), revised July 2007, § 13.1-750
- SCC 751, Articles of Termination of Corporate Existence (By the initial directors or the incorporators of a Virginia stock corporation), revised July 2007, § 13.1-751
- SCC 759/921, Application for a Certificate of Authority to Transact Business in Virginia, revised July 2005, §§ 13.1-759 and 13.1-921
- SCC 760/922, Application for an Amended Certificate of Authority to Transact Business in Virginia, revised July 2007, §§ 13.1-760 and 13.1-922
- SCC 767/929, Application for a Certificate of Withdrawal of a Foreign Corporation Authorized to Transact Business in Virginia, revised July 2007, §§ 13.1-767 and 13.1-929
- SCC 819, Articles of Incorporation - Virginia Nonstock Corporation, revised April 2008, § 13.1-819
- SCC 888, Guide for Articles of Amendment - Nonstock Corporation, revised April 2008, § 13.1-888
- SCC 888N, Articles of Amendment - Changing the Name of a Virginia Nonstock Corporation by Unanimous Consent of the Members or by the Directors Without Member Action, revised July 2007, § 13.1-888
- SCC 889, Guide for Articles of Restatement of a Virginia Nonstock Corporation, revised April 2008, § 13.1-889
- SCC 896, Guide for Articles of Merger of a Virginia Nonstock Corporation, revised April 2008, § 13.1-896
- SCC 898.4, Guide for Articles of Domestication (Foreign nonstock corporation intending to become a Virginia nonstock corporation), revised April 2008, § 13.1-898.4
- SCC 898.5, Guide for Articles of Incorporation Surrender (Virginia nonstock corporation to be domesticated under the laws of another jurisdiction), revised April 2008, § 13.1-898.5
- SCC 904, Articles of Dissolution (Virginia nonstock corporation), revised July 2007, § 13.1-904
- SCC 905, Articles of Revocation of Dissolution (Virginia nonstock corporation), revised July 2007, § 13.1-905
- SCC 912, Articles of Termination of Corporate Existence (Virginia nonstock corporation), revised July 2007, § 13.1-912
- SCC 913, Articles of Termination of Corporate Existence (By the initial directors or the incorporators of a Virginia nonstock corporation), revised July 2007, § 13.1-913
- SCC 1, Corporate Annual Report of Principal Office and Officers/Directors, revised annually, §§ 13.1-775 and 13.1-936
- LPA-73.3, Application for Reservation or for Renewal of Reservation of a Limited Partnership Name, revised July 2006, § 50-73.3
- LPA-73.5, Statement of Change of Registered Office and/or Registered Agent of a Limited Partnership, revised July 2007, § 50-73.5
- LPA-73.6, Statement of Resignation of Registered Agent of a Limited Partnership, revised July 2005, § 50-73.6
- LPA-73.11, Certificate of Limited Partnership, revised April 2008, § 50-73.11
- LPA-73.11:3, Certificate of Limited Partnership of a Domestic or Foreign Partnership Converting to a Virginia Limited Partnership, revised April 2008, § 50-73.11:3
- LPA-73.12, Certificate of Amendment of a Certificate of Limited Partnership, revised April 2008, § 50-73.12
- LPA-73.13, Certificate of Cancellation of a Certificate of Limited Partnership, revised April 2008, § 50-73.13
- LPA-73.54, Application for a Certificate of Registration to Transact Business in Virginia as a Foreign Limited Partnership, revised April 2008, § 50-73.54
- LPA-73.57, Certificate of Correction for a Foreign Limited Partnership, revised April 2008, § 50-73.57
- LPA-73.58, Certificate of Cancellation of a Certificate of Registration as a Foreign Limited Partnership, revised April 2008, § 50-73.58

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## Guidance Documents

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LPA-73.67, Limited Partnership Annual Registration Fee Notice, revised annually, § 50-73.67

LPA-73.77, Amended and Restated Certificate of Limited Partnership, revised April 2008, § 50-73.77

LLC-1010.1, Articles of Organization for Conversion of a Domestic or Foreign Partnership or Limited Partnership to a Limited Liability Company, revised April 2008, § 13.1-1010.1

LLC-1011, Articles of Organization of a Domestic Limited Liability Company, revised July 2006, § 13.1-1011

LLC-1011.1, Guide for Articles of Correction to the Articles of Organization of a Domestic Limited Liability Company, revised April 2008, § 13.1-1011.1

LLC-1013, Application for Reservation or for Renewal of Reservation of a Limited Liability Company Name, revised July 2006, § 13.1-1013

LLC-1014, Guide for Articles of Amendment - Virginia Limited Liability Company, revised April 2008, § 13.1-1014

LLC-1014NP, Articles of Amendment - Changing the Name and/or the Principal Office Address of a Virginia Limited Liability Company - By the Members, July 2008, § 13.1-1014

LLC-1014.1, Guide for Articles of Restatement of the Articles of Organization of a Virginia Limited Liability Company, revised April 2008, § 13.1-1014.1

LLC-1016, Statement of Change of Registered Office and/or Registered Agent of a Limited Liability Company, revised July 2006, § 13.1-1016

LLC-1017, Statement of Resignation of Registered Agent of a Limited Liability Company, revised July 2005, § 13.1-1017

LLC-1050, Articles of Cancellation of a Domestic Limited Liability Company, revised April 2008, § 13.1-1050

LLC-1050.1, Articles of Reinstatement of a Domestic Limited Liability Company (Voluntarily Canceled), revised July 2006, § 13.1-1050.1

LLC-1052, Application for Registration as a Foreign Limited Liability Company, revised April 2006, § 13.1-1052

LLC-1055, Certificate of Correction for a Foreign Limited Liability Company, revised April 2008, § 13.1-1055

LLC-1056, Certificate of Cancellation of a Certificate of Registration as a Foreign Limited Liability Company, revised April 2008, § 13.1-1056

LLC-1062, Limited Liability Company Annual Fee Notice, revised annually, § 13.1-1062

LLC-1077, Guide for Articles of Domestication (Foreign limited liability company intending to become a Virginia limited liability company), revised April 2008, § 13.1-1077

LLC-1078, Guide for Articles of Organization Surrender (Virginia limited liability company to be domesticated under the laws of another jurisdiction), revised April 2008, § 13.1-1078

LLC-1103, Articles of Organization for a Domestic Professional Limited Liability Company, revised July 2006, § 13.1-1103

UPA-93, Statement of Partnership Authority, revised April 2008, § 50-73.93

UPA-94, Statement of Denial for a Partnership, revised August 2006, § 50-73.94

UPA-115, Statement of Dissociation from a Partnership, revised January 2006, § 50-73.115

UPA-121, Statement of Dissolution of a Partnership, revised January 2006, § 50-73.121

UPA-83D-CANC, Cancellation of Partnership Statement (of any statement filed), revised January 2006, § 50-73.83 D

UPA-83D-AMEND, Amendment to Partnership Statement (of any statement filed), revised January 2006, § 50-73.83 D

UPA-83D-RENEW, Renewal of a Statement of Partnership Authority, revised May 2008, § 50-73.83 D

UPA-132, Statement of Registration as a Domestic Registered Limited Liability Partnership, revised July 2003, § 50-73.132

UPA-134, Annual Continuation Report of a Domestic or Foreign Registered Limited Liability Partnership, revised April 2008, § 50-73.134

UPA-135, Certificate of Change of Registered Office and/or Registered Agent of a Registered Limited Liability Partnership, revised July 2005, § 50-73.135

UPA-135-RESIGN, Certificate of Resignation of Registered Agent of a Registered Limited Liability Partnership, revised July 2005, § 50-73.135

UPA-136, Statement of Amendment of a Statement of Registration of a Domestic or Foreign Registered Limited Liability Partnership, revised April 2008, § 50-73.136

UPA-137, Statement of Cancellation of a Statement of Registration of a Domestic Registered Limited Liability Partnership, revised April 2006, § 50-73.137

UPA-138, Statement of Registration as a Foreign Registered Limited Liability Partnership, revised July 2004, § 50-73.138

UPA-139, Statement of Cancellation of Registration as a Foreign Registered Limited Liability Partnership, revised April 2006, § 50-73.139

BTA 1212, Articles of Trust of a Domestic Business Trust, revised July 2005, § 13.1-1212

BTA 1213, Guide for Articles of Correction to the Articles of Trust of a Domestic Business Trust, revised April 2008, § 13.1-1213

BTA 1215, Application for Reservation or for Renewal of Reservation of a Business Trust Name, revised July 2006, § 13.1-1215

BTA 1216, Guide for Articles of Amendment to the Articles of Trust of a Domestic Business Trust, revised April 2008, § 13.1-1216

BTA 1217, Guide for Articles of Restatement of the Articles of Trust of a Domestic Business Trust, revised April 2008, § 13.1-1217

BTA 1221, Statement of Change of Registered Office and/or Registered Agent of a Business Trust, revised July 2005, § 13.1-1221

BTA 1222, Statement of Resignation of Registered Agent of a Business Trust, revised July 2005, § 13.1-1222

BTA 1238, Articles of Cancellation of a Domestic Business Trust, revised April 2008, § 13.1-1238

BTA 1239, Articles of Reinstatement of a Domestic Business Trust (Voluntarily Canceled), revised July 2006, § 13.1-1239

BTA 1242, Application for Registration as a Foreign Business Trust, revised July 2005, § 13.1-1242

BTA 1245, Certificate of Correction for a Foreign Business Trust, revised April 2008, § 13.1-1245

BTA 1246, Articles of Cancellation of a Certificate of Registration as a Foreign Business Trust, revised April 2008, § 13.1-1246

SOP-19.1, Service of Process, Notice, Order or Demand on the Clerk of the State Corporation Commission as Statutory Agent, revised January 2006, § 12.1-19.1

UCC1, UCC Financing Statement, revised May 22, 2002, § 8.9A-509

UCC1Ad, UCC Financing Statement Addendum, revised May 22, 2002, § 8.9A-509

UCC1AP, UCC Financing Statement Additional Party, revised May 22, 2002, § 8.9A-509

UCC3, UCC Financing Statement Amendment, revised May 22, 2002, § 8.9A-512

UCC3Ad, UCC Financing Statement Amendment Addendum, revised July 29, 1998, § 8.9A-512

UCC3AP, UCC Financing Statement Amendment Additional Party, revised May 22, 2002, § 8.9A-512

UCC5, Correction Statement, revised May 27, 2004, § 8.9A-518

UCC11, National Information Request, revised May 9, 2001, 5VAC5-30-40

Charter Fee/Entrance Fee Scheduled for Domestic and Foreign Corporations, revised March 2008, §§ 13.1-615.1, 13.1-616, 13.1-815.1 and 13.1-816

Annual Corporation Requirements, revised February 2005, §§ 13.1-775, 13.1-775.1, 13.1-936 and 13.1-936.1

Business Registration Guide, A Cooperative Effort by the State Corporation Commission, the Virginia Employment Commission and the Department of Taxation, 8th Edition, revised 2005

Notice to Virginia Corporations, revised March 2008, § 13.1-601 et seq., § 13.1-801 et seq.

Notice to Foreign Corporations, revised March 2008, § 13.1-757 et seq., § 13.1-919 et seq.

Notice to Virginia Limited Liability Companies, revised March 2008, § 13.1-1000 et seq.

Notice to Foreign Limited Liability Companies, revised March 2008, § 13.1-1051 et seq.

EINFRM, Request for Refund, revised April 2006, §§ 13.1-615, 13.1-815, 13.1-1065, 13.1-1255, 50-73.70 and 50-73.83

## Division of Communications

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Division of Communications, State Corporation Commission, 9th Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218. Copies may be obtained by contacting Ms. Sheryl Ward at the same address, telephone (804) 371-9536, FAX (804) 371-9069 or email (Sheryl.Ward@scc.virginia.gov). Questions regarding interpretation or implementation of these documents may also be directed to Ms. Sheryl Ward. There is no charge for copies of documents. Additional information regarding the Division of Communications may be obtained by visiting <http://www.scc.virginia.gov/puc>.

## Guidance Documents:

Virginia Local Telephone Companies Telecommunications "Bill of Rights" adopted by Final Order in Case No. PUC-2003-00110 dated September 30, 2005.

Letter, Director of Communications, dated October 25, 1990, Advising All Companies That All Local and Toll Billing Must Be Kept for a Minimum of Three Years.

Letter, Director of Communications, dated October 21, 1997, Advising All Telecommunications Companies That: (1) No Applicant Can Be Refused Telephone Service Because of Another Person's Indebtedness, And (2) A Utility May Not Disconnect Local Service For Nonpayment of International

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## Guidance Documents

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and/or Interstate Dial-A-Porn/Pay-Per-Call Telephone Charges Billed By a Regulated or Nonregulated Long Distance Carrier Since These Are Nonregulated Services.

Letter, Director of Communications, dated November 1, 2006, Concerning and Clarifying the State Corporation Commission's new rules, effective December 1, 2006, on Disconnection of Local Exchange Telephone Service in Virginia for Nonpayment, 20VAC5-413.

Letter, Director of Communications, dated April 19, 2001, Concerning Interconnection Agreements Filed with the SCC. Gives direction on (i) names on agreements, (ii) timely filing of agreements, (iii) notice requirements, and (iv) replacing existing agreements.

Letter, Director of Communications, dated December 16, 2008, Concerning Annual Payphone Service Provider Registration for 2007 including the letter and the forms for the payphone service provider annual registration.

Letter, Director of Communications, dated December 16, 2008, Concerning Annual Operator Service Provider Registration for 2007 including the letter and the forms for the operator service provider annual registration.

Letter, Director of Communications, dated March 29, 2006, Concerning Telephone Company Sales and Use Tax Review and Verification.

Application for Registration as an Operator Service Provider, January 21, 2005, 20VAC5-407

Application for Registration as a Payphone Service Provider, January 21, 2005, 20VAC5-407

### **Division of Economics and Finance**

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the Division of Economics and Finance, State Corporation Commission, Tyler Building, 4th Floor, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218. Copies may be obtained free of charge by contacting Freida Bomgardner at the same address, telephone (804) 371-9295, FAX (804) 371-9935 or email [econfin@scc.virginia.gov](mailto:econfin@scc.virginia.gov). Some of the documents may be downloaded from the division's website at <http://www.scc.virginia.gov/eaf>.

Questions regarding interpretation or implementation of these documents may be directed to Howard Spinner, Director of the Division of Economics and Finance, State Corporation Commission, Tyler Building, 4th Floor, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9295, FAX (804) 371-9449 or email [econfin@scc.virginia.gov](mailto:econfin@scc.virginia.gov). The mailing address is P.O. Box 1197, Richmond, VA 23218.

### **Guidance Documents:**

Interest Rate to be Paid on Customer Deposits, revised December 15, 2006, 20VAC5-10-20, updated annually

Electric Utility Integrated Resource Planning Guidelines, revised December 23, 2008, §§ 56-597, 56-598 and 56-599

Gas Utility Five-Year Forecast Information Requirements, revised September 17, 1998, § 56-248.1

Instructions for Filing Securities Applications by Investor-Owned Utilities, revised June 20, 2000, § 56-60

Instructions for Filing Securities Applications by Electric Cooperative Utilities, revised June 20, 2000, § 56-60

Instructions for Submitting Annual Financing Plans by Investor-Owned Utilities, revised June 20, 2000, § 56-56

Instructions for Submitting Annual Financing Plans by Electric Cooperative Utilities, June 20, 2000, § 56-56

Instructions and Forms for June 30th Reporting Requirements for New Entrants and Certain ILECs, revised May 1, 2008, 20VAC5-417-60

Instructions and Forms for December 31st Reporting Requirements for New Entrants and Certain ILECs, revised May 1, 2008, 20VAC5-417-60

Instructions for Interexchange Telecommunications Carriers Annual Reporting, November 5, 2001, 20VAC5-411-50

### **Division of Energy Regulation**

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the SCC's Division of Energy Regulation, 4th Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218. Contact Sallie Holmes at the same address, telephone number (804) 371-9611, FAX (804) 371-9350 or email [sallie.holmes@scc.virginia.gov](mailto:sallie.holmes@scc.virginia.gov).

### **Guidance Documents:**

Questions regarding interpretation or implementation of these documents may be directed to Timothy Faherty, Manager, Consumer Services, at the above address and telephone number.

Memorandum to All Electric Utilities re: Underground electric distribution facilities, July 10, 1970, § 56-265.1 et seq.

Tree Trimming Guidelines, September 1, 1996, House Joint Resolution No. 155 - 1989 Acts of Assembly

Guidelines re: application requirements for a certificate of public convenience and necessity for water and sewerage utilities, November 1, 2006, § 56-265.1 et seq.

Guidelines of Minimum Requirements for Transmission Line Applications, May 10, 1991, §§ 56-46.1 and 56-265.1 et seq.

Letter to all electric and gas utilities re: collection of monthly bills (cold weather - termination of service) and filing of complaint procedures, November annually, § 56-247.1

Letter to electric cooperatives re: tree trimming items required to be compiled on an annual basis, February 26, 1990, House Joint Resolution No. 155 - 1989 Acts of Assembly

Letter to electric companies re: data required annually for tree trimming for utility line clearance, December 8, 1993, House Joint Resolution No. 155 - 1989 Acts of Assembly

Form NMN, Net Metering Interconnection Notification, September 2006, 20VAC5-315

## **Bureau of Financial Institutions**

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the Bureau of Financial Institutions, Tyler Building, 8th Floor, 1300 E. Main Street, Richmond, VA 23219. The mailing address is P.O. Box 640, Richmond, VA 23218-0640. Copies may be obtained free of charge by contacting Mary Lou Kelly at the same address, telephone (804) 371-9659, FAX (804) 371-9416 or email [marylou.kelly@scc.virginia.gov](mailto:marylou.kelly@scc.virginia.gov).

Questions regarding interpretation or implementation of these documents may be directed to E. J. Face, Jr., Commissioner of Financial Institutions, Bureau of Financial Institutions, Tyler Building, 8th Floor, 1300 E. Main Street, Richmond, VA 23219, telephone (804) 371-9659, FAX (804) 371-9416 or email [bfquestions@scc.virginia.gov](mailto:bfquestions@scc.virginia.gov). The mailing address is P.O. Box 640, Richmond, VA 23218-0640.

Guidance documents and other information are available online at the Bureau's website: <http://www.scc.virginia.gov/bfi>.

## **Guidance Documents:**

### Banking Act

BFI-AL-0201, Application for a Branch Office, revised and reissued July 1, 1999, §§ 6.1-39.3 and 6.1-194.26 of the Code of Virginia

BFI-AL-0202, Investments by Banks in Shares of Investment Companies, issued August 10, 1987, § 6.1-60.1 of the Code of Virginia

BFI-AL-0203, Loans Secured by Stock of Financial Institutions Holding Companies, revised and reissued January 22, 1996, §§ 6.1-60.1, 6.1-194.69 and 6.1-194.136 of the Code of Virginia

BFI-AL-0204, Investment in Community Development Corporations, issued September 8, 1988, § 6.1-60.1 of the Code of Virginia

BFI-AL-0205, Securities Rating Services, issued June 21, 1978, § 6.1-61 of the Code of Virginia

BFI-AL-0206, Loans in Violation of § 6.1-61, issued December 16, 1977, § 6.1-61 of the Code of Virginia

BFI-AL-0207, Obligations Subject to the Limits Specified, issued November 1, 1978, § 6.1-61 of the Code of Virginia

BFI-AL-0208, Exceptions to Lending Limits for State-Chartered Banks, issued December 16, 1977, §§ 6.1-61 A 2 and 6.1-61 A 7 of the Code of Virginia

BFI-AL-0209, Right of Offset by Holders of Subordinated Bank Debt, issued November 9, 1981, §§ 6.1-61 and 6.1-78 of the Code of Virginia

BFI-AL-0210, Loans Secured by Real Estate, revised and reissued August 8, 2005, §§ 6.1-63 through 6.1-66 of the Code of Virginia

BFI-AL-0212, Outside Auditor Access to Virginia Examination Reports, revised and reissued September 30, 2002, §§ 6.1-90 and 6.1-194.79 of the Code of Virginia

BFI-AL-0214, Responsibility of Directors for Legal Lending Limit Violations, issued May 7, 1991, § 6.1-61 D of the Code of Virginia

BFI-AL-0215, Bank-Owned Life Insurance, revised and reissued April 1, 2004, §§ 6.1-6, 6.1-11, 13.1-627 A 14, 13.1-627 A 15, and 38.2-302 A 3 of the Code of Virginia

### Savings Institutions Act

BFI-AL-0201, Application for a Branch Office, revised and reissued July 1, 1999, §§ 6.1-39.3 and 6.1-194.26 of the Code of Virginia

BFI-AL-0203, Loans Secured by Stock of Financial Institutions Holding Companies, revised and reissued January 22, 1996, §§ 6.1-60.1, 6.1-194.69 and 6.1-194.136 of the Code of Virginia

BFI-AL-0212, Outside Auditor Access to Virginia Examination Reports, revised and reissued September 30, 2002, §§ 6.1-90 and 6.1-194.79 of the Code of Virginia

BFI-AL-0301, Investment in Capital Stock of USL Savings Institutions Insurance Group, Ltd., issued February 12, 1987, §§ 6.1-194.4 and 6.1-194.69 (15) of the Code of Virginia

BFI-AL-0303, Investment by Virginia Savings Institutions in Shares of Open-End Management Investment Companies, issued August 12, 1987, § 6.1-194.69 (14) of the Code of Virginia

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# Guidance Documents

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## Credit Union Act

BFI-AL-0401, Investments of Funds by Credit Unions, reissued May 17, 1999, § 6.1-225.57 of the Code of Virginia

## Consumer Finance Act

BFI-AL-0601, Sales of Automobile Club Memberships, revised and reissued September 30, 2002, § 6.1-267 of the Code of Virginia

## Money and Interest

BFI-AL-0701, Judgment Rate of Interest, revised and reissued September 30, 2002, § 6.1-330.54 of the Code of Virginia

BFI-AL-0702, Charges on Subordinate Mortgage Loans by Certain Lenders, revised and reissued January 20, 2004, § 6.1-330.71 of the Code of Virginia

BFI-AL-0703, Rebate of Unearned Installment Loan Interest by Banks - Rule of 78, reissued July 1, 1990, §§ 6.1-330.84, 6.1-330.85, 6.1-330.86 and 6.1-330.89 of the Code of Virginia

## Mortgage Lender and Broker Act

BFI-AL-1601, Mortgage Brokers as Named Payee on Mortgage Loan Notes, revised and reissued July 21, 2004, § 6.1-409 of the Code of Virginia

BFI-AL-1603, Compensating, or Offering to Compensate, Unlicensed Mortgage Brokers, issued July 3, 1990, § 6.1-409 of the Code of Virginia

BFI-AL-1604, Funds Available to Licensed Mortgage Lenders for Business Operation, issued March 21, 1991, §§ 6.1-415 and 6.1-425 of the Code of Virginia

BFI-AL-1605, Compensation of Unlicensed Mortgage Brokers, revised and issued September 30, 2002, § 6.1-429 of the Code of Virginia

BFI-AL-1606, Charging "Assignment Fees" to Borrowers, revised and reissued September 30, 2002, § 6.1-330.70 of the Code of Virginia

BFI-AL-1607, Fees Charged by Mortgage Brokers, issued December 1, 1995, § 6.1-422 B 4 of the Code of Virginia

BFI-AL-1609, Minimum Mortgage Lender and Broker Surety Bond, issued May 22, 2001, § 6.1-413 of the Code of Virginia

BFI-AL-1610, Prepayment Penalties in Alternative Mortgage Transactions, issued February 18, 2004, §§ 6.1-330.83 and 6.1-330.85 of the Code of Virginia

BFI-AL-1611, Nontraditional Mortgage Products, issued March 29, 2007

## Payday Loan Act

BFI-AL-1801, Prohibition on Additional Security for Payday Loans, revised and reissued August 8, 2005, § 6.1-459 of the Code of Virginia

BFI-AL-1802, Threatening Criminal Proceedings, issued October 26, 2007, § 6.1-459 of the Code of Virginia

## **Forms and Instructions:**

### Banks

Bank Directors Responsibilities, revised November 1996

CCB-1117, Bank Directors Responsibilities Certification, revised March 2008

CCB-1121, Application of a New Bank or a New Savings and Loan Association for a Certificate of Authority to Begin Business in Virginia, revised March 2008

CCB-1122, Oath of Office for Multiple Directors, revised January 2000

CCB-1122A, Oath of Office for Single Director, revised January 2000

CCB-1123, Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1124, Application to Acquire a Virginia Bank Pursuant to Title 6.1, Chapter 14 of the Code of Virginia, revised March 2008

CCB-1125, Application of a Virginia Bank to Establish a Branch, revised March 2008

CCB-1126, Application to Change the Location of a Main Office or Branch Pursuant to Title 6.1 of the Code of Virginia, revised March 2008

CCB-1127, Application by a Bank to Engage in the Trust Business Pursuant to Title 6.1, Chapter 2, Article 3 of the Code of Virginia, revised March 2008

CCB-1128, Application for Approval of Merger Pursuant to Title 6.1 of the Code of Virginia, revised March 2008

CCB-1129, Application of a Subsidiary Trust Company for a Certificate of Authority to Begin Business Pursuant to Title 6.1, Chapter 2, Article 3.1 of the Code of Virginia, revised March 2008

CCB-1131, Application of an Interim Institution to Begin Business in Virginia, revised March 2008

CCB-1133, Notice to Establish an EFT Terminal, revised March 2008

CCB-1137, Application for Permission to Acquire Voting Shares of a Virginia Financial Institution Pursuant to § 6.1-383.1 of the Code of Virginia, revised March 2008

CCB-1137A, Consent to Service of Process, revised December 2004

CCB-1138, Notice of Intent to Acquire a Bank Outside Virginia Pursuant to § 6.1-406 of the Code of Virginia, revised March 2008

CCB-1139, Application to Acquire a Virginia Bank Holding Company or Virginia Bank Pursuant to Title 6.1, Chapter 15 of the Code of Virginia, revised March 2008

CCB-1140, Oath of Office of Organizing Directors of Financial Institutions, revised March 2008

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1144, Application of a Bank Holding Company to Acquire a Federal Savings Institution Pursuant to § 6.1-194.40 of the Code of Virginia, revised March 2008

CCB-1146, Application to Convert Pursuant to Title 6.1 of the Code of Virginia, revised March 2008

CCB-1147, Certification - Interagency Biographical and Financial Report, revised April 1998

CCB-1150, Employment and Business Affiliation Disclosure Form, revised March 2008

CCB-9905, Application to Establish a Trust Office, revised March 2008

### Savings Institutions

Responsibilities of Savings Institutions' Directors, revised September 1991

CCB-1121, Application of a New Bank or a New Savings and Loan Association for a Certificate of Authority to Begin Business in Virginia, revised March 2008

CCB-1122, Oath of Office for Multiple Directors, revised January 2000

CCB-1122A, Oath of Office for Single Director, revised January 2000

CCB-1123, Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1126, Application to Change the Location of a Main Office or Branch Pursuant to Title 6.1 of the Code of Virginia, revised March 2008

CCB-1137A, Consent to Service of Process, revised December 2004

CCB-1140, Oath of Office of Organizing Directors of Financial Institutions, revised March 2008

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1146, Application to Convert Pursuant to Title 6.1 of the Code of Virginia, revised March 2008

CCB-1147, Certification - Interagency Biographical and Financial Report, revised April 1998

CCB-1150, Employment and Business Affiliation Disclosure Form, revised March 2008

CCB-2201, Application of a Virginia Savings Institution to Establish a Branch, revised March 2008

CCB-2206, Savings Institution Directors Responsibilities Certification, revised March 2008

CCB-2207, Application of a Savings Institution Holding Company for Acquisition of Control Pursuant to § 6.1-194.87 of the Code of Virginia and 10VAC5-30, revised March 2008

CCB-2209, Application by an Out-of-State Savings Institution to Transact a Savings Institution Business in Virginia Pursuant to Title 6.1, Chapter 3.01, Article 5 of the Code of Virginia, revised March 2008

CCB-2210, Application to Acquire a Virginia Savings Institution Holding Company or Virginia Savings Institution Pursuant to Title 6.1, Chapter 3.01, Article 11 of the Code of Virginia, revised March 2008

CCB-2211, Notice of Intent to Acquire a Savings Institution Outside Virginia Pursuant to § 6.1-194.105 of the Code of Virginia, revised March 2008

CCB-2212, Notice of Proposed Change of Location (Within One Mile) of a Main Office or Branch of a Savings Institution, revised March 2008

CCB-2213, Notice of Intent to Establish a Non-Depository Office by a Savings Institution Pursuant to § 6.1-194.26 of the Code of Virginia, revised January 2002

CCB-2215, Application for a Certificate of Authority to Begin Business as a Savings Bank Pursuant to Title 6.1, Chapter 3.01, Article 12 of the Code of Virginia, revised March 2008

### Credit Unions

CCB-1123, Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1137A, Consent to Service of Process, revised December 2004

CCB-1150, Employment and Business Affiliation Disclosure Form, revised March 2008

CCB-3302, Application for Permission to Establish and Operate a Credit Union Pursuant to § 6.1-225.14 of the Code of Virginia, revised March 2008

CCB-3304, Consent to Service of Process (Insurer of Shares), revised September 1996

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CCB-3305, Application by an Out-of-State Credit Union to Conduct Business as a Credit Union in Virginia Pursuant to § 6.1-225.61 of the Code of Virginia, revised March 2008

CCB-3306, Application for Approval of Merger of Credit Unions Pursuant to § 6.1-225.27 of the Code of Virginia, revised March 2008

CCB-3307, Application of a Credit Union to Establish a Service Facility Pursuant to § 6.1-225.20 of the Code of Virginia, revised March 2008

CCB-3308, Credit Union Request for Field of Membership Expansion, revised March 2008

### Consumer Finance Companies

CCB-1123, Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1149, Depository Institution Authorization Form, revised December 2004

CCB-1150, Employment and Business Affiliation Disclosure Form, revised March 2008

CCB-4401, Annual Report of a Consumer Finance Company, revised November 2007

CCB-4402, Application for a Consumer Finance License Pursuant to Chapter 6 of Title 6.1 of the Code of Virginia, revised March 2008

CCB-4403, Notice to Conduct Consumer Finance Business and Other Business at Same Location, revised March 2008

CCB-4406, Notice of Intent to Change the Location of a Consumer Finance Office, revised March 2008

CCB-4407, Application for an Additional Office Pursuant to § 6.1-256.1 B of the Consumer Finance Act, revised March 2008

CCB-4408, Application for Permission to Acquire Control of a Consumer Finance Licensee Pursuant to § 6.1-258.1 of the Code of Virginia, revised March 2008

### Money Order Sellers and Money Transmitters

CCB-1123, Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1149, Depository Institution Authorization Form, revised December 2004

CCB-1150, Employment and Business Affiliation Disclosure Form, revised March 2008

CCB-5500, Application for a License to Engage in the Money Transmission and/or Money Order Sales Business Pursuant to Title 6.1, Chapter 12 of the Code of Virginia, revised March 2008

CCB-5507, Annual Report of Money Transmitters, revised November 2007

CCB-5509, Surety Bond for Money Order Sales and Money Transmission, revised March 2008

CCB-5511, Transaction Report of Money Order Sellers and Money Transmitters for the Semi-Annual Period, revised September 2008

CCB-5512, Transaction Report of Money Order Sellers and Money Transmitters for the Quarter, revised September 2008

CCB-5513, Deposit Agreement Under Virginia Code Title 6.1, Chapter 12 (Money Order Sales), revised August 1996

CCB-5514, Application for Permission to Acquire Control of a Money Transmitter Licensee Pursuant to § 6.1-378.2 of the Code of Virginia, revised March 2008

### Check Cashers

CCB-5510, Check Casher Registration Form, revised March 2008

### Payday Lenders

CCB-1123, Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised March 2003

CCB-1149, Depository Institution Authorization Form, revised December 2004

CCB-1150, Employment and Business Affiliation Disclosure Form, revised March 2008

CCB-5515, Application for a Payday Lender License Pursuant to Chapter 18 of Title 6.1 of the Code of Virginia, revised March 2008

CCB-5516, Surety Bond Pursuant to § 6.1-448 of the Code of Virginia, revised March 2008

CCB-5517, Application for an Additional Office or Relocation of an Existing Office Pursuant to the Payday Lender Act, revised March 2008

CCB-5518, Application for Permission to Acquire Control of a Payday Lender Licensee Pursuant to § 6.1-452 of the Code of Virginia, revised March 2008

CCB-5519, Application to Conduct the Business of Making Payday Loans and Other Business at Same Location, revised March 2008

CCB-5521, Annual Report of Payday Lenders, revised November 2007

## Industrial Loan Associations

CCB-6602, Annual Report of Industrial Loan Associations, revised November 2007

## Credit Counseling Agencies

CCB-1123, Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1148, Personal Information and Disclosure Statement for Directors of Credit Counseling Agencies, revised June 2006

CCB-1149, Depository Institution Authorization Form, revised December 2004

CCB-1150, Employment and Business Affiliation Disclosure Form, revised March 2008

CCB-7700, Application to Engage in the Business of a Credit Counseling Agency Pursuant to Title 6.1, Chapter 10.2 of the Code of Virginia, revised March 2008

CCB-7702, Application for an Additional Office or the Relocation of an Existing Office Pursuant to the Credit Counseling Act, revised March 2008

CCB-7703, Surety Bond Pursuant to § 6.1-363.5 of the Code of Virginia, revised March 2008

CCB-7704, Application for Permission to Acquire Control of a Credit Counseling Licensee Pursuant to § 6.1-363.9 of the Code of Virginia, revised March 2008

CCB-7705, Semi-Annual Report of Credit Counseling Agencies, revised June 2008

CCB-7706, Annual Report of Credit Counseling Agencies, revised December 2007

## Mortgage Lenders and Mortgage Brokers

CCB-1123, Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1149, Depository Institution Authorization Form, revised December 2004

CCB-1150, Employment and Business Affiliation Disclosure Form, revised March 2008

CCB-8802, Surety Bond Pursuant to § 6.1-413 of the Virginia Code, revised March 2008

CCB-8804, Application for a Mortgage Lender and/or Mortgage Broker License Pursuant to Chapter 16 of Title 6.1 of the Code of Virginia, revised June 2008

CCB-8805, Annual Report of Mortgage Lenders and Brokers, revised November 2007

CCB-8808, Application for Permission to Acquire Control of a Mortgage Lender/Broker Licensee Pursuant to § 6.1-416.1 of the Code of Virginia, revised March 2008

CCB-8809, Application for an Additional Office or Relocation of an Existing Office Pursuant to the Mortgage Lender and Broker Act, revised March 2008

CCB-8810, Application for Additional Authority for a Mortgage Lender or Mortgage Broker Pursuant to Chapter 16 of Title 6.1 of the Code of Virginia, revised June 2008

CCB-8811, Application for Exclusive Agent Qualification Pursuant to Chapter 16 of Title 6.1 of the Code of Virginia, revised March 2008

CCB-8812, Criminal History Records Consent and Fingerprinting Instructions, revised July 2008

## Trust Companies

CCB-1122, Oath of Office for Multiple Directors, revised January 2000

CCB-1122A, Oath of Office for Single Director, revised January 2000

CCB-1123, Personal Financial Report and Disclosure Statement, revised March 2008

CCB-1140, Oath of Office of Organizing Directors of Financial Institutions, revised March 2008

CCB-1150, Employment and Business Affiliation Disclosure Form, revised March 2008

CCB-9900, Application of a Trust Company for a Certificate of Authority to Begin Business Pursuant to Title 6.1, Chapter 2, Article 3.2 of the Code of Virginia, revised March 2008

CCB-9901, Certificate of a Control Person of a Trust Company Pursuant to § 6.1-32.20 of the Code of Virginia, revised January 2005

CCB-9902, Bond for a Trust Company, revised December 1999

CCB-9904, Dual Service Certificate - Affiliated Trust Companies, revised January 2005

CCB-9905, Application to Establish a Trust Office, revised March 2008

CCB-9906, Application for Permission to Acquire Voting Shares of a Trust Company Pursuant to § 6.1-32.19 of the Code of Virginia, revised March 2008

CCB-9907, Application of a Trust Company to Change the Location of a Main Office or Branch Pursuant to § 6.1-32.21 of the Code of Virginia, revised March 2008

CCB-9908, Notice of Intent to Engage in Business as a Private Trust Company, revised March 2008

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# Guidance Documents

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## Publications:

"The Compliance Connection," a newsletter for consumer finance companies, mortgage lenders, mortgage brokers, and industrial loan associations, published quarterly

"The Credit Union Reflection," a newsletter for state-chartered credit unions, published quarterly

"The Virginia State Banker," a newsletter for state-chartered banks, published quarterly

"Payday Pre\$\$," a newsletter for payday lenders, published on an as-needed basis

## Bureau of Insurance

Copies of the following documents may be viewed during regular workdays from 8:15 a.m. until 4:30 p.m. in the office of the State Corporation Commission, Bureau of Insurance, Tyler Building, 6th Floor, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1157, Richmond, VA 23218. For general information call the Bureau of Insurance (Bureau) at (804) 371-9741 or for in-state calls use the toll free number (800) 552-7945.

Questions regarding interpretation or implementation of these documents may be directed to Van Tompkins, Special Assistant to the Commissioner of Insurance. Single copies of each document listed may be obtained free of charge by contacting Ms. Tompkins at the Bureau's mailing address, by telephone (804) 371-9694 or by FAX (804) 371-9873. Many of these documents are available online at the Bureau's website <http://www.scc.virginia.gov/boi>.

## Administrative Letters:

Administrative Letter 1977-3, Insurance Problems Encountered by Handicapped or Disabled Persons, issued March 7, 1977

Administrative Letter 1977-4, 1977 Insurance Legislation, issued April 15, 1977

Administrative Letter 1977-5, Readable Insurance Policies - Automobile, Fire, and Homeowners Policies, issued May 9, 1977, §§ 38.2-2107 (formerly § 38.1-367.1) and 38.2-2224 (formerly § 38.1-387.1)

Administrative Letter 1977-6, 1977 Acts of the General Assembly of Virginia, issued May 9, 1977, §§ 38.2-2201 (formerly § 38.1-380.1), 38.2-2202 (formerly § 38.1-380.2) and 46.2-465 (formerly § 46.1-497.1)

Administrative Letter 1977-7, Assignment of Driving Record Points, issued May 9, 1977, § 38.2-1904 (formerly § 38.1-279.33)

Administrative Letter 1977-8, 1977 Acts of the General Assembly of Virginia, issued May 12, 1977, §§ 38.2-2118 (formerly § 38.1-279.49:1), 38.2-2204 (formerly § 38.1-381),

38.1-389.3 (Repealed 1996) and 38.2-2807 (formerly § 38.1-781)

Administrative Letter 1977-9, 161 Private Passenger Car Class Plan, issued May 26, 1977, §§ 38.2-1904 (formerly § 38.1-279.33), 38.2-1910 (formerly § 38.1-279.38) and 38.2-2213 (formerly § 38.1-381.6)

Administrative Letter 1977-10, Lawyers Professional Liability Insurance, issued May 26, 1977

Administrative Letter 1977-11, Automobile Rate Classification Statement, issued July 15, 1977, § 38.2-2214 (formerly § 38.1-381.7)

Administrative Letter 1977-12, Automobile Rating Territories, issued May 23, 1977

Administrative Letter 1977-13, Medical Expense and Loss of Income Coverages, issued July 25, 1977, §§ 38.2-1928 (formerly § 38.1-279.56), 38.2-2201 (formerly § 38.1-380.1), 38.2-2202 (formerly § 38.1-3802) and 46.2-465 (formerly § 46.1-497.1)

Administrative Letter 1977-14, Assignment of Driving Record Points, issued July 26, 1977, §§ 38.2-1904 (formerly § 38.1-279.33) and 38.2-1928 (formerly § 38.1-279.56)

Administrative Letter 1977-15, Amendment of Section 38.1-348.7 of the Code of Virginia Relating to Coverages for Mental Emotional or Nervous Disorders, Alcoholism and Drug Addiction, issued October 11, 1977, § 38.2-3412 (formerly § 38.1-348.7)

Administrative Letter 1977-16, 10% Set-Aside Clause - Local Public Works Act of 1977, issued November 14, 1977

Administrative Letter 1977-17, Medical Malpractice Liability Insurance Claims Report, issued December 21, 1977

Administrative Letter 1978-1, Use of Standard Automobile Insurance Forms Adopted by the State Corporation Commission, issued February 16, 1978, § 38.2-2220 (formerly § 38.1-384)

Administrative Letter 1978-2, 1978 Acts of the General Assembly of Virginia, issued May 31, 1978

Administrative Letter 1978-3, Notification Forms Regarding Refusal to Renew and Cancellation of Automobile, Fire and Homeowners Insurance Policies Pursuant to Section 38.1-381.5 and Section 38.1-371.2 of the Code of Virginia, issued May 25, 1978, §§ 38.2-2212 (formerly § 38.1-381.5) and 38.2-2114 (formerly § 38.1-371.2)

Administrative Letter 1978-4, Implementation of Section 38.1-52.11 of the Unfair Trade Practices Act Relating to Adverse Underwriting Decisions, issued May 31, 1978, § 38.2-500 et seq. (formerly § 38.1-49 et seq.) and § 38.2-512 (formerly § 38.1-52.11)

Administrative Letter 1978-5, (1) Amendment of Sections 38.1-348.7 and 38.1-348.8 of the Code of Virginia Relating to Coverages for Mental, Emotional or Nervous Disorders, Alcohol and Drug Dependence; (2) Enactment of Section 38.1-348.9 of the Code of Virginia Relating to Optional Obstetrical Services Coverages in Group Insurance Plans and Policies; and (3) Enactment of Section 38.1-348.10 of the Code of Virginia to Prohibit Exclusion or Reduction of Benefits Under a Group Accident and Sickness Insurance Policy on a Group Prepaid Service Plan Issued Pursuant to Title 32.1 of the Code of Virginia on the Basis of Such Benefits Being Also Payable Under an Individual Policy or Contract, issued June 15, 1978, §§ 38.2-3412 (formerly § 38.1-348.7), 38.2-3413 (formerly § 38.1-348.8), 38.2-3414 (formerly § 38.1-348.9) and 38.2-3415 (formerly § 38.1-348.10)

Administrative Letter 1978-6, Motor Vehicle Safety Responsibility Act Financial Responsibility Requirements, issued June 8, 1978, §§ 38.2-2206 (formerly § 38.1-381 (b)) and 46.2-100 (formerly § 46.1-1 (8))

Administrative Letter 1978-7, Policy Form Filings (for Maintenance of Mutual Assessment Fire Insurance Company Policy Form Filings), issued June 8, 1978

Administrative Letter 1978-8, The Use and Filing of Policy Forms (for Title Insurance Policies and Interim Binders), issued July 31, 1978, § 38.2-1003 (formerly § 38.1-76)

Administrative Letter 1978-9, Supplementary Guideline Number One Regarding Implementation of Section 38.1-52 (11) of the Unfair Trade Practices Act Relating to Adverse Underwriting Decisions, issued August 14, 1978, § 38.2-512 (formerly § 38.1-52 (11))

Administrative Letter 1978-10, Notice of Refusal to Renew, issued September 12, 1978, § 38.2-2212 (formerly § 38.1-381.5)

Administrative Letter 1978-11, Supplementary Guideline Number One Regarding Implementation of Section 38.1-52 (11) of the Unfair Trade Practices Act Relating to Adverse Underwriting Decisions, issued October 5, 1978, § 38.2-512 (formerly § 38.1-52 (11))

Administrative Letter 1978-12, ISO Copyright on Standard Forms, issued October 11, 1978

Administrative Letter 1978-13, Street Address of Branch Offices, issued October 25, 1978

Administrative Letter 1978-14, Special Call for Workmen's Compensation Insurance Experience Data, issued October 27, 1978, § 38.2-1300 et seq. (formerly § 38.1-159 et seq.)

Administrative Letter 1978-15, Surety Bond Guarantee Program - Small Business Administration (SBA), issued December 1, 1978

Administrative Letter 1978-16, Motor Vehicle Safety Responsibility Act Financial Responsibility Requirements, issued November 29, 1978

Administrative Letter 1979-1, The NAIC Program to Implement the President's Anti-Inflation Program, issued January 4, 1979

Administrative Letter 1979-2, The NAIC Program to Implement the President's Anti-Inflation Program, issued January 4, 1979

Administrative Letter 1979-3, The NAIC Program to Implement the President's Anti-Inflation Program, issued January 4, 1979

Administrative Letter 1979-5, The NAIC Program to Implement the President's Anti-Inflation Program, issued January 19, 1979

Administrative Letter 1979-7, Protection Against Uninsured Motorists Insurance, issued March 12, 1979

Administrative Letter 1979-8, Temporary Licenses for Life Agents, issued April 4, 1979, § 38.2-1830 (formerly § 38.1-310.4)

Administrative Letter 1979-9, Charges for Motor Vehicle Accident and Conviction Reports, issued March 19, 1979, §§ 38.2-310 (formerly § 38.1-337) and 38.2-1904 (formerly § 38.1-279.33)

Administrative Letter 1979-10, Amendment to Administrative Letter 1979-7, issued March 27, 1979

Administrative Letter 1979-11, Amendments to Administrative Letters 1979-7 and 1979-10, issued March 30, 1979

Administrative Letter 1979-12, 1979 Acts of the General Assembly of Virginia, issued April 13, 1979

Administrative Letter 1979-13, Qualification and Licensing of Agents, issued May 3, 1979, § 38.2-1800 et seq. (formerly § 38.1-327 et seq.)

Administrative Letter 1979-14, 1979 Legislation Pertaining to Life Insurance and Accident/Sickness Insurance, issued May 10, 1979, §§ 38.2-508.3 (formerly § 38.1-52 (7) (c)), 38.2-3407 (formerly § 38.1-347.2), 38.2-3408 (formerly § 38.1-347.1), 38.2-3412 (formerly § 38.1-348-7) and 38.2-3541 (formerly § 38.1-348-11)

Administrative Letter 1979-15, 1979 Legislation Pertaining to Fire Insurance, Homeowners Insurance and Motor Vehicle Insurance, issued May 18, 1979, §§ 38.2-2105 (formerly § 38.1-366), 38.2-2206 (formerly § 38.1-381), 38.2-2214 (formerly § 38.1-381.7), 8.01-66, 8.01-66.1 and 46.2-372 (formerly § 46.1-400)

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Administrative Letter 1979-16, Revisions in the NAIC Program to Implement the President's Anti-Inflation Program, issued May 18, 1979

Administrative Letter 1979-17, Single Interest Coverage, issued June 4, 1979

Administrative Letter 1979-18, Commercial Multiple Peril Licensing and Filing Requirements, issued August 13, 1979

Administrative Letter 1979-19, Commercial Multiple Peril Licensing and Filing Requirements, issued August 14, 1979

Administrative Letter 1979-20, Adoption of Actuarial Guidelines by the Bureau of Insurance (for All Foreign Life Insurance Companies Licensed in Virginia), issued August 14, 1979, §§ 38.2-3130 through 38.2-3142 (formerly § 38.1-456(6))

Administrative Letter 1979-21, Adoption of Actuarial Guidelines for Domestic Life Insurance Companies by the Bureau of Insurance (for All Domestic Life Insurance Companies Licensed in Virginia), issued August 14, 1979, §§ 38.2-3130 through 38.2-3142 (formerly § 38.1-456(6))

Administrative Letter 1979-22, The Arson Reporting-Immunity Act, issued August 30, 1979

Administrative Letter 1979-23, Readability of All Insurance (property and casualty) Policies in Virginia, issued September 27, 1979

Administrative Letter 1979-24, Readability of All Insurance (life and health) Policies in Virginia, issued September 27, 1979

Administrative Letter 1979-25, Single Interest, issued October 2, 1979

Administrative Letter 1980-1, Adoption of 14VAC5-320 (formerly Insurance Regulation No. 15): "Rules Governing Reserve Standards for Accident and Sickness Insurance Policies," issued January 18, 1980, 14VAC5-320 (formerly Insurance Regulation No. 15)

Administrative Letter 1980-2, Homeowners Insurance (Offer As An Option a Provision Insuring Against Loss Caused or Resulting From Water Which Backs Up Through Sewers or Drains), issued March 31, 1980, § 38.2-2120 (formerly § 38.1-335.2)

Administrative Letter 1980-3, Regulation Numbering System, issued June 26, 1980

Administrative Letter 1980-5, 1980 Legislation by the General Assembly of Virginia, issued May 9, 1980

Administrative Letter 1980-6, Homeowners Insurance (Filing Rate Adjustments for Having Smoke Detectors), issued May 13, 1980

Administrative Letter 1980-8, Insurance Regulation No. 13, issued June 16, 1980 (replaced Administrative Letter 1980-4)

Administrative Letter 1980-9, Certification of Insurance, issued July 7, 1980, §§ 38.2-513.2 (formerly § 38.1-52 (10a)) and 38.2-2105 (formerly § 38.1-366)

Administrative Letter 1980-10, 1980 Revisions in the NAIC Program to Implement the President's Anti-Inflation Program (COWPS), issued July 30, 1980

Administrative Letter 1980-11, Modification of Agents' Examination Schedule, issued August 29, 1980

Administrative Letter 1980-12, Assignment of Points - Safe Driver Insurance Plan, issued November 10, 1980, §§ 38.2-1904 (formerly § 38.1-279.33) and 38.2-2212 (formerly § 38.1-381.5)

Administrative Letter 1980-13, Deductibles and Coinsurance Options Required - Accident and Sickness Insurance and Prepaid Hospital, Medical, Surgical, Dental or Optometric Service Plans (Virginia Senate Bill 184-1980), issued November 17, 1980, § 38.2-3417 (formerly § 38.1-348.12)

Administrative Letter 1981-1, Termination of the President's Anti-Inflation Program (COWPS), issued March 10, 1981

Administrative Letter 1981-2, Deductible and Coinsurance Options, issued March 23, 1981, Repeals § 38.1-348.12 and Enacts § 38.2-3417 (formerly § 38.1-348.12:1)

Administrative Letter 1981-3, 1981 Legislation by the General Assembly of Virginia (Pertaining to All Insurance Companies, Fraternal Benefit Societies and Prepaid Health Care Plans Licensed in Virginia), issued May 1, 1981

Administrative Letter 1981-4, Virginia Insurance Information and Privacy Protection Act, issued May 13, 1981, §§ 38.2-600 (formerly § 38.1-52.14), 38.2-601 through 38.2-613 (formerly §§ 38.1-57.4 through 38.1-57.16), 38.2-617 (formerly § 38.1-57.24) and 38.2-618 (formerly § 38.1-57.25)

Administrative Letter 1981-5, 1981 Legislation - Effective July 1, 1981 (House Bill 1024/Pertaining to the Regulation of Insurance Premium Finance Companies) issued June 5, 1981, §§ 38.2-4700 et seq. (formerly §§ 38.1-735 through 38.1-745)

Administrative Letter 1981-6, 1981 Legislation - Effective July 1, 1981 (Reimbursement to Members for Expense Incurred for Emergency Road Service or Towing Service), issued June 5, 1981, § 13.1-400.1

Administrative Letter 1981-9, Mortgage Guaranty Insurance Policies, issued August 19, 1981

Administrative Letter 1981-10, Risk Sharing Arrangements (replacement for Administrative Letter 1980-7), issued August 13, 1981, § 38.2-1314 (formerly § 38.1-173)

Administrative Letter 1981-11, Filing Affidavits in Compliance with Surplus Lines Insurance Law, issued August 18, 1981, § 38.2-4806 (formerly § 38.1-327.52)

Administrative Letter 1981-12, Mortgage Guaranty Insurance on Variable Rate Mortgages (clarification of Administrative Letter 1981-9), issued September 11, 1981

Administrative Letter 1981-13, Cancellation of Motor Vehicle Liability Policy for Non-Payment at the Request of Premium Finance Company, issued October 30, 1981, § 38.2-2212 (formerly § 38.1-381.5)

Administrative Letter 1981-14, Mortgage Guaranty Insurance on Variable Rate Mortgages Allowing Negative Amortization, issued September 30, 1981

Administrative Letter 1981-15, Adverse Underwriting Decision Notice, issued October 15, 1981, §§ 38.2-608 (formerly § 38.1-57.11), 38.2-610 (formerly § 38.1-57.13), 38.2-2114 (formerly § 38.1-371.2) and 38.2-2212 (formerly § 38.1-381.5)

Administrative Letter 1981-16, Adverse Underwriting Decision Notice (additional instructions to Administrative Letter 1981-15), issued October 22, 1981, §§ 38.2-608 (formerly § 38.1-57.11), 38.2-610 (formerly § 38.1-57.13), 38.2-2114 (formerly § 38.1-371.2) and 38.2-2212 (formerly § 38.1-381.5)

Administrative Letter 1981-17, 1981 Legislation by the General Assembly of Virginia, issued November 19, 1981

Administrative Letter 1981-19, Notice to Be Provided to the Insured Pursuant to Section 38.1-327.52 of the Code of Virginia, issued November 30, 1981, § 38.2-4806 (formerly § 38.1-327.52)

Administrative Letter 1981-20, Adoption Date for the Revised "License Request" Form PIN050-A and Definition of the Conditions Under Which an "Interim Appointment" Form May be Utilized, issued December 16, 1981, § 38.2-1826 (formerly § 38.1-327.37)

Administrative Letter 1982-1, Notice to be Provided to the Insured Pursuant to Section 38.1-327.52 of the Code of Virginia, issued January 7, 1982, § 38.2-1826 (formerly § 38.1-327.52)

Administrative Letter 1982-2, Credit Life and Health Insurance, issued January 19, 1982, § 38.2-3729 (formerly § 38.1-482.8)

Administrative Letter 1982-3, 14VAC5-340 (formerly Insurance Regulation No. 17) and the Commissioner's Order Entered May 19, 1981 in Case No. INS800067 - Minimum Standards for Coverage Content of Fire and Homeowner Insurance Policies, issued February 19, 1982, 14VAC5-340 (formerly Insurance Regulation No. 17)

Administrative Letter 1982-4, Cancellation of Motor Vehicle Liability Insurance Policies by Insurers for Nonpayment of Premium Installments; or at the Request of Premium Finance Companies Because of Nonpayment of Premium Loan

Installments, issued April 28, 1982, § 38.2-2212 (formerly § 38.1-381.5)

Administrative Letter 1982-5, 1982 Legislation by the General Assembly of Virginia, issued April 30, 1982

Administrative Letter 1982-6, Changes in the Insurance Code of Virginia Regarding Credit Life Insurance and Credit Accident and Sickness Insurance, issued May 6, 1982

Administrative Letter 1982-9, Uninsured Motorists Rule and Rate Revisions - Revision to Forms VA CP-19 and VA CP-20, issued May 28, 1982

Administrative Letter 1982-10, Motor Vehicle Service Contracts, issued May 20, 1982, §§ 38.2-124 and 38.2-125 (formerly § 38.1-21)

Administrative Letter 1982-13, Competitive Pricing Rating Law Chapter 226 (H213), 1982 Acts of Assembly Rate Standards - Motor Vehicle Insurance, issued May 28, 1982, § 38.2-1904 (formerly § 38.1-279.33)

Administrative Letter 1982-14, Collection of Unearned Commissions, issued November 5, 1982

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Administrative Letter 2008-06, Use of Automobile Standard Forms, Withdrawal of Administrative Letter 1995-4, issued May 1, 2008

Administrative Letter 2008-07, Title Insurance Legislation Enacted by the 2008 Virginia General Assembly, issued April 30, 2008

Administrative Letter 2008-08, Legislation Enacted by the 2008 Virginia General Assembly, issued June 9, 2008

Administrative Letter 2008-09, Emergency Services, § 38.2-4312.3 of the Code of Virginia, issued June 16, 2008

Administrative Letter 2008-10, Amended Annual Disclosure Statement, § 38.2-4904 of the Code of Virginia, issued July 28, 2008

Administrative Letter 2008-11, Implementation of the New Bureau of Insurance Sicon for States System, issued August 18, 2008

### **Financial Regulation Unit Guidance Documents:**

Dental Plan Organizations Requirements for Organizing and Licensing in Virginia, August 2004, § 38.2-6102

Instructions for Completing the Initial Reinsurance Intermediary License Application, revised April 2007, § 38.2-1348

Requirements for Surplus Lines Approval in Virginia for an Alien Carrier, revised May 2005, § 38.2-4800

Requirements for Surplus Lines Approval in Virginia for a Foreign Carrier, revised May 2005, § 38.2-4800

Application for the Establishment of a Managed Care Health Insurance Plan (MCHIP), revised July 2007, § 38.2-5800

Letter re Future Year-end Reserve Valuation Submissions to the Virginia Bureau of Insurance, January 1993

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## Guidance Documents

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Letter re Future Year-end Reserve Valuation Submissions Other Than by Hard Copy to the Virginia Bureau of Insurance, September 2002

Requirements for Organizing and Licensing of a Home Protection Company, revised October 2005, §§ 38.2-1024 and 38.2-2603

Licensing Requirements for a Home Service Contract Provider, July 2006, Article 2 of Chapter 26 of Title 38.2

Uniform Certificate of Authority Application, revised September 2007, §§ 38.2-1024 and 38.2-1206

Requirements for Organizing and Licensing of a Captive Insurer, revised October 2005, §§ 38.2-1024 and 38.2-1102

Requirements for Organizing and Licensing of a Health Services Plan, revised October 2005, § 38.2-4200

Health Maintenance Organizations Requirements for Organizing and Licensing in Virginia, revised October 2005, § 38.2-4301

Limited Health Maintenance Organizations Requirements for Organizing and Licensing in Virginia, revised October 2005, § 38.2-4301

Requirements for Organizing and Licensing a Virginia Legal Services Plan, revised October 2005, § 38.2-4413

Requirements for Organizing and Licensing of a Dental Services Plan, revised August 2004, § 38.2-4517

Requirements for Organizing and Licensing of an Optometric Services Plan, revised October 2005, § 38.2-4517

Requirements for Admission to Transact Business as an Insurance Premium Finance Company in Virginia, revised August 2005, § 38.2-4701

Continuing Care Providers Registration and Disclosure Filing Guidelines, revised October 2005, § 38.2-4901

Viatical Settlement Providers Requirements for Operating in Virginia, revised January 2008, § 38.2-6002

Requirements for Organization and Licensing of an Automobile Club, revised October 2005, § 13.1-400.2

Multiple Employer Welfare Arrangements Requirements for Operating in Virginia, revised October 2005, Article 3 of Chapter 34 of Title 38.2

Requirements for Accredited and Limited Accredited Insurers, October 2004, §§ 38.2-1316.2 and 38.2-1316.3

Requirements for Organizing and Licensing of a Group Self-Insurance Association, issued January 2000, § 65.2-802

Licensing Procedures for Managing General Agents to Obtain Authority in Virginia (Procedures, Instructions and Application), revised October 2005, § 38.2-1359

Information Concerning Purchasing Group Registration, October 2008, § 38.2-5108

Information Concerning Risk Retention Group Registration, October 2008, §§ 38.2-5102 and 38.2-5103

Letter to Insurers Prior to an Examination Specifying the Date of the Upcoming Examination and Requesting Specific Documentation the Insurer is to Provide to the Bureau of Insurance Staff, revised February 2008

Form A, Instructions for Application for Approval of Acquisition of Control of or Merger with a Domestic Insurer Pursuant to § 38.2-1323, revised July 2006, 14VAC5-260

Form B, Instructions for Insurance Holding Company System Annual Registration Statement Pursuant to § 38.2-1329, revised July 2006, 14VAC5-260

Form C, Instructions for Summary of Registration Statement Pursuant to § 38.2-1329, revised July 2006, 14VAC5-260

Form D, Instructions for Prior Notice and Application for Approval of Certain Transactions Pursuant to § 38.2-1331, revised July 2006, 14VAC5-260

Form E, Instructions for an Acquisition Statement Reporting Competitive Impact Data Pursuant to § 38.2-1323, revised July 2006, 14VAC5-260

Form F, Instructions for Notice of Dividends and Distributions to Shareholders Pursuant to §§ 38.2-1329 E and 38.2-1330.1, revised July 2006, 14VAC5-260

Annual Renewal Instructions - Multiple Employer Welfare Arrangements, revised December 2008, 14VAC5-410-40 D

Annual Renewal Instructions - Purchasing Groups, revised December 2008, § 38.2-5108

Annual Renewal Instructions - Foreign Life and Health Insurance Companies, revised December 2008, § 38.2-1025

Annual Renewal Instructions - Foreign Property and Casualty Insurance Companies, revised December 2008, § 38.2-1025

Annual Renewal Instructions - Risk Retention Groups, revised December 2008, § 38.2-5103

Annual Renewal Instructions - Premium Finance Companies, revised December 2008, § 38.2-4703

Annual Renewal Instructions - Workers' Compensation Group Self-Insurers, December 2008, § 65.2-802

Annual Renewal Instructions - Accredited Reinsurers, revised December 2008, §§ 38.2-1316.2 and 38.2-1316.3

Annual Renewal Instructions - Authorized Reinsurers, revised December 2008, §§ 38.2-1316.2 and 38.2-1316.3

Annual Renewal Instructions - All Foreign Companies Except Foreign Property and Casualty and Foreign Life and Health, revised December 2008, § 38.2-1025

Annual Renewal Instructions - Health Maintenance Organization, revised December 2008, § 38.2-4318

Annual Renewal Instructions - All Domestic Companies, revised December 2008, § 38.2-1025

Annual Renewal Instructions - Automobile Clubs, revised December 2008, § 13.1-400.3

Annual Renewal Instructions - Viatical Settlement Provider, issued December 2008, §§ 38.2-6002 and 38.2-6004

Biennial Renewal Instructions – Home Service Contract Providers, February 2008, § 38.2-2619

### **Market Regulation Unit Guidance Documents:**

Assigned Risk Workers' Compensation Insurance Rates, published April 2006

Common Problems Found During Agents Investigations, revised October 2005

Common Problems Found During Life and Health Market Conduct Examinations, revised September 2005

Consumer Real Estate Settlement Protection Act (CRESPA), issued June 2001, §§ 6.1-2.19 et seq., and 14VAC5-395

Credit Insurance Experience Exhibits Questionnaire, revised March 2005

Forms/Reports for Insurers: Long Term Care (14VAC5-200), Small Employer (14VAC5-234), Medicare Supplement (14VAC5-170) and Mandated Benefits (Form MB-1 and instructions) (14VAC5-190)

Letter to Newly Licensed Insurers Advising the Insurers of the Applicable Insurance Rules and Regulations in the Commonwealth of Virginia, revised 2001

Market Issues Identified by the Market Conduct and Consumer Services Section, revised December 2005

NAIC Product Review Filing Checklists for Life and Health, issued July 2001

NAIC Product Review Filing Checklists for Property and Casualty, revised December 2005

Statistical Report Form (VA SRF-2), revised 2002

Virginia Property and Casualty Product Requirements Locator, published June 2005

Virginia Property and Casualty Rules, Rates and Forms Filing Guidelines Handbook, revised July 2005

Workers' Compensation Deductible Plans Filing Instructions, revised July 2005

Workers' Compensation Voluntary Market Loss Costs Multipliers, published October 2006

### **Administration and Taxation Unit Guidance Documents:**

Instructions for Filing the Virginia Declaration of Estimated License Tax and Estimated Assessment, revised December 2006

Virginia Premium License Tax/Assessments Reports for Year Ended December 31, 2005, revised December 2006

Virginia Surplus Lines Filing Instructions, revised September 1996, electronic version revised September 2006

### **Life and Health Consumer Guides**

2009 Tax Qualified Long-Term Figures, revised October 2008

Fight Fake Insurance, Stop Call Confirm, published 2005

2009 Guide to Health Insurance for People with Medicare, revised September 2008

Virginia Medicare Supplement Insurance Premium Comparison Guide, revised March 2008

A Shopper's Guide to Cancer Insurance, revised July 2007

A Shopper's Guide to Long-Term Care Insurance, revised March 2006

Virginia Long-Term Care Insurance Rate Guide, revised April 2008

Long-Term Care Insurance: The Choice is Yours. Virginia's Long-Term Care Partnership, published 2007

Consumer Alert - Discount Health Plans, What Consumers Should Know, published August 2005

Consumer Alert – Seniors Beware, Question Credentials of “Senior Specialists,” published August 2008

Consumer Complaint & Outreach Services Brochure, revised August 2008

Health Insurance, What to Do if a Health Insurance Company Denies Your Claim, published August 2008

Life & Health Complaint Form, revised August 2008

Inquiry Form Managed Care Health Insurance Plan (MCHIP), revised March 2006

Attention Health Care Providers, Are You At The End Of Your Rope?, published August 2008

Facts About Long-Term Care Insurance in Virginia, revised August 2007

Helpful Coverage Tips for Parents of Special Needs Children, revised September 2007

List of Carriers that have Registered with the State Corporation Commission as Small Employer Carriers, revised October 2006

List of Insurance Companies Licensed to Sell Individual Health Insurance, revised August 2008

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List of Long-Term Care Policies and Companies with Approved Individual Long-Term Care Partnership Policies, revised October 2008

List of Medicare Supplement and Medicare Select Insurance Companies for Individuals Age 65 or Older, revised December 2008

List of Medicare Supplement and Medicare Select Insurance Companies for Individuals Under 65 and Eligible for Medicare due to disability, revised November 2008

Life Insurance Information for Military Personnel, revised 2008

Medicare & You 2009, revised September 2008

Prescription Drug Assistance Program in Virginia, revised August 2008

Tips on Obtaining Out-of-Network Services through Your Managed Care Health Insurance Plan, revised October 2005

Tips to Help You Appeal a Denial from Your Managed Care Health Insurance Plan (MCHIP), revised October 2005

Tips to Help You Appeal an Experimental Investigational Services Denial by Your MCHIP, revised October 2005

Tips to Help You Appeal a Prescription Medication Denial with Your Managed Care Health Insurance Plan, revised October 2005

Tips to Help You Understand and Appeal Health Plan Decisions When the Coverage is Self-Insured, revised July 2006

The Office of the Managed Care Ombudsman, revised January 2007

The Office of the Managed Care Ombudsman - 10 Tips to Help you Understand Your Coverage and Rights Under Your Managed Care Health Insurance Plan, revised October 2005

Virginia Health Insurance Guide for Consumers, revised May 2003

Virginia Life Insurance Consumer's Guide, revised May 2006

What If Your Managed Care Company Says No?, revised January 2006

### **Property and Casualty Consumer Guides:**

Auto Insurance Consumer's Guide, revised 2006

Seguro de Automoviles, Guia para el consumidor, revised 2006

Auto Insurance Sample Premium Tables 2008/09, revised 2008

Consumer Complaint & Outreach Services, revised 2006

Credit Scoring - How It Affects Your Automobile and Homeowners Insurance, revised 2006

Homeowners Insurance Consumer's Guide, revised 2006

Seguro para Propietarios de Viviendas – Guia para el consumidor, revised 2006

Homeowners Insurance Sample Premium Tables 2008/09, revised 2008

Renters Insurance Consumer's Guide, revised 2005

Seguro para Inquilinos, guia del Cosumidor, 2006

State Corporation Commission Bureau of Insurance Consumer Complaint Form

Teenager's Guide to Auto Insurance, revised 2006

Virginia Commercial Insurance Consumer's Guide, revised 2003

When a Disaster Strikes: What To Do After an Insured Commercial Property Loss, revised 2005

When a Disaster Strikes: What To Do After an Insured Homeowners Loss, revised 2005

### **Forms and Instructions Respecting Licensing of Individuals and Agencies:**

Form 3001, Application for Individual License, March 2008

Form 4052, Application for Business Entity Insurance License, March 2008

PIN4151, Appointment Form, September 2008

PIN4921, Appointment Cancellation Form, September 2008

Licensing Procedures and Information for Insurance Consultants, July 2008

Licensing Procedures for Nonresident Insurance Agents to Obtain Authority in Virginia, July 2008

Licensing and Renewal Procedures for Nonresident Surplus Lines Brokers, July 2008

Licensing and Renewal Procedures for Viatical Settlement Brokers, July 2008

### **Forms for Surplus Lines Insurance:**

Form 3001, Application for Individual Surplus Lines Broker License, March 2008

Form 4052, Application for Agency Surplus Lines Broker License, March 2008

Form SLB-2, Bond for Surplus Lines Broker, January 2004

Form SLB-3, Quarterly Combined Affidavit by Surplus Lines Broker, revised October 2002

Form SLB-5, Surplus Lines Quarterly Report, effective September 1999

Form SLB-7, Quarterly Gross Premiums Tax Report, effective September 1999

Form SLB-8, Annual Gross Premium Tax Report, revised May 2006

Form SLB-9, Notice of Insured, effective September 1996

Form SLB-10, Commercial Insured Waiver, effective September 1996

### **Division of Securities and Retail Franchising**

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the State Corporation Commission's Division of Securities and Retail Franchising, Ninth Floor, Tyler Building, 1300 East Main Street, Richmond, VA. Copies may be obtained free of charge by contacting Kathy O'Sullivan at the same address, telephone number (804) 371-9784 or FAX (804) 371-9911. The mailing address is P.O. Box 1197, Richmond, VA 23218.

Questions regarding interpretation or implementation of these documents may be directed to Amanda Blanks, Investor Education Coordinator, at the same address, telephone number (804) 371-9088 or FAX (804) 371-9911. The mailing address is P.O. Box 1197, Richmond, VA 23218.

### **Guidance Documents:**

Capital Formation Alternatives for Small Business in Virginia, August 2002

NASAA Statements of Policy, July 2003 (Virginia Securities Act, 21VAC5-30-80)

### **Investor Education Publications**

Securities Consumer's Guide, March 2001 (Virginia Securities Act)

Securities Complaints, June 2003 (Virginia Securities Act)

Get the Facts about Investing Online, August 2003 (Virginia Securities Act)

Investor "Bill of Rights," September 2002 (Virginia Securities Act)

10 Do's and Don'ts for Investors, September 2002 (Virginia Securities Act)

When Your Broker Calls, Take Notes, September 2002 (Virginia Securities Act)

### **Forms: (Virginia Securities Act)**

#### **Broker-Dealer Forms**

Uniform Application for Broker-Dealer Registration (Form # BD), May 2002

Broker-Dealer's Surety Bond (Form # S.A. 11), July 1999

Application for Renewal of a Broker-Dealer's Registration (Form # S.A. 2), July 1999

Uniform Notice of Termination or Withdrawal of Registration as a Broker-Dealer (Form #BDW), November 2000

#### **Broker-Dealer Agent Forms**

Application for Renewal of Registration as an Agent of an Issuer (Form # S.D. 4), 1997

Non-NASD Broker-Dealer or Issuer Agents to be Renewed Exhibit (Form #S.D. 4 A), 1974

Non-NASD Broker-Dealer or Issuer Agents to be Canceled with no disciplinary history (Form # S.D. 4 B), 1974

Non-NASD Broker-Dealer or Issuer Agents to be Canceled with disciplinary history (Form # S.D. 4 C), 1974

Uniform Application for Securities Industry Registration or Transfer (Form # U-4), June 2003

Uniform Termination Notice for Securities Industry Registration (Form # U-5), June 2003

Affidavit Regarding SCOR Offering (Form # Aff), July 1999

#### **Investment Advisor Forms**

Uniform Application for Registration of Investment Advisors (Form # ADV), October 2003

IA Surety Bond Form (Form # IA-sure), July 1999

Notice of Withdrawal from Registration as Investment Advisor (Form # ADV-W), October 2003

#### **Investment Advisor Representative Forms**

Uniform Application for Securities Industry Registration or Transfer (Form # U-4), June 2003

Uniform Termination Notice for Securities Industry Registration (Form # U-5), June 2003

Investment Advisor Representative Multiple Employment Agreement (Form # S.A. 15), July 1998 Affidavit for Waiver of Examination (Form # S.A. 3), July 1999

#### **Securities Registration Forms**

Uniform Application to Register Securities (Form # U-1), July 1981

Uniform Consent to Service of Process (Form # U-2), July 1981

Uniform Form of Corporate Resolution (Form # U-2a), July 1999

Small Company Offering Registration (Form # U-7), September 1999

Registration by Notification - Original Issue (Form # S.A. 4), November 1996

Registration by Notification - Non-Issuer Distribution (Form # S.A. 5), November 1996

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Registration by Notification - Pursuant to 21VAC5-30-50 Non-Issuer Distribution "Secondary Trading" (Form # S.A. 6), 1989

Registration by Qualification (Form # S.A. 8), July 1991

Escrow Agreement (Form # S.A. 12), 1971

Impounding Agreement (Form # S.A. 13), July 1999

Notice of Limited Offering of Securities (Form # VA-1), November 1996

Uniform Investment Company Notice Filing (Form # NF), April 1997

Notice of Sale of Securities Pursuant to Regulation D (Form # SEC Form D), June 2002

Model Accredited Investor Exemption Uniform Notice of Transaction Form (Form # Model Form), July 1999

Application for Coordinated State Review (Form # CR-Equity-1), August 2003

Small Business Securities Offering Application for Mid-Atlantic Regional Review Form (Form # CR-SCOR Mid-Atlantic), May 2002

### **Forms: (Virginia Retail Franchising Act)**

Uniform Franchise Registration Application (Form # A), July 2008

Franchisor's Costs and Sources of Funds (Form # B), July 2008

Uniform Consent to Service of Process (Form # C), July 2008

Affidavit of Compliance - Franchise Amendment/Renewal (Form # E), July 2008

Guarantee of Performance (Form # F), July 2008

Franchisor's Surety Bond (Form # G), July 1999

Notice of Claim of Exemption (Form # H), July 2008

Escrow Agreement (Form # K), July 2007

Application for Coordinated Review of Franchise Registration (Form # CR-FRAN), June 1999

### **Forms: (Virginia Trademark Act)**

Application for Registration of a Trademark or Service Mark (Form # TM1), July 1999

Application for Renewal of a Trademark or Service Mark (Form # TM2), July 1999

Certificate of Name Change of an Applicant or Registrant (Form # TM3), July 1999

### **Division of Utility and Railroad Safety**

Copies of the following documents may be viewed during regular work days from 8:15 a.m. to 5 p.m. in the office of the Commission's Division of Utility and Railroad Safety, 4th Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218. Copies may be obtained at a charge of \$.50 a page. To obtain copies, contact Renee Salmon at the same address, telephone number (804) 371-9947, FAX (804) 371-9734 or email [renee.salmon@scc.virginia.gov](mailto:renee.salmon@scc.virginia.gov). Some of the documents may be downloaded from the Division website at <http://www.scc.virginia.gov/urs>.

Questions regarding interpretation or implementation of these documents may be directed to James Hotinger, Assistant Director, Division of Utility and Railroad Safety, 1300 East Main Street, 4th Floor, Richmond, VA 23219, telephone number (804) 371-9843, FAX (804) 371-9734 or email [james.hotinger@scc.virginia.gov](mailto:james.hotinger@scc.virginia.gov). The mailing address is P.O. Box 1197, Richmond, VA 23218.

### **Guidance Documents:**

Gas Pipeline Safety Inspection Procedures, revised July 2008, § 56-257.2, 70 pages

Damage Prevention Advisory Committee Bylaws, August 2005, § 56-265.31 et seq., 8 pages

Virginia Professional Excavator's Manual, revised April 2007, 84 pages

Virginia Underground Utility Marking Standards, March 2004, 16 pages

Virginia Care: A Guide for Safe Excavation or Demolition, May 2007, 2 pages

Exposing Underground Utility Lines: Requirements and Best Practices, English and Spanish versions, June 2005, 12 pages

Impact Mole Best Practices, English and Spanish versions, August 2005, 9 pages

Dig with C.A.R.E. Keep Virginia Safe, Training DVD, English and Spanish versions, August 2008

Plumbers Beware: A Safety Precautions Brochure, July 2007

### **Division of Public Utility Accounting**

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the Virginia State Corporation Commission's Division of Public Utility Accounting, 1300 East Main Street, 4th Floor, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218. Please contact Barbara Hayek at (804) 371-9700 to make an appointment. Copies may be obtained at the cost of \$.50 a page.

Questions regarding interpretation or implementation of these documents may be directed to Ronald A. Gibson, Director,

Division of Public Utility Accounting, 1300 East Main Street, 4th Floor, Richmond, VA 23219, telephone (804) 371-9950 or FAX (804) 371-9447. The mailing address is P.O. Box 1197, Richmond, VA 23218. Some of the listed documents may be downloaded from the Division of Public Utility Accounting section on the State Corporation Commission's homepage ([www.scc.virginia.gov](http://www.scc.virginia.gov)).

## **Guidance Documents:**

Uniform System of Accounts for Telecommunications Companies, Part 32 of Federal Communications Commission Rules and Regulations, revised October 1, 2007 § 56-249

Uniform System of Accounts for Electric Utilities, Part 101 promulgated by the Federal Energy Regulatory Commission, revised April 1, 2008, § 56-249

Uniform System of Accounts for Natural Gas Companies, Part 201 promulgated by the Federal Energy Regulatory Commission, revised April 1, 2008, § 56-249

Uniform System of Accounts for Class A Water Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 144 pages, § 56-249

Uniform System of Accounts for Class C Water Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 62 pages, § 56-249

Uniform System of Accounts for Class A Wastewater Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 145 pages, § 56-249

Uniform System of Accounts for Class C Wastewater Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 61 pages, § 56-249

Accounting Requirements for Rural Utilities Service Electric Borrowers, Electric Cooperatives, Part 1767 promulgated by the Department of Agriculture, revised January 1, 2008, § 56-249

## **Forms for annual reports:**

Supplemental Schedules Reflecting Virginia Data to be Filed with the Annual Financial and Operating Report for Electric Companies, § 56-249. Length of report varies by company

Annual Financial and Operating Report for Gas Companies, consisting of the Federal Energy Regulatory Commission Form 2 and supplemental schedules, § 56-249. Length of report varies by company

Annual Financial and Operating Report for Telephone Companies, § 56-249. Length of report varies by company

Annual Financial and Operating Report for Class A Water and/or Sewer Companies, National Association of Regulatory

Utility Commissioners Form, § 56-249. Length of report varies by company

Annual Financial and Operating Report for Class C Water and/or Sewer Companies, National Association of Regulatory Utility Commissioners Form, § 56-249. Length of report varies by company

## **Guidelines:**

Guidelines on the recording and recovery of regulatory assets, issued March 29, 1995, 2 pages, § 56-249

Guidelines for Filing Affiliate/Merger Applications (Title 56, Chapter 4 (Public Affiliates Interests Act) and Chapter 5 (Utility Transfers Act)) as follows:

Revised Guidelines for Filing Chapter 4 Applications, 6 pages, §§ 56-76 through 56-87

Revised Guidelines for Filing Chapter 5 Applications, 3 pages, §§ 56-88 through 56-92

Supplemental Guidelines for Filing Applications Under Streamlined Review (Under Title 56, Chapter 5, Utility Transfers Act), 1 page, §§ 56-88 through 56-92

Chapter 4 - Transaction Summary - Affiliate Transactions, 7 pages, §§ 56-76 through 56-87

Chapter 5 - Transaction Summary, 11 pages, §§ 56-88 through 56-92

## **Division of Public Service Taxation**

Copies of the following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in the Office of the Public Service Taxation Division of the State Corporation Commission, Tyler Building, 4th Floor, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218. Copies may be obtained free of charge by contacting Alene Katz at the same address, telephone (804) 371-9480, FAX (804) 371-9797, or email [alene.katz@scc.virginia.gov](mailto:alene.katz@scc.virginia.gov). Many of these forms are available on our website: [www.scc.virginia.gov/pst](http://www.scc.virginia.gov/pst).

Questions regarding interpretation or implementation of these documents may be directed to R. H. Adams, Principal Utility Appraiser, Public Service Taxation Division, State Corporation Commission, Tyler Building, 4th Floor, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9182, FAX 804 371-9797, or email [roy.adams@scc.virginia.gov](mailto:roy.adams@scc.virginia.gov). The mailing address is P.O. Box 1197, Richmond, VA 23218.

## **Guidance Documents:**

CCTD-1, State Tax Bills, all updated annually, Chapter 26 of Title 58.1

CCTD-3, Tax Report, Electric Companies, revised December 2008, § 58.1-2628

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CCTD-6, Tax Report, Telecommunications Companies, revised December 2008, § 58.1-2628

CCTD-7, Tax Report, Gas Companies, revised December 2008, § 58.1-2628

CCTD-8, Tax Report, Water Companies, revised December 2008, § 58.1-2628

CCTD-9, Report of Certificated Motor Vehicle Carriers for the Assessment of Rolling Stock, revised December 2008, § 58.1-2654

CCTD-10, Report for Special Tax on Common Carriers by Motor Vehicle, revised December 2008, § 58.1-2663

CCTD-11, Report for Special Tax on Virginia Pilots' Association, revised December 2008, § 58.1-2663

CCTD-12, Report of Railroad Companies - Statement of Gross Transportation Receipts, revised December 2008, § 58.1-2663

CCTD-ET-1, Declaration of Estimated Gross Receipts Tax, November 1998, §§ 58.1-2640 and 58.1-2647

CCTD-EUCT, Electric Utility Consumption Tax Monthly Report, revised December 2004, §§ 58.1-2901 and 58.1-2902

CCTD-NGCT, Natural Gas Consumption Tax Monthly Report, revised December 2004, §§ 58.1-2905 and 58.1-2906

Real Estate Transaction Form Purchase/Conveyance, 1998, § 58.1-2628

Motor Vehicle Carriers, Urban-Suburban Statement for Special Tax Exemption, 1963, § 58.1-2660

Application for Registration as a Payphone Service Provider, revised December 8, 2008

Application for Registration as an Operator Service Provider, revised December 8, 2008

\*\*The State Corporation Commission issues an annual report each year that contains the leading matters disposed of by formal orders that year. The Annual Reports of the commission may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the State Corporation Commission Clerk's Office, 1st Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Copies may be obtained for approximately \$55 (price may vary depending on the year of the report) by contacting Tamara Harver at the same address, telephone (804) 371-9030, or toll-free in Virginia, (866) 722-2551, or FAX (804) 371-9912.

Questions regarding interpretation of the annual reports may be directed to Joel H. Peck, Clerk of the Commission, State Corporation Commission, 1st Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9834, or toll-free in Virginia, (866) 722-2551, or FAX

(804) 371-9912. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197.

### DEPARTMENT OF CORRECTIONS

Copies of guidance documents may be viewed at Virginia Department of Corrections Headquarters during normal business hours (8 a.m. to 5 p.m., Monday through Friday). The office is located at 6900 Atmore Drive, Richmond, VA 23225.

Copies of guidance documents may be obtained, at a cost of 20 cents per page, by contacting Janice Dow, DOC Regulatory Coordinator at the above address, (804) 674-3303 x1128 or [janice.dow@vadoc.virginia.gov](mailto:janice.dow@vadoc.virginia.gov).

#### Guidance Documents:

[\[BOC Policy 10-1\] Board of Corrections Policy Process](#)

[\[BOC Policy 10-3\] Equal Employment Opportunity](#)

[\[BOC Policy 10-4\] Budget](#)

[\[BOC Policy 10-5\] Sale Or Lease Of Gas, Oil, or Minerals](#)

[\[BOC Policy 10-6\] Real and Personal Property](#)

[\[BOC Policy 10-7\] Negotiations With Low Bidder](#)

[\[BOC Policy 10-8\] Volunteer Program](#)

[\[BOC Policy 20-10\] Agribusiness](#)

[\[BOC Policy 20-11\] Correctional Enterprises](#)

[\[BOC Policy 20-12\] Procurement](#)

[\[BOC Policy 20-2\] Sentence Reductions](#)

[\[BOC Policy 20-3\] Entry into Correctional Facilities](#)

[\[BOC Policy 20-6\] Record of Convictions and Register To Be Kept](#)

[\[BOC Policy 20-7\] Inmate Pay](#)

[\[BOC Policy 20-8\] Extending Limits of Confinement for Work & Educational Programs](#)

[\[BOC Policy 20-9\] Good Conduct Allowance and Earned Sentence Credits](#)

[\[BOC Policy 30-1\] Local Correctional Facility Standards](#)

[\[BOC Policy 30-5\] Purchase of Services Authorized](#)

[\[BOC Policy 30-6\] Cost of Maintenance of Jails](#)

[\[Joint Policy 1-1\] Graduated Release From Confinement](#)

#### Board of Corrections

#### Guidance Documents:

[\[BOC Policy 10-2\] Board of Corrections Regulations](#)

[\[BOC Policy 30-2\] Furlough, Work, Educational & Rehabilitative Releases from Local Correctional Facilities](#)

## BOARD OF COUNSELING

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [coun@dhp.virginia.gov](mailto:coun@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Evelyn Brown, Executive Director of the Board, at the address above or by telephone at (804) 367-4610. Copies are free of charge.

### Guidance Documents:

#### 115-1, Board actions

115-1.1, Possible Disciplinary or Alternative Actions for Non-Compliance with Continuing Education Requirements, February 17, 2006

115-1.2, By-Laws of the Board, adopted June 3, 2005

115-1.3, Guidance on Meeting Degree Program Requirements for Professional Counseling Licensure, adopted August 8, 2008

115-1.4, Guidance on Technology-Assisted Counseling and Technology-Assisted Supervision, adopted August 8, 2008

#### 115-2, Newsletters

115-2.1, Excerpt from 1987 Newsletter, guidance that hypnosis is an appropriate counseling tool, re-adopted August 8, 2008

115-2.2, Guidance on when a fee can be charged, 1990

#### 115-4, Minutes of Board Meetings

115-4.2, Guidance on criminal history in consideration of an application for licensure or certification, revised August 9, 2008.

115-4.6, Authorization for the Executive Director to conduct a preliminary review of discipline cases and make a recommendation to the Chair of the Discipline Committee or his designee for appropriate disposition, August 27, 1999

115-4.8, February 18, 2000, Attachment to minutes. Interpretation of the meaning of "state-approved facility" as used in § 54.1-3500, and interpretation of what type of facilities may hire certified substance abuse counselors

115-4.9, May 5, 2000, Guidance regarding practica or internships completed in distance learning programs

115-4.11, Board guidance on use of confidential consent agreements, February 27, 2004

115-4.12, Board guidance on the process of conducting informal fact-finding proceedings by an agency subordinate, November 5, 2004

## DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the office of the Department of Criminal Justice Services, 202 North 9th Street, 10th Floor, Richmond, VA 23219. Copies may be obtained by contacting Judy Kirkendall at the same address, telephone (804) 786-8003. Fees vary depending upon document. Questions regarding interpretation or implementation of these documents may be directed to Judy Kirkendall, Department of Criminal Justice Services, 202 North 9th Street, 10th Floor, Richmond, VA 23219, telephone (804) 786-8003 or email [judith.kirkendall@dcjs.virginia.gov](mailto:judith.kirkendall@dcjs.virginia.gov).

### Guidance Documents:

Combined Training School Policy, revised September 1994, § 9.1-102

Training Exemption Guidelines, revised September 1998, § 9.1-116

Instructor Certification/Recertification Process, September 1999, 6VAC20-80

Partial In-service Credit Policy Guidelines, revised February 1993, 6VAC20-30

Q-Target Policy, revised November 1991, 6VAC20-30

Waiver of Minimum Qualifications Guidelines, revised May 1, 1994, § 15.2-1705

Physical Examination Policy, revised September 1994, 6VAC20-20 and 6VAC20-50

Guidelines for Auxiliary and Part-time Officers, issued January 1993, §§ 9.1-114 and 15.2-1731

Academy Certification Standards, revised November 1997

Academy Recertification Standards, revised November 1997

Regional Academy Funding Policy, revised July 1998

Guidelines for Approval of College Courses and Programs, issued December 3, 1996, 6VAC20-30

Guidelines for Allowing Individuals to Attend Criminal Justice Mandated Training Prior to Employment, revised November 1994

Radar Operator Training Guidelines, revised March 15, 1995, § 9.1-102

Private Security Training Exemption Guidelines, revised November 13, 2003, 6VAC20-170

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## Guidance Documents

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Private Security Criminal History Waiver Guidelines, issued December 10, 2003, 6VAC20-170

Private Security Sanctions Publication Guidelines, revised September 4, 2003, 6VAC20-170

Private Security Compliance Agent Experience Guidelines, issued February 10, 1997, 6VAC20-170

Topical Outlines and Learning objectives for Private Security, revised August 22, 2003, 6VAC20-170

Criminal Justice Services Board Regional Criminal Justice Training Academy Policy, revised May 3, 1995, 6VAC20-90

Byrne Justice Assistance Grant Program Guidelines and Application Instructions for New Projects Starting July 1, 2008, issued November, 2007

Child Witness Testimony in Court: Using Closed Circuit Equipment, revised September 2004, reprinted December 2005

Use of Closed-Circuit Television in Virginia Courtrooms: 1994-2003, issued December 2005

An Informational Guide for Domestic Violence Victims in Virginia, issued 1997, updated 2004

An Summary of Virginia's Crime Victim and Witness Rights Act, revised August 2005 (reprinted January 2006)

STOP Violence Against Women Grant Program, issued July 2007

Victim/Witness Grant Program Fiscal Years 2007 and 2008 Program Guidelines, issued April 2006

An Informational Guide for Sexual Assault Victims in Virginia, issued 1989, revised April 2004, reprinted June 2006

Sexual Assault Grant Guidelines and application, issued February 2007

Sexual Assault Program Codebook developed 1999, revised 2002

Victim/Witness Grant Program Codebook, revised March 2007

Stalking: A Guide for Victims issued May 2001

Virginia Domestic Violence Victim Fund Program Codebook for Prosecution Grantees, developed February 2005, updated September 2006

Virginia Domestic Violence Victim Fund Program Codebook for Victim Service Grantees, developed July 2005, updated August 2005

Virginia Domestic Violence Victim Fund 2007-2008 Prosecution Grant Guidelines, developed September 2006

Virginia Domestic Violence Victim Fund 2007-2008 Competitive Grant Guidelines, developed July 2006

Domestic Violence Protective Orders: A Guide for Victims of Domestic Violence in Virginia, updated July 2004

Protective Orders: A Guide for victims of Stalking or Serious Bodily Injury in Virginia, updated September 2004

Program Guide: Comprehensive Community Corrections Act for Local-Responsible Offenders and Pretrial Services Act, FY 2009 - 2010, issued January 2008, §§ 19.2-152.2 through 19.2-152.7 and 9.1-173 through 9.1-183

Community Criminal Justice Boards of Virginia: Information and Ideas for New and Continuing Members, issued 2000, § 9.1-178

"Bench Card" for PSA and CCCA, revised March 2006, §§ 9.1-173 through 9.1-183, 19.2-303.2, and 19.2-152.2 through 19.2-152.7

Program Guide: Virginia School Resource Officer Incentive Grants Program Guidelines, issued 2001, to be reissued April 2006

Court Appointed Special Advocate (CASA) Program Guide, issued 1997, to be reissued 2008

Child Abuse: Virginia Statutes and Case Law, 3rd revision, issued December 2003

Information sharing and the Multidisciplinary Child Abuse Team, issued April 2005

Juvenile Justice and Delinquency Prevention Grant information about current offerings is available on the DCJS website at [www.dcjs.virginia.gov](http://www.dcjs.virginia.gov)

Evidence Handling and Laboratory Capabilities Guide, revised November 2003

Serious or Habitual Offender Comprehensive Action Program (SHOCAP) Guidelines, issued April 1999, revised 2001

Forfeited Asset Sharing Program, issued 1990, § 18.2-249

Money Laundering, § 18.2-246, issued July 1999

Sample Directives Manual for Law Enforcement Agencies, revised 1999, updated October 2008, available only on the DCJS website, [www.dcjs.virginia.gov](http://www.dcjs.virginia.gov)

Juvenile Law Handbook for School Administrators, issued 2001

Certified Crime Prevention Community Program Manual, updated 2007

School Resource Reporting Requirements Manual, issued June 2001

Three-year Plan Update, 2006 - 2008, Under the Juvenile Justice and Delinquency Prevention Act

## DEPARTMENT FOR THE DEAF AND HARD OF HEARING

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 4:30 p.m. in the offices of the Virginia Department for the Deaf and Hard of Hearing (VDDHH), 1602 Rolling Hills Drive, Suite 203, Richmond, VA 23229-5012. Copies may be obtained free of charge by contacting Leslie Hutcheson Prince at the same address, telephone (804) 662-9703 (V/TTY), FAX (804) 662-9718 or email [leslie.prince@vddhh.virginia.gov](mailto:leslie.prince@vddhh.virginia.gov). Some of the documents may be available to be downloaded from the VDDHH homepage (<http://www.vddhh.org>).

Questions regarding interpretation or implementation of these documents may also be directed to Leslie Hutcheson Prince.

### Guidance Documents:

VDDHH Policies and Procedures implementing 22VAC20-20 (Regulations Governing Eligibility Standards and Application Procedures of the Distribution of Technological Assistive Devices), revised 2008

VDDHH Policies and Procedures implementing 22VAC20-30 (Regulations Governing Interpreter Services for the Deaf and Hard of Hearing), revised July 2008

Directory of Qualified Interpreters, implementing 22VAC20-30 (Regulations Governing Interpreter Services for the Deaf and Hard of Hearing), revised monthly

Virginia Quality Assurance Screening Applicant Packet, implementing 22VAC20-30 (Regulations Governing Interpreter Services for the Deaf and Hard of Hearing), revised 2008

## BOARD OF DENTISTRY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [denbd@dhp.virginia.gov](mailto:denbd@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Sandra K. Reen, Executive Director of the Board, at the address above or by telephone at (804) 367-4538. Copies are free of charge.

### Guidance Documents:

60-1, Board policy on confidential consent agreements, adopted July 11, 2003

60-2, Sanction reference point instruction manual, adopted July 22, 2005

60-3, Board guidance on the meaning of an "updated health history," adopted December 9, 2005

60-4, Board guidance on the meaning of "morbidity" for reporting of adverse reactions, adopted March 3, 2006

60-5, Board policy on sanctioning for failure to meet continuing education requirements, March 3, 2006

60-6, Board policy on sanctioning for practicing with an expired license, December 12, 2008

60-7, Board guidance on practice names, adopted July 11, 2003

60-8, Special bulletin on clarification of general supervision, adopted September 30, 2002, revised December 2006

60-8.1, Bulletin article on general supervision, Spring 2003

60-11, Guidance on treatment of patient if fees not paid, revised September 12, 2008

60-12, Board guidance on administration of topical oral fluorides by dental hygienists in the Virginia Department of Health, revised September 7, 2007

60-19, Guidelines on periodontal diagnosis and treatment, revised September 12, 2008

60-21, Board guidance for process of delegation of informal fact-finding to an agency subordinate, November 19, 2004

## DEPARTMENT OF EDUCATION

The documents may be viewed during regular work days from 8:30 a.m. to 5 p.m. at the Department of Education, 101 North 14th Street, 25th Floor, Richmond, VA 23219. Single copies may be obtained at no cost by contacting Dr. Margaret N. Roberts at the Virginia Department of Education, P.O. Box 2120, Richmond, VA 23218-2120; telephone (804) 225-2540, FAX (804) 225-2524, or email [margaret.roberts@doe.virginia.gov](mailto:margaret.roberts@doe.virginia.gov). Questions may also be directed to Dr. Roberts. The documents are also available on the Department of Education's website, as shown below, or at: <http://www.doe.virginia.gov/VDOE/PC/guidance.shtml>

### Guidance Documents:

#### Administration and Governance

List of Board of Education Regulations Identified as Waivable for Charter School Purposes ([http://www.doe.virginia.gov/VDOE/Instruction/boe\\_waivable\\_cs.pdf](http://www.doe.virginia.gov/VDOE/Instruction/boe_waivable_cs.pdf)), June 1999, § 22.1-16

Use of Literary Fund Loan Proceeds, Supts. Memo. No. 130, Informational (<http://www.doe.virginia.gov/VDOE/suptsmemos/2007/inf130.html>), June 29, 2007, 8VAC20-100

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## Guidance Documents

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Pupil Transportation Specifications for School Buses ([http://www.doe.virginia.gov/boe/meetings/2008/07\\_jul/agenda\\_items/item\\_h.pdf](http://www.doe.virginia.gov/boe/meetings/2008/07_jul/agenda_items/item_h.pdf)) July 2008 (updated annually), Article VIII, § 4, Constitution of Virginia; §§ 22.1-176, 22.1-177, 22.1-178, 22.1-181, and 22.1-186

Model Guidelines for the Wearing of Uniforms in Public Schools (<http://www.doe.virginia.gov/VDOE/PC/uniforms.pdf>), 1996, § 22.1-79.2

Guidelines on the Recitation of the Pledge of Allegiance, (<http://www.pen.k12.va.us/VDOE/suptsmemos/2001/inf107a.pdf>), 2001, § 22.1-202

Guidelines Concerning Religious Activity in Public Schools (<http://www.doe.virginia.gov/VDOE/PC/religion.pdf>), 1995, § 22.1-280.3

Acceptable Use Policy: A Handbook (<http://www.doe.virginia.gov/VDOE/Technology/AUP/home.shtml>), revised 2001, § 22.1-70.2

Guidelines for the Donation of Obsolete Educational Technology Hardware and Software by School Boards to Students (<http://www.pen.k12.va.us/VDOE/suptsmemos/2000/inf197a.pdf>), 2000, § 22.1-199.1 B 4

Guidelines: Minute of Silence (<http://www.pen.k12.va.us/VDOE/suptsmemos/2000/inf122a.pdf>), 2000, § 22.1-203

Guidelines for Honorary High School Diplomas for Veterans of World War II, the Korean War, and the Vietnam War (<http://www.doe.virginia.gov/VDOE/suptsmemos/2002/inf147a.pdf>), 2002, §§ 22.1-17.4 and 2.2-3309.1

Criteria and Process for the Board of Education to Review Charter School Applications, Consistent with Existing State Law ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2004/jul21min.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2004/jul21min.pdf)), Pages 143-145, July 2004, § 22.1-212.9

Guidelines for Establishing Joint or Regional Continuation High Schools or Programs (<http://www.doe.virginia.gov/VDOE/suptsmemos/2004/inf118a.pdf>) Supts. Memo No. 118, Informational, May 28, 2004, § 22.1-26

Criteria for Review of Private Educational Management Companies ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2005/ItemC-apr.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2005/ItemC-apr.pdf)), April 2005, Section 1116(b)(7)(C)(iv) of the No Child Left Behind Act of 2001

Eligibility Criteria for Cost-Saving and Service-Sharing Agreements Between School Divisions in the Commonwealth of Virginia ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2005/ItemJ-jul.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2005/ItemJ-jul.pdf)), July 2005, § 22.1-98.2

Process for Initiating a Governor's Career and Technical Academy ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2007/nov-itemE.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2007/nov-itemE.pdf)), November 2007

Criteria for Making Distributions from the Public Charter School Fund ([http://www.doe.virginia.gov/VDOE/Instruction/OCP/charter\\_school\\_fund.pdf](http://www.doe.virginia.gov/VDOE/Instruction/OCP/charter_school_fund.pdf)), January 10, 2008, § 22.1-212.5:1

### Graduation and School Accreditation

Guidelines Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public Schools in Virginia (<http://www.doe.virginia.gov/VDOE/Accountability/soa-guidance-doc.pdf>), Revised July 2007, 8VAC 20-131.

Delegating the Approval of Other States' Comprehensive Subject Area Assessments as Substitute Tests, Pursuant to the Board of Education's Guidance Document Governing Certain Provisions of the Regulations Establishing Standards of Accrediting Public Schools in Virginia ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2007/may30agenda.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2007/may30agenda.pdf)), May 2007, 8VAC 20-131

Guidelines for Local School Boards to Award Verified Credits for the Standard Diploma to Transition Students ([http://www.doe.virginia.gov/VDOE/Verified\\_credit.pdf](http://www.doe.virginia.gov/VDOE/Verified_credit.pdf)), July 2002, 8VAC20-131-50 B

Guidelines for Awarding Differentiated Numbers of Verified Credit for Career and Technical Education Certification and Licensure Examinations (<http://www.pen.k12.va.us/VDOE/suptsmemos/2002/adm045a.pdf>), 2002, 8VAC 20-131

Interpretation of Regulations for Certain Transfer Students (<http://www.pen.k12.va.us/VDOE/suptsmemos/2002/int002.html>), 2002, 8VAC 20-131-50

Criteria for Identifying Schools for School-Level Academic Reviews (<http://www.doe.virginia.gov/VDOE/suptsmemos/2005/inf202a.pdf>), September 2005, 8VAC 20-131

### Health, Safety, and Student Discipline

Model Guidelines for School Attendance for Children with Human Immunodeficiency Virus (HIV) (<http://www.longwood.edu/vchetrc/HIVSchoolGuidelines.htm>), 1990, § 22.1-271.3

Virginia School Health Guidelines (<http://www.doe.virginia.gov/VDOE/Instruction/Health/home.html>), Revised May 1999

Guidelines for Specialized Health Care Procedures (<http://www.doe.virginia.gov/VDOE/Instruction/Health/home.html>), Revised 2004

Guidelines for Training of Public School Employees in the Administration of Insulin and Glucagon (<http://www.doe.virginia.gov/VDOE/Instruction/Health/insulin-glucagon.pdf>), September 1999, §§ 8.01-225, 22.1-274, 22.1-275.1, 54.1-2901, 54.1-3001, 54.1-3005, and 54.1-3408

Guidelines for Suicide Prevention (<http://www.pen.k12.va.us/VDOE/Instruction/prevention.pdf>), Revised 2003, § 22.1-272.1

Guidelines for Student Drug-Testing in the Public Schools (<http://www.pen.k12.va.us/VDOE/PC/DrugTestingGuidelines.pdf>), June 2004, §§ 22.1-279.6 and 22.1-279.7

Student Conduct Policy Guidelines ([http://www.pen.k12.va.us/VDOE/Instruction/Sped/stu\\_conduct.pdf](http://www.pen.k12.va.us/VDOE/Instruction/Sped/stu_conduct.pdf)), Revised 2006, § 22.1-279.6

Virginia School Search Resource Guide (includes student search guidelines) (<http://www.safeanddrugfreeva.org/SearchGuideJul00.pdf>), October 2000, § 22.1-277.01:2

School Safety Audits: Protocol, Procedures, and Checklists (<http://www.pen.k12.va.us/VDOE/Instruction/schoolsafety/safetyaudit.pdf>), June 2000, § 22.1-278.1

Policy Regarding Medication Recommendation by School Personnel (<http://www.pen.k12.va.us/VDOE/suptsmemos/2002/adm054.html>), August 2002, § 22.1-274.3

Resource Guide for Crisis Management and Emergency Response in Virginia Schools ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2007/nov-itemH.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2007/nov-itemH.pdf)), November 2007, § 22.1-278.1

Child Abuse and Neglect Recognition and Intervention Training Curriculum Guidelines (<http://www.doe.virginia.gov/VDOE/suptsmemos/2003/inf209a.pdf>), 2003, § 22.1-298

Guidelines for Managing Asthma in Virginia Schools: A Team Approach (<http://www.doe.virginia.gov/VDOE/Instruction/PE/ManagingAsthmaGuidelines.pdf>), 2003, § 2.1-274.2

### Instruction

Guidelines for the K-3 Record for Reading and Mathematics (<http://www.doe.virginia.gov/VDOE/suptsmemos/1999/inf128.html>), 1999, 8VAC20-131-80

Objectives for Personal Living and Finance (<http://www.doe.virginia.gov/VDOE/Instruction/CTE/persfin.pdf>), Revised 2006, § 22.1-253.13:1 B

Criteria for Character Education Programs (<http://www.doe.virginia.gov/VDOE/suptsmemos/2000/inf045.html>), 2000, § 22.1-208.01

Guidelines and Standards of Learning for Family Life Education (<http://www.doe.virginia.gov/VDOE/studentsrvcs/familylifeguidelines.pdf>), Revised September 2008, § 22.1-207.1

Curriculum and Administrative Guide for Driver Education in Virginia ([http://www.doe.virginia.gov/VDOE/Instruction/PE/ca\\_guide.html](http://www.doe.virginia.gov/VDOE/Instruction/PE/ca_guide.html)), 2001, § 22.1-205

Guidelines for Banking-at-School Demonstration Partnership Programs (<http://www.doe.virginia.gov/VDOE/suptsmemos/2002/inf092a.pdf>), 2002, § 22.1-208.2:3

Individual Student Alternative Education Plan (ISAE) Program Guidelines (<http://www.doe.virginia.gov/VDOE/suptsmemos/2003/inf041a.pdf>), Revised February 2003, § 22.1-254

Guidelines for Alternatives to Animal Dissection ([http://www.doe.virginia.gov/VDOE/VA\\_Board/resolutions/2004/2004-35.html](http://www.doe.virginia.gov/VDOE/VA_Board/resolutions/2004/2004-35.html)), July 2004, § 22.1-200.01

Virginia's Definition of School Readiness ([http://www.doe.virginia.gov/boe/meetings/2008/04-apr/agenda\\_items/item\\_j.pdf](http://www.doe.virginia.gov/boe/meetings/2008/04-apr/agenda_items/item_j.pdf)), April 2008

### Licensure and Teacher Preparation

The Virginia License Renewal Manual (<http://www.doe.virginia.gov/VDOE/Compliance/TeacherED/remanual.pdf>), Revised September 2007, § 22.1-298

Local Eligibility License Guidelines (<http://www.pen.k12.va.us/VDOE/suptsmemos/2000/inf125.html>) September 2000, §§ 22.1-298, 22.1-299, 22.299.3 and 22.1-303

Guidelines for Uniform Evaluation of Superintendents, Teachers, and Administrators and Instructional Central Office Personnel (<http://www.doe.virginia.gov/VDOE/newvdoe/evaluation.pdf>), January 2000, §§ 22.1-253.13:5, 22.1-293, 22.1-294, 22.1-295, 22.1-298, 22.1-303, 22.1-303.1, 22.1-305, 22.1-305.1, 22.1-60.1, 22.1-299.2 and 23-9.2:3.4

Guidelines for Mentor Teacher Programs for Beginning and Experienced Teacher Participation (<http://www.doe.virginia.gov/VDOE/newvdoe/legislat.PDF>), June 2000, § 22.1-305.1

Standards Governing the Issuance of a Regular Five Year License to Individuals Holding a Local Eligibility License (<http://www.pen.k12.va.us/VDOE/suptsmemos/2000/inf125.html>), September 2000, §§ 22.1-298, 22.1-299, 22.299.3 and 22.1-303

Implementation of Legislation Authorizing the Hiring of Retired Public School Teachers and Administrators for Critical Shortage Areas

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## Guidance Documents

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(<http://www.doe.virginia.gov/VDOE/suptsmemos/2001/inf111.html>), August 7, 2001, § 51.1-155

The Virginia Requirements of Quality and Effectiveness for Beginning Teacher Mentor Programs in Hard-To-Staff Schools

(<http://www.doe.virginia.gov/VDOE/suptsmemos/2006/inf169.html>), June 2004

Virginia's High Objective Uniform State Standard of Evaluation (HOUSSE) for Experienced Teachers (<http://www.doe.virginia.gov/VDOE/newvdoe/BOEItemIIonHOUSSE.pdf>), Revised April 2005, No Child Left Behind (NCLB) Act of 2001

Virginia's Definition of Alternate Route for Highly Qualified Teachers

([http://www.doe.virginia.gov/VDOE/VA\\_Board/resolutions/2004/2004-21.html](http://www.doe.virginia.gov/VDOE/VA_Board/resolutions/2004/2004-21.html)), April 2004, No Child Left Behind (NCLB) Act of 2001

Virginia Requirements to Be a Highly Qualified Special Education Teacher ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2006/ItemP-sep.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2006/ItemP-sep.pdf)), Revised September 2006, No Child Left Behind (NCLB) Act of 2001

Virginia's High Objective Uniform State Standard of Evaluation (HOUSSE) for Visiting International Faculty (VIF) Cultural Exchange Teachers ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2007/mar-itemG.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2007/mar-itemG.pdf)), March 2007

Guidelines for Prescribed Professional Teacher's Examinations

([http://www.doe.virginia.gov/VDOE/newvdoe/prof\\_teacher\\_assessment.pdf](http://www.doe.virginia.gov/VDOE/newvdoe/prof_teacher_assessment.pdf)), Updated August 2008, § 22.1-298, 8VAC 20-22-10 et seq.

High-Quality Professional Development Criteria (<http://www.doe.virginia.gov/VDOE/nclb/HQPDcriteria4-04.pdf>), April 2004, No Child Left Behind Act of 2001

Criteria for Implementing Experiential Learning Credits for Alternate Route Applicants Seeking Initial Licensure ([http://www.doe.virginia.gov/VDOE/VA\\_Board/resolutions/2005/2005-18.html](http://www.doe.virginia.gov/VDOE/VA_Board/resolutions/2005/2005-18.html)), October 2005, § 22.1-298

Policy Statement for Implementing in Virginia Approved Programs the Virginia Communication and Literacy Assessment

([http://www.doe.virginia.gov/VDOE/VA\\_Board/resolutions/2005/2005-23.html](http://www.doe.virginia.gov/VDOE/VA_Board/resolutions/2005/2005-23.html)), November 2005

Virginia Standards for the Professional Practice of Teachers ([http://www.doe.virginia.gov/info\\_centers/superintendents\\_memos/2008/06\\_jun/inf150.html](http://www.doe.virginia.gov/info_centers/superintendents_memos/2008/06_jun/inf150.html)), May 2008

Accountability Measurement of Partnerships and Collaborations Based on PreK-12 School Needs Required by

the Regulations Governing the Review and Approval of Education Programs in Virginia

([http://www.doe.virginia.gov/boe/meetings/2008/10\\_oct/agenda\\_items/item\\_e.pdf](http://www.doe.virginia.gov/boe/meetings/2008/10_oct/agenda_items/item_e.pdf)), October 2008, 8VAC20-542-40

Definitions of At-Risk of Becoming Low-Performing and Low-Performing Institutions of Higher Education in Virginia as Required by Title II of the Higher Education Act (HEA)

([http://www.doe.virginia.gov/boe/meetings/2008/11\\_nov/agenda\\_items/item\\_c.pdf](http://www.doe.virginia.gov/boe/meetings/2008/11_nov/agenda_items/item_c.pdf)), November 2008, Section 207 of Title II, Higher Education Act (HEA)

Advancing Virginia's Leadership Agenda Guidance Document: Standards and Indicators for School Leaders and Documentation for the Principal of Distinction (Level II) Administration and Supervision Endorsement

([http://www.doe.virginia.gov/boe/meetings/2008/11\\_nov/agenda\\_items/item\\_d.pdf](http://www.doe.virginia.gov/boe/meetings/2008/11_nov/agenda_items/item_d.pdf)), November 2008, 8VAC 20-22-10 et seq.

### No Child Left Behind Act of 2001

Persistently Dangerous Schools and Unsafe School Choice Options

(<http://www.doe.virginia.gov/VDOE/nclb/nclbdangerousschools.pdf>), April 2003, no Child Left Behind Act of 2001

Guidelines for the Provision of Public School Choice for Students in Title I Schools that are Identified for Improvement Status Under the No Child Left Behind Act of 2001

(<http://www.doe.virginia.gov/VDOE/suptsmemos/2002/inf110a.pdf>), 2002

Criteria for the Providers of Supplemental Education Services Under the No Child Left Behind Act of 2001

([http://www.doe.virginia.gov/VDOE/VA\\_Board/resolutions/2002/2002-24.html](http://www.doe.virginia.gov/VDOE/VA_Board/resolutions/2002/2002-24.html)), July 2002

Criteria and Process for Adoption of Instructional Models/Programs that Include Instructional Methods to Satisfy Provisions in Regulations Establishing Accrediting Standards for Public Schools in Virginia

(<http://www.doe.virginia.gov/VDOE/suptsmemos/2004/inf069.html>), Revised January 2004

Revision to the Terminology Used in the Criteria and Disclaimers to Identify and Select Instructional Interventions in Regulations Establishing Standards for Accrediting Public Schools in Virginia

([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2007/feb-itemD.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2007/feb-itemD.pdf)), February 2007, 8VAC 20-131-10 et seq.

Guidelines for School Division Rewards Allowable Under the No Child Left Behind Act of 2001 (<http://www.pen.k12.va.us/VDOE/suptsmemos/2004/inf151a.pdf>), July 2004, No Child Left Behind Act of 2001

Guidelines for Sanctions/Corrective Actions for Virginia School Divisions in Improvement Status as Required by the

No Child Left Behind Act of 2001 ([http://www.doe.virginia.gov/VDOE/VA\\_Board/resolutions/2004/2004-44.html](http://www.doe.virginia.gov/VDOE/VA_Board/resolutions/2004/2004-44.html)), October 2004

Process for Submitting Locally Developed and/or Selected English Language Proficiency Assessments for Board of Education Approval ([http://www.doe.virginia.gov/VDOE/VA\\_Board/resolutions/2003/2003-1.html](http://www.doe.virginia.gov/VDOE/VA_Board/resolutions/2003/2003-1.html)), January 2003

## School Nutrition Programs

Agreement to Participate in the School Nutrition Programs (<http://www.doe.virginia.gov/VDOE/suptsmemos/2006/reg001.html>), Updated annually, May 2006, 7 CFR 210.16 Para. a. 5

Guidelines for Accommodating Children with Special Dietary Needs in School Nutrition Programs (<http://www.doe.virginia.gov/VDOE/suptsmemos/2002/reg008.html>), October 2002

## Special Education

Rights and Procedural Safeguards for Special Education Related to Free and Appropriate Public Education ([http://www.doe.virginia.gov/VDOE/Instruction/Sped/proc\\_safe.pdf](http://www.doe.virginia.gov/VDOE/Instruction/Sped/proc_safe.pdf)), Revised November 2007, Individuals with Disabilities Education Improvement Act (IDEA; P.L. 108-446; 20 USC § 1400 et seq.)

Discipline of Students with Disabilities, 2000 (Currently under revision)

Guidelines for the Development of Policies and Procedures for Managing Student Behaviors in Emergency Situations: Focusing on Physical Restraint and Seclusion (<http://www.doe.virginia.gov/VDOE/sess/EmergBehaviorGd.pdf>), November 2005, § 22.1-276 et seq., § 22.1-279.1, 8VAC20-80-10

Required Modifications to Local Procedures and Policies (<http://www.doe.virginia.gov/VDOE/sess/spedannualplan/guidancedocument.pdf>) November 2005, IDEA '04 § 1412(a)(11)(A)(iii), 1412(a)(24), and 1412(a)(25)

Alternative Special Education Staffing Plan Procedures (<http://www.doe.virginia.gov/VDOE/sped/AltStfPln-ProceduresReqForm.doc>), January 2001, 8VAC 20-80-45

Procedures for Receiving and Resolving Complaints which Allege Violation of Federal and State Laws and Regulations Pertaining to Children with Disabilities ([http://www.doe.virginia.gov/VDOE/Instruction/complaint\\_res\\_proced.pdf](http://www.doe.virginia.gov/VDOE/Instruction/complaint_res_proced.pdf)), February 2000, 34 CFR 300.151, et. seq.; § 22.1-214 E, 8VAC20-80-78

Guidelines for Schools for Students with Disabilities Fund ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2007/jun28-itemD.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2007/jun28-itemD.pdf)) June 2007, Appropriation Act (Item 5.06, Chapter 3, 2006 Special Session I)

## Special Programs

The Virginia Plan for the Gifted (<http://www.doe.virginia.gov/VDOE/Instruction/Gifted/VAPIanforGifted1996.pdf>), 1996, 22.1-253.13:1. Standard 1, 8VAC 20-40.

Procedures for Initiating an Academic Year Governor's School (<http://www.doe.virginia.gov/VDOE/Instruction/Govschools/boeaygsprocess.pdf>), 1998, 8VAC 20-40

Criteria for Establishing Governor's Career and Technical Academies ([http://www.doe.virginia.gov/info\\_centers/superintendents\\_memos/2008/02\\_feb/inf043.html](http://www.doe.virginia.gov/info_centers/superintendents_memos/2008/02_feb/inf043.html)), February 2008

Standards for the Governor's Career and Technical Education Exemplary Standards Awards Program ([http://www.doe.virginia.gov/boe/meetings/2008/03\\_mar/agenda\\_items/item\\_c.pdf](http://www.doe.virginia.gov/boe/meetings/2008/03_mar/agenda_items/item_c.pdf)), March 2008

Guidelines Establishing an Incentive Program to Encourage and Recognize School Accountability Performance and Competence to Excellence, ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2007/jul-itemI.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2007/jul-itemI.pdf)), July 2007, 8VAC 20-131-325

## Standards of Learning Testing Program

Guidelines for Participation of Limited English Proficient Students in the SOL Assessments (<http://www.doe.virginia.gov/VDOE/Assessment/LEPStudentsparticipationguidelines.pdf>), Updated 2008, No Child Left Behind Act of 2001 (NCLB), Section 1111 (b) (3) (C) (v) (II)

Procedures for Participation of Students with Disabilities in the Assessment Component of Virginia's Accountability System (<http://www.doe.virginia.gov/VDOE/Assessment/Assess.PDF/SWDsol.pdf>), 2002, No Child Left Behind Act of 2001, 8VAC 20-80-10 et seq.

Process for School Divisions to Submit Locally-Developed and/or Selected English Language Proficiency Assessments for Board Approval ([http://www.doe.virginia.gov/VDOE/VA\\_Board/Meetings/2005/ItemI-oct.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/Meetings/2005/ItemI-oct.pdf)), Revised October 2005, Title I, Part A, of the No Child Left Behind Act of 2001

Comprehensive Services Act (CSA) for At Risk Youth and Families Implementation Manual (<http://www.doe.virginia.gov/VDOE/studentrvcs/csa-funding.pdf>), Revised 2002, Individuals with Disabilities Education Act (IDEA) (20 USC §§ 1400, et. seq.), 8VAC 20-80

Handbook for Homebound Services (<http://www.doe.virginia.gov/VDOE/sess/Homebound.pdf>), Revised June 2007, 8VAC 20-131-100, 8VAC 20-131-180

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# Guidance Documents

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Protocol for State-Directed Investigations of Testing Irregularities

([http://www.doe.virginia.gov/info\\_centers/superintendents\\_memos/2008/05\\_may/inf118.html](http://www.doe.virginia.gov/info_centers/superintendents_memos/2008/05_may/inf118.html)), April 2008, §§ 22.1-253.13:3, 22.1-19.1, 22.1-292.1, 2.2-3705.3

World-Class Instructional Design and Assessment (WIDA) English Language Proficiency (ELP) Standards

([http://www.doe.virginia.gov/boe/meetings/2008/03\\_mar/agenda\\_items/item\\_d.pdf](http://www.doe.virginia.gov/boe/meetings/2008/03_mar/agenda_items/item_d.pdf)), March 2008, No Child Left Behind Act of 2001

## Student Records

Guidelines for the Management of the Student's Scholastic Record in Virginia Public Schools

(<http://www.doe.virginia.gov/VDOE/studentsrvcs/MSSRedit.pdf>), Revised May 2004, §§ 2.1-377-386, 20-124.6, 34 CFR Part 99, 8VAC20-150.

## Resolutions of the Board of Education

Subsequent to promulgating a regulation, additional questions may arise regarding the intent of the board regarding a regulation or section of a regulation. The Board of Education may then adopt a resolution to explain to the public its intent regarding the regulation or section of a regulation. All actions and resolutions of the Board of Education as they relate to implementation of policy may be viewed at <http://www.doe.virginia.gov/boe/resolutions/index.shtml>

## Guidance to Local School Officials

The Virginia Department of Education provides ongoing regulatory and nonregulatory guidance to local school boards and superintendents. The official communications are made in weekly Superintendent's Memoranda, which may be viewed at <http://141.104.22.210/VDOE/suptsmemos/2008/>

## STATE BOARD OF ELECTIONS

Copies of the following documents may be viewed on regular work days from 8:30 a.m. until 4:30 p.m. in the office of the State Board of Elections, 9th Street Office Building, 200 North 9th St, Suite 101, Richmond VA 23219. Copies of many forms may be obtained directly from the State Board website at [www.sbe.state.va.us](http://www.sbe.state.va.us), or by contacting the State Board offices at (800) 552-9745, email at [info@sbe.virginia.gov](mailto:info@sbe.virginia.gov) or FAX at (804) 371-0194. Copies authorized to be provided are subject to costs stated in the Board's Freedom of Information Act policy published on its website.

Questions regarding interpretation or implementation of these documents may be directed to the above office address in person, telephone number, email or fax and will be directed to the appropriate staff member.

A. Certification of Candidate Forms – By General Registrars and Electoral Boards

1. SBE-505(4), Senate of Virginia, § 24.2-505
2. SBE-505(5), House of Delegates, § 24.2-505
3. SBE-505(6), /SBE-612(6), Clerk of Court shared, §§ 24.2-505, 24.2-612
4. SBE-505(7)/SBE-612(7), Commonwealth's Attorney (shared), §§ 24.2-505, 24.2-612
5. SBE-505(8)/SBE-612(8), Sheriff (shared), §§ 24.2-505, 24.2-612
6. SBE-505(9)/SBE-612(9), Treasurer (shared), §§ 24.2-505, 24.2-612
7. SBE-505(10)/SBE-612(10), Clerk of Court, §§ 24.2-505, 24.2-612
8. SBE-505(11)/SBE-612(11), Commonwealth's Attorney, §§ 24.2-505, 24.2-612
9. SBE-505(12)/SBE-612(12), Sheriff, §§ 24.2-505, 24.2-612
10. SBE-505(13)/SBE-612(13), Commissioner of Revenue, §§ 24.2-505, 24.2-612
11. SBE-505(14)/SBE-612(14), Treasurer, §§ 24.2-505, 24.2-612
12. SBE-505(15)/SBE-612(15), Board of Supervisors, §§ 24.2-505, 24.2-612
13. SBE-505(16)/SBE-612(16), County Board, §§ 24.2-505, 24.2-612
14. SBE-505(17)/SBE-612(17), City Council Offices, §§ 24.2-505, 24.2-612
15. SBE-505(18)/SBE-612(18), Town Council Offices, §§ 24.2-505, 24.2-612
16. SBE-505(19)/SBE-612(19), City School Board, §§ 24.2-505, 24.2-612
17. SBE-505(20)/SBE-612(20), Town School Board, §§ 24.2-505, 24.2-612
18. SBE-505(21)/SBE-612(21), Local Vacancy – November w/ June Filing Deadline, §§ 24.2-505, 24.2-612
19. SBE-505(22)/SBE-612(22), Local Vacancy – November w/ August Filing Deadline, §§ 24.2-505, 24.2-612
20. BE-505(23)/SBE-612(23), County School Board, §§ 24.2-505, 24.2-612
21. SBE-505(24)/SBE-612(24), Soil and Water Conservation Director, §§ 24.2-505, 24.2-612
22. SBE-505(25)/SBE-612(25), Local Vacancy – May Election, §§ 24.2-505, 24.2-612

23. SBE-505(26)/SBE-612(26), Local Vacancy – Other than May or November, §§ 24.2-505, 24.2-612

## B. Certification of Candidates by Political Party Chairs

1. SBE-511(1), U. S. Senate, § 24.2-511
2. SBE-511(2), U. S. House of Representatives, § 24.2-511
3. SBE-511(3), Governor, Lieutenant Governor, Attorney General, § 24.2-511
4. SBE-511(4), Senate of Virginia, § 24.2-511
5. SBE-511(5), House of Delegates, § 24.2-511
6. SBE-511(6), Clerk of Court (shared), § 24.2-511
7. SBE-511(7), Commonwealth's Attorney (shared), § 24.2-511
8. SBE-511(8), Sheriff (shared), § 24.2-511
9. SBE-511(9), Treasurer (shared), § 24.2-511
10. SBE-511(10), Clerk of Court, § 24.2-511
11. SBE-511(11), Commonwealth's Attorney, § 24.2-511
12. SBE-511(12), Sheriff, § 24.2-511
13. SBE-511(13), Commissioner of Revenue, § 24.2-511
14. SBE-511(14), Treasurer, § 24.2-511
15. SBE-511(15), Board of Supervisors, § 24.2-511
16. SBE-511(16), Country Board, § 24.2-511
17. SBE-511(17), City Council Offices, § 24.2-511
18. SBE-511(21), Local Vacancy – November w/ June Filing Deadline, § 24.2-511
19. SBE-511(22), Local Vacancy – November w/ August Filing Deadline, § 24.2-511

## C. Method of Nomination – By Political Party Chairs

1. SBE-516(1A), President, § 24.2-516
2. SBE-516(1B), U.S. Senate, § 24.2-516
3. SBE-516(2), U.S. House of Representative, § 24.2-516
4. SBE-516(3), Governor, Lieutenant Governor, Attorney General, § 24.2-516
5. SBE-516(4), Senate of Virginia, § 24.2-516
6. SBE-516(5), House of Delegates, § 24.2-516
7. SBE-516(CO), Constitutional Officers, § 24.2-516
8. SBE-516(15), Board of Supervisors, § 24.2-516
9. SBE-516(16), County Board, § 24.2-516
10. SBE-516(17), City Council Officers, § 24.2-516

11. SBE-516(21), Local Vacancy, § 24.2-516

## D. Candidate Forms

1. SBE-505/520, Declaration of Candidacy, Rev 12/07, §§ 24.2-505, 24.2-520
2. SBE-545, Petition of Qualified Voters for Presidential Primary, Rev 12/07, § 24.2-545
3. SBE-543, Petition of Qualified Voters for Electors for President and Vice President, Rev 12/07, § 24.2-543
4. SBE-506/521, Petition of Qualified Voters (all other offices), Rev 12/07, §§ 24.2-506, 24.2-521
5. SBE-501(1)/542, Certificate of Candidate Qualification for Elector for President and Vice President, Rev 12/07, §§ 24.2-501, 24.2-542
6. SBE-501(2), Certificate of Candidate Qualification for Member of United States Senate, Rev 12/07, § 24.2-501
7. SBE-501(3), Certificate of Candidate Qualification for Member, House of Representatives, Rev 12/07, § 24.2-501
8. SBE-501(4), Certificate of Candidate Qualification for Governor and Lieutenant Governor, Rev 1/09, § 24.2-501
9. SBE-501(5), Certificate of Candidate Qualification for Attorney General, Rev 1/09, § 24.2-501
10. SBE-501(6), Certificate of Candidate Qualification for General Assembly, Rev 12/07, § 24.2-501
11. SBE-501(7), Certificate of Candidate Qualification for Local Office, Rev 12/07, § 24.2-501
12. SBE-501(8), Certificate of Candidate Qualification for City or Town Officer, Rev 12/07, § 24.2-501
13. RECEIPT, Documents Presented at Time of Filing for Statewide Office, Rev 12/04, § 24.2-501, 24.2-503, 24.2-505, 24.2-506, 24.2-507

## E. Candidate Bulletins

Note: Bulletins for special elections are issued as needed.

1. Federal Law, Deadlines and Ballot Access Requirements for President, Rev 12/07, Title 24.2
2. U.S. Senate, Rev 10/07, Title 24.2
3. U.S. House of Representatives, Rev 2/08, Title 24.2
4. Statewide Office, Rev 12/08, Title 24.2
5. General Assembly, Rev 12/08, Title 24.2
6. Local Offices (November), Rev 12/08, Title 24.2
7. Alexandria City Offices (May), Rev 10/07, Title 24.2
8. Town Offices (Vienna) (May), Rev 2/08, Title 24.2

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# Guidance Documents

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9. Do's and Don'ts on a Primary Election Day, Rev 7/07, Title 24.2

10. Guidelines for Pollworkers and Authorized Representatives - Primary Election, Rev 7/07, Title 24.2

11. Do's and Don'ts on a General or Special Election Day, Rev 7/07, Title 24.2

12. Guidelines for Pollworkers and Authorized Representatives – General and Special Elections, Rev 7/07, Title 24.2

## F. Referendum Documents

1. SBE-684.1(1), Petition of Qualified Voters for Referendum, Rev 9/05, § 24.2-684.1

2. Statement of Petitioner for Local Referendum, Rev 12/04, Title 24.2

3. Certificate of Receipt and Acceptance for Local Referendum, Rev 12/04, Title 24.2

4. Bulletin - Referendum Provisions - In General, Rev 12/04, Title 24.2

5. Bulletin - Direct Election of School Board Members, Rev 12/08, Title 24.2

6. Bulletin - Pari-Mutual Wagering, Rev 12/04, Title 24.2

## II. VOTER REGISTRATION

1. VA-NVRA-1, Virginia Voter Registration Form, Rev 07/08, § 24.2-418

2. Interactive (fillable) Virginia Voter Registration Form, 07/08, § 24.2-418

3. SBE-13, Voter Registration Card, Rev 04/07, §§ 24.2-411.1, 24.2-423, 24.2-424, 24.2-428, 24.2-643, 24.2-651.1

4. SBE-418A, Household Voter Registration Data, Rev 6/97, § 24.2-418

5. SBE-427, Request to Cancel Voter Registration, Rev 07/99, § 24.2-427

6. Petition for Appeal of Denial of Virginia Voter Registration, § 24.2-422

7. 11/21/2007 Memorandum on Use of Paper Ballots and Persons Under 18 Years of Age

8. 12/12/2007 Policy Directive on Registration of 17 Year Olds for Presidential Year Elections

9. Virginia Election Registration Information System (VERIS) Voter Registration Lookup

10. Virginia Election Registration Information System (VERIS) Voter Correspondence, rev 6/08 (includes approved standard form communications to inform voters of denial of registration and right to appeal or cancellation of registration), § 24.2-404, 42 USC § 15483

11. NVRA Purge Instructions

12. 2006 Confirmation Mailing Instructions

13. Guidelines for Conducting Voter Registration Drives, Rev 07/08

## III. ABSENTEE VOTING MATERIALS

1. Emergency Voting Procedures for Military and Pilot Program Information, Rev 8/07, § 24.2-631

2. SBE-649(AB), Request For Assistance In Voting An AB, Rev 7/08, § 24.2-649

3. SBE-701, Absentee Ballot Application, Rev 7/08-B, §§ 24.2-700, 701

4. SBE-703.1, Annual Application for an Absentee Ballot Due to Physical Disability or Illness, Rev 09/08, §§ 24.2-700, 24.2-701, 24.2-703.1 and 24.2-704

5. SBE-703.2(1), Statement of Disabled, Ill or Pregnant Voter (requesting replacement ballot), Rev 07/08, § 24.2-703.2

6. SBE-703.2(2), Statement of Designated Representative of Disabled, Ill or Pregnant Voter (requesting replacement ballot), Rev 7/08, § 24.2-703.2

7. SBE-703.2(3), Instructions Voting A Replacement AB [All Others], Rev 07/08, § 24.2-703.2

8. SBE-703.2(3)MS, Instructions Voting A Replacement AB [Accu-Vote & Optech], Rev 07/08, § 24.2-703.2

9. SBE-703.2(3) Patriot, Instructions Voting A Replacement AB [Patriot], Rev 7/08, § 24.2-703.2

10. SBE-705 Patriot, Instructions Voting an Emergency AB [Patriot without a CAP], Rev 07/08, § 24.2-705

11. SBE-705.1, Emergency Absentee Application (Emergency Travel for Business, Hospitalization or Death in Immediate Family), Rev 09/08, §§ 24.2-701, 24.2-705.1 and 24.2-705.2

12. SBE-705(1), Emergency Absentee Ballot Application (Hospitalized or Otherwise Incapacitated Voter), Rev 09/08, §§ 24.2-701 and 24.2-705

13. SBE-705(2) (formerly SBE-705-1), Statement of Designated Representative (of Hospitalized or Otherwise Incapacitated Voter), Rev 9/08, § 24.2-701, 24.2-704 and 24.2-705

14. SBE-705.2, Instructions Voting An Emergency AB [All others without a CAP], Rev 07/08, § 24.2-705

15. SBE-705.2MS, Instructions Voting An Emergency AB [Accu-Vote & Optech without a CAP], Rev 07/08, § 24.2-705

16. SBE-706-1, Ballot Within (Envelope A), Rev 8/99, § 24.2-706

17. SBE-706-2, Ballot(s) [Envelope B], Rev 7/03, § 24.2-706
18. USC 1973ff-1(B), Ballot(s) [Envelope B] UOCAVA, 5/04, § 24.2-706
19. SBE-706-4, Instructions Voting An AB [All others], Rev 07/08, § 24.2-706
20. SBE-706-4.MS, Instructions Voting An AB [Accu-Vote and Marksense], Rev 07/08, § 24.2-706
21. SBE-706-4 Optech, Instructions Voting An AB [Optech], Rev 07/08, § 24.2-706
22. SBE-706-4 Patriot, Instructions Voting An AB [Patriot Only], Rev 07/08, § 24.2-706
23. SBE-706-4 UOCAVA, Instructions Voting An AB [All others – For Uniformed and Overseas Voters], Rev 7/08, § 24.2-706
24. SBE-706-4ES&S\_UOCAVA, Instructions Voting An AB [iVotronic Only – For Uniformed and Overseas Voters], Rev 7/08, § 24.2-706
25. SBE-706-4MS\_UOCAVA, Instructions Voting An AB [Marksense – For Uniformed and Overseas Voters], Rev 7/08, § 24.2-706
26. SBE-706-4Optech\_UOCAVA, Instructions Voting An AB [Optech – For Uniformed and Overseas Voters], Rev 7/08, § 24.2-706
27. SBE-706-4Patriot\_UOCAVA, Instructions Voting An AB [Patriot Only – For Uniformed and Overseas Voters], Rev 7/08, § 24.2-706
28. SBE HAVA-1, Voter ID Instructions for Absentee Voters, 05/06, § 24.2-707
29. SBE-710-1, Emergency AB Applicants List, Rev 7/01, § 24.2-710
30. SBE-710-2, Business/Personal/Medical Emergency AB Applicants List, Rev 7/01, § 24.2-710
31. Guidelines for localities that email ballots, 9/08, § 24.2-713

IV. ELECTION ADMINISTRATION

A. Affidavits and Statements Printing of Ballots

1. SBE-616, Statement of Printer, Rev 1/01, § 24.2-616
2. SBE-616(T), Statement of Printer Town Elections Only, Rev 1/01, § 24.2-616
3. SBE-617, Statement of Electoral Board Representative, Rev 1/01, § 24.2-617
4. SBE-618(1), Certificate Of Number Of Ballots Delivered To EB Rep, Rev 9/97, § 24.2-618

5. BE-618(1)T, Certificate Of Number Of Ballots Delivered To EB Rep - Town Elections Only, Rev 1/01, § 24.2-618
6. SBE-618(2), Certificate Of Number Of Ballots Received From Printer, Rev 9/97, § 24.2-618
7. SBE-618(2)T, Certificate Of Number Of Ballots Received From Printer - Town Elections Only, Rev 1/01, § 24.2-618
8. SBE-619(1), Affidavit Of Witness To Affixing Of Seal, Rev 1/01, § 24.2-619
9. SBE-619(2), Affidavit Of Person Affixing Seal, Rev 1/01, § 24.2-619
10. SBE-621, Receipt For Ballots, Rev 9/97, § 24.2-621
11. SBE-621T, Receipt For Ballots - Town Elections Only, Rev 1/01, § 24.2-621

B. Officer Instructions

1. Election Day Guide - for use in all precincts, 09/08, § 24.2-600 et seq.
2. Election Day Guide - for Central Absentee Precincts, Rev 1/08, § 24.2-600 et seq. and § 24.2-700 et seq.
3. What if...Quick Reference To Problems, Rev 12/08, Title 24.2
4. SBE-611.1, Officer of Elections Oath, Rev 7/02, § 24.2-611.1
5. SBE-604H, Page Oath, 11/00
6. SBE-649A, Outside Polls Voter Envelope [All Other], Rev 7/94, § 24.2-649
7. SBE-711.1, Rejected Absentee Ballots Log, Rev 8/02, § 24.2-711.1
8. Dual Primary Instructions, Rev 5/07, § 24.2-530
9. What to Do When a Voter Changes His Mind instructions, Rev 5/07, §§ 24.2-530, 24.2-604
10. Officer of Election Accessibility Etiquette and Awareness Training, 10/2005

C. Posters, Signs and Notices (For Polling Place)

1. SBE-613, Explanation of Political Party Abbreviations [November Elections Only], Rev 09/08, § 24.2-613 (Changes for each General or Special Election)
2. SBE-643, Attention All Voters (State Voter ID Requirements), Rev 07/08, § 24.2-643
3. Full Legal Name Sign, § 24.2-643
4. SBE-604, Prohibited Area And Activities Signs, Rev 7/08, § 24.2-604

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## Guidance Documents

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5. SBE-HAVA-2, Election Date and Hours Notice [Federal Elections Only], Rev 07/0842, USC § 15482(b)(1)(B), § 24.2-603

6. SBE-HAVA-3, Special ID Requirement [federal elections only], Rev 7/08, 42 USC § 15483(b), § 24.2-643

7. SBE-HAVA-4, Voters Rights and Responsibilities Poster (includes instructions on voting a provisional ballot) For All Elections, Rev 07/08, 42 USC § 15301 et seq., § 24.2-600 et seq.

8. SBE-HAVA-5, Provisional Voter Notice, Rev 08/06, 42 USC § 15482, § 24.2-653

### D. Reports

1. Ballot Record Report – Marksense, Rev 11/07, § 24.2-600 et seq.

2. Incident Report – Marksense, § 24.2-600 et seq.

### E. Statement of Results

1. DRE & Optical Scan Voting System, 08/08, § 24.2-667

2. DRE Voting System and Paper CAP, 09/07, § 24.2-667

3. DRE Voting System and not counting absentee, § 24.2-667

4. Paper Ballot CAP, § 24.2-667

5. Unilect DRE and Not Counting Absentee Ballots, § 24.2-667

6. Unilect DRE and Optical Scan CAP, § 24.2-667

7. Write-Ins Certification, § 24.2-667

8. Yellow Printer Return Sheet Optical Scan, 09/07, § 24.2-667

9. Yellow Printer Return Sheet—DRE, 09/07, § 24.2-667

10. Yellow Printer Return Sheet, DRE and Optical Scan, 09/07, § 24.2-667

### F. Statement of Voter Forms

1. SBE-708, Absentee Ballot Not Received, Rev 07/08, § 24.2-708

2. SBE-643B, Affirmation of Identity, Rev 7/00, § 24.2-643

3. SBE-649, Request For Assistance, Rev 7/08, § 24.2-649

4. SBE-651, Affirmation of Eligibility (includes Statement of Challenger Form), Rev 01/08, § 24.2-651

5. SBE-653, Provisional Vote envelope, Rev 7/08, § 24.2-653

### G. Ballots and Voting Equipment

1. SBE-612, Certificate of Number of Ballots Ordered to Be Printed, Rev 12/07, § 24.2-612 (specific to each election)

2. Fax Certification of Ballot Content Accuracy By Secretary of the Electoral Board or General Registrar, § 24.2-612

3. Voting Equipment Testing and Programming - Certification of Completion by Electoral Board, §§ 24.2-632, 24.2-633

4. SBE-659, Request to Inspect Sealed Election Materials, 11/07, §§ 24.2-659, 24.2-669

5. Instructions for Retrieving Results from Voting Equipment after Election Night, 11/07, §§ 24.2-659, 24.2-669

### H. Abstracts

Note: Abstract forms are routinely updated to reflect the candidates running for the specific offices in November general Elections, May elections, primaries, and special elections and are all created in order for the electoral boards to provide the information to SBE necessary to implement § 24.2-675.

1. Abstracts of Votes for Electors for President and Vice President of the United States

2. Abstracts of Votes for Write-Ins Certification - Electors for President and Vice President

3. Abstracts of Votes for Member, United States Senate

4. Abstracts of Votes for Member, House of Representatives

5. Abstracts of Votes for Governor

6. Abstracts of Votes for Lieutenant Governor

7. Abstracts of Votes for Attorney General

8. Abstracts of Votes for Member, Senate of Virginia

9. Abstracts of Votes for Member, House of Delegates

10. Abstracts of Votes for Clerk of Court (shared by a county and one or more cities)

11. Abstracts of Votes for Commonwealth's Attorney (shared by a county and one or more cities)

12. Abstracts of Votes for Sheriff (shared by a county and one or more cities)

13. Abstracts of Votes for Treasurer (shared by a county and one or more cities)

14. Abstracts of Votes for Clerk of Court

15. Abstracts of Votes for Commonwealth's Attorney

16. Abstracts of Votes for Sheriff
17. Abstracts of Votes for Commissioner of Revenue
18. Abstracts of Votes for Treasurer
19. Abstracts of Votes for Member, Board of Supervisors
20. Abstracts of Votes for County Board (Arlington County - even numbered years)
21. Abstracts of Votes for Mayor - City (May)
22. Abstracts of Votes for Mayor - Town (May)
23. Abstracts of Votes for Mayor (November)
24. Abstracts of Votes for Member, City Council (May)
25. Abstracts of Votes for Town Council (May)
26. Abstracts of Votes for Member, City Council (November)
27. Abstracts of Votes for Town Council (November)
28. Abstracts of Votes for Member, School Board - City (May)
29. Abstracts of Votes for Member, School Board - Town (May)
30. Abstracts of Votes for Member, School Board - City (November)
31. Abstracts of Votes for Member, School Board - County (November)
32. Abstracts of Votes for School Board (Arlington County even-numbered years)
33. Abstracts of Votes for Soil and Water Conservation Director
34. Abstracts of Votes for Write-Ins Certification (all offices)
35. Abstracts of Votes for Write-Ins Certification - Continuation (all offices)

## I. Recount Documents

Note: All Recount documents were created to implement the various provisions of Chapter 8 of Title 24.2.

1. Standards for Recounts of Virginia Elections, Rev 09/08
2. Ballot Examples for Handcounting Paper or Paper-based Ballots for Virginia Elections or Recounts (Appendix A to Recount Standards), Rev 07/07
3. Overview of Recount Instructions by Voting Method (Appendix C to Recount Standards), Rev. 12/08
4. PB-I, Instructions for Recount Officials - Paper Ballots Only, Rev 12/08
5. PB-II, Instructions for Recount Coordinators - Paper Ballots Only, Rev 12/08
6. DE-I-Paper, Instructions for Recount Officials - DRE and Paper Ballots, Rev 12/08
7. DE-II-Paper, Instructions for Recount Coordinators - DRE and Paper Ballots, Rev 12/08
8. DE-I-OS, Instructions for Recount Officials - DRE and Optical Scan Ballot Tabulators, Rev 12/08
9. DE-II-OS, Instructions for Recount Coordinators - DRE and Optical Scan Ballot Tabulators, Rev 12/08
10. DE-I-OS-PAPER, Instructions for Recount Officials - DRE and Optical Scan Ballot Tabulators and Paper Ballots, 12/08
11. DE-II-OS-PAPER, Instructions for Recount Coordinators - DRE and Optical Scan Ballot Tabulators and Paper Ballots, 12/08
12. OS-I, Instructions for Recount Officials - Optical Scan Ballot Tabulators, Rev 12/08
13. OS-II, Instructions for Recount Coordinators - Optical Scan Ballot Tabulators, Rev 12/08
14. SBE-654R-OS Precinct Results - Pollbooks and Optical Scan Ballots, Rev 12/08
15. SBE-654R-DE, Precinct Results - DRE and paper or optical scan ballots (with consolidated DRE results), REV 12/08
16. SBE-654R-DE2, DRE Consolidation Form (for precincts with consolidated DRE results), 12/08
17. SBE-654R-DE3, Precinct Results - DRE and paper and optical scan ballots (with consolidated DRE results), 12/08
18. SBE-654R1-PB, Precinct Results - Paper Ballots, Rev 12/08
19. SBE-654R1, Pollbooks and Paper Ballots, Rev 12/08
20. SBE-654R2, Challenged Ballot Form, Rev 12/08
21. SBE-654R4, County or City Results by Precinct (To be completed by the recount court) (personalized for each recount)
22. SBE-654R5, Certification of Recount (To be completed by the recount court) (personalized for each recount)
23. SBE-654R6, Recount Reimbursement - Officer of Election, Rev 12/08
24. SBE-654R7, Recount Reimbursement - Alternate, Rev 12/08
25. Challenged Ballot Envelope, Rev 12/08
26. Locality Results Envelope, Rev 12/08

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# Guidance Documents

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27. Recount Training Module, Rev. 12/08

28. Virginia Recounts and Contests - The Basics (November 2008 Election), Rev. 10/08

## V. Campaign Finance

### A. Candidate Campaign Committee Forms:

1. SBE-945 – Candidate Campaign Committee: Summary on the Laws and Policies, Rev. 7/07, § 24.2-946

2. SBE-947.1 – Candidate Campaign Committee: Statement of Organization, Rev. 1/07, § 24.2-947.1

3. SBE-947.4(i) – Candidate Campaign Committee: Reporting Schedule, Rev. 1/08, § 24.2-947.6, § 24.2-947.7, and § 24.2-947.8

4. SBE-947.4 – Candidate Campaign Committee: Regular Report Cover Sheet, Rev. 1/08, § 24.2-947.4

5. SBE-945A – Schedule A Reporting Form, Rev. 8/06, § 24.2-945

6. SBE-945B – Schedule B Reporting Form, Rev. 8/06, § 24.2-945

7. SBE-945C – Schedule C Reporting Form, Rev. 8/06, § 24.2-945

8. SBE-945D – Schedule D Reporting Form, Rev. 8/06, § 24.2-945

9. SBE-945E – Schedule E Reporting Form, Rev. 8/06, § 24.2-945

10. SBE-945F – Schedule F Reporting Form, Rev. 8/06, § 24.2-945

11. SBE-945G – Schedule G Reporting Form, Rev. 8/06, § 24.2-945

12. SBE-945H – Schedule H Reporting Form, Rev. 8/06, § 24.2-945

13. SBE-945I – Schedule I Reporting Form, Rev. 8/06, § 24.2-945

14. SBE-948.4 – Candidate Campaign Committee: Final Report Cover Sheet, Rev. 1/05 § 24.2-948.4

15. SBE-947.9 – Candidate Campaign Committee: Large Pre-Election Contribution Report, Rev. 11/07, § 24.2-947.9

16. SBE-948 – Candidate Campaign Committees: Local Large Contribution Report, Rev. 8/06, § 24.2-948

17. SBE-948.1E – Candidate Campaign Committee: Request Exemption from Reporting Requirements, Rev. 8/06, § 24.2-948.1

18. SBE-948.1R – Candidate Campaign Committees: Rescind a Request for Exemption from Reporting Requirements, Rev. 8/06, § 24.2-948.1

### B. Political Action Committee Forms

1. SBE-945PAC – Political Action Committee: Summary on the Laws and Policies, Rev. 7/07, § 24.2-946

2. SBE-947.6 – Political Action Committee: Reporting Schedule, Rev. 1/08, § 24.2-947.6

3. SBE-949.2 – Political Action Committee: Statement of Organization, Rev. 1/08, § 24.2-949.2

4. SBE-949.5 – Political Action Committee: Regular Report Cover Sheet, Rev. 1/07, § 24.2-949.5

5. SBE-945A – Schedule A Reporting Form, Rev. 8/06, § 24.2-945

6. SBE-945B – Schedule B Reporting Form, Rev. 8/06, § 24.2-945

7. SBE-945C – Schedule C Reporting Form, Rev. 8/06, § 24.2-945

8. SBE-945D – Schedule D Reporting Form, Rev. 8/06, § 24.2-945

9. SBE-945E – Schedule E Reporting Form, Rev. 8/06, § 24.2-945

10. SBE-945F – Schedule F Reporting Form, Rev. 8/06, § 24.2-945

11. SBE-945G – Schedule G Reporting Form, Rev. 8/06, § 24.2-945

12. SBE-945H – Schedule H Reporting Form, Rev. 8/06, § 24.2-945

13. SBE-945I – Schedule I Reporting Form, Rev. 8/06, § 24.2-945

14. SBE-949.9 – Political Action Committee: Final Report Cover Sheet, Rev. 8/06, § 24.2-949.9

15. SBE-949.8E – Political Action Committee: Request for an Exemption from Electronic Filing, Rev. 8/06, § 24.2-949.8

16. SBE-949.8R – Political Action Committee: Rescind Request for an Exemption from Electronic Filing, Rev. 8/06, § 24.2-949.8

### C. Political Party Committee Forms

1. SBE-945PP – Political Party Committee: Summary on the Laws and Policies, Rev. 7/07, § 24.2-946

2. SBE-950.6 – Political Party Committee: Reporting Schedule, Rev. 1/08, § 24.2-950.6

3. SBE-950.2 – Political Party Committee, Statement of Organization, Rev. 8/06, § 24.2-950.2

4. SBE-950.5 – Political Party Committee: Report Cover Sheet, Rev. 1/08, § 24.2-950.5

5. SBE-945A – Schedule A Reporting Form, Rev. 8/06, § 24.2-945
6. SBE-945B – Schedule B Reporting Form, Rev. 8/06, § 24.2-945
7. SBE-945C – Schedule C Reporting Form, Rev. 8/06, § 24.2-945
8. SBE-945D – Schedule D Reporting Form, Rev. 8/06, § 24.2-945
9. SBE-945E – Schedule E Reporting Form, Rev. 8/06, § 24.2-945
10. SBE-945F – Schedule F Reporting Form, Rev. 8/06, § 24.2-945
11. SBE-945G – Schedule G Reporting Form, Rev. 8/06, § 24.2-945
12. SBE-945H – Schedule H Reporting Form, Rev. 8/06, § 24.2-945
13. SBE-945I – Schedule I Reporting Form, Rev. 8/06, § 24.2-945
14. SBE-950.9 – Political Party Committee: Final Report Cover Sheet, Rev. 8/06, § 24.2-950.9
15. SBE-950.8E – Political Party Committee: Request for Exemption from Electronic Filing, Rev. 8/06, § 24.2-950.8
16. SBE-950.8R – Political Party Committee: Rescind Request for Exemption from Electronic Filing, Rev. 8/06, § 24.2-950.8

#### D. Referendum Committee Forms

1. SBE-945R – Referendum Committee: Summary on the Laws and Policies, Rev. 7/07, § 24.2-946
2. SBE-951.4 – Referendum Committee: Reporting Schedule, Rev. 1/08, § 24.2-951.4
3. SBE-951.1 – Referendum Committee: Statement of Organization, Rev. 8/06, § 24.2-951.1
4. SBE-951.3 – Referendum Committee: Regular Report Cover Sheet, Rev. 1/08, § 24.2-951.3
5. SBE-945A – Schedule A Reporting Form, Rev. 8/06, § 24.2-945
6. SBE-945B – Schedule B Reporting Form, Rev. 8/06, § 24.2-945
7. SBE-945C – Schedule C Reporting Form, Rev. 8/06, § 24.2-945
8. SBE-945D – Schedule D Reporting Form, Rev. 8/06, § 24.2-945
9. SBE-945E – Schedule E Reporting Form, Rev. 8/06, § 24.2-945

10. SBE-945F – Schedule F Reporting Form, Rev. 8/06, § 24.2-945
11. SBE-945G – Schedule G Reporting Form, Rev. 8/06, § 24.2-945
12. SBE-945H – Schedule H Reporting Form, Rev. 8/06, § 24.2-945
13. SBE-945I – Schedule I Reporting Form, Rev. 8/06, § 24.2-945
14. SBE-951.9 – Referendum Committee: Final Report Cover Sheet, Rev. 8/06, § 24.2-951.9
15. SBE-951.8E – Referendum Committee: Request an Exemption from Electronic Filing, Rev. 8/06, § 24.2-951.8
16. SBE-951.8R – Referendum Committee: Rescind Request for Exemption from Electronic Filing, Rev. 8/06, § 24.2-951.8
17. SBE-945.2 – Independent Expenditure Report, Rev. 7/07, § 24.2-945.2

#### E. Inaugural Committee Forms

1. SBE-945I – Inaugural Committee: Summary on the Laws and Policies, Rev. 7/07, § 24.2-946
2. SBE-945A – Schedule A Reporting Form, Rev. 8/06, § 24.2-945
3. SBE-945B – Schedule B Reporting Form, Rev. 8/06, § 24.2-945
4. SBE-945C – Schedule C Reporting Form, Rev. 8/06, § 24.2-945
5. SBE-945D – Schedule D Reporting Form, Rev. 8/06, § 24.2-945
6. SBE-945E – Schedule E Reporting Form, Rev. 8/06, § 24.2-945
7. SBE-945F – Schedule F Reporting Form, Rev. 8/06, § 24.2-945
8. SBE-945G – Schedule G Reporting Form, Rev. 8/06, § 24.2-945
9. SBE-945H – Schedule H Reporting Form, Rev. 8/06, § 24.2-945
10. SBE-945I – Schedule I Reporting Form, Rev. 8/06, § 24.2-945

#### F. Out-of-State Political Committee Forms

1. SBE-945O – Out-of-State Political Committee: Summary on the Laws and Policies, Rev. 7/07, § 24.2-946
2. SBE-949.9:1 – Out-of-State Political Committees: Statement of Organization, Rev. 8/06, § 24.2-949.1:1

#### G. Federal PAC Forms

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# Guidance Documents

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SBE-949.2F – Federal Political Action Committee: Statement of Organization, Rev. 8/06, § 24.2-949.2

## VI. GENERAL Registrar and Electoral Board Guidance

1. Virginia Election and Registration Information System (VERIS) Step-by-Step Guides, Rev 3/08, § 24.2-404
2. Electronic Precinct Record Listing Program User's Manual, 10/07, § 24.2-444
3. Electronic Alpha Roster Program User's Manual, 10/07, § 24.2-404
4. General Registrar and Electoral Board Manual, Rev 04/07, Title 24.2
5. List of Those Who Voted Program User Manual, 10/07, § 24.2-600 et seq.
6. Weekly Newsletters to Election Officials, Title 24.2
7. Emergency Polling Place Relocation, § 24.2-310
8. SBE-310T, Temporary Emergency Polling Place Relocation, § 24.2-310
9. SBE-109.1, Annual General Registrar Performance Review, 01/06, § 24.2-109.1
10. Locality Reimbursement Application for Registrars/Electoral Board Salaries (letter/form issued annually)
11. Board Policies adopted in 2008 (Item 4, General Registrar and Electoral Board Manual, Rev 04/07, summarizes and applies existing policies):
  - a. SBE Policy-2008-001 - Absentee Applications Under New Laws
  - b. SBE Policy-2008-002 - Definition of "Continental United States"
  - c. SBE Policy-2008-003 - Certification of Unknown Vice-Presidential Nominees
  - d. SBE Policy-2008-004 - Definition of "Inoperable Equipment"
  - e. SBE Policy-2008-005 - Reproduction of Optical Scan Ballots
  - f. SBE Policy-2008-006 - Substantial Compliance
  - g. SBE Policy-2008-007 - Definition of "Exhibit Other Campaign Materials"
  - h. SBE Policy-2008-008 - Alternative Procedures for Counting Absentee Ballots
  - i. SBE Policy-2008-009 - Use of Cell phones in Polling Place
  - j. SBE Policy-2008-010 - When May a Ballot Box be Emptied

k. SBE Policy-2008-011 - Definition of Unavailable Voting Equipment

l. SBE Policy-2008-012 - Use of FWAB

m. SBE Policy-2008-013-Calculation of Voters Voting in Precinct

## VII. VOTING Equipment

1. Virginia Voting Systems Certification Submission Procedures, Rev 06/05, §§ 24.2-628, 24.2-629
2. Voting Equipment Replacement Policy and Procedures, Rev 6/06, HAVA Expenditures Guidance Document, 42 USCS § 15301 et seq.
3. SBE 09/12/07 Administrative Ruling on WinVote Voting Equipment
4. Voting Equipment Security Manual consisting of
  - a. Voting Systems Security Policy, 01/05 (COV VSM Standard SEC2004-01)
  - b. Voting Systems Security Standards, 01/05 (COV VSM Standard SEC2005-01.1)
  - c. Voting Systems Security Guidelines, 01/05 (COV VSM Standard SEC2005-01.1)
  - d. Voting Systems Security Self-Assessment Guide, 01/05 (COV VSM Standard SEC2005.01.1)
5. Voting Equipment Security Plan Review Tools consisting of:
  - a. Précis (abridged version of Standards and Guidelines), 7/08
  - b. Review Checklist, 7/08
  - c. On-site Assessment Checklist, 7/08
  - d. Sample Voting System Security Plan\_checklist outline, 7/08
  - e. Sample Voting System Security Plan\_comprehensive, 7/08 (includes many charts and forms to organize information and detail processes; local plans may not contain all content in sample; the Review Checklist details requirements from Security Manual Standards that must be satisfied to receive SBE's endorsement).

### **DEPARTMENT OF EMERGENCY MANAGEMENT**

Copies of the subject document may be viewed at <http://www.vaemergency.com/library/plans/index.cfmregular>. The document may be printed without restrictions, except as such rules as may apply in accordance with the Virginia Register.

If there are any questions, please contact Chris Miller, Virginia Department of Emergency Management, 10501 Trade Court, Richmond, VA 23236, telephone (804) 897-6500, or email [chris.miller@vdem.virginia.gov](mailto:chris.miller@vdem.virginia.gov). Questions

regarding interpretation or implementation of this document may be directed to Chris Miller at the address given above.

## Guidance Documents:

[\[COVEOP\] Commonwealth of Virginia Emergency Operations Plan](#)

### VIRGINIA EMPLOYMENT COMMISSION

Copies of the following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in the central office of the Virginia Employment Commission, 703 East Main Street, Richmond, VA 23219. Copies of Unemployment Insurance Program documents may be obtained by contacting M. Coleman Walsh, Jr., at the Virginia Employment Commission, Office of Commission Appeals, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-7554 or FAX (804) 786-9034. Copies of Workforce Investment Act documents are available on the VEC's Internet site at <http://www.vec.state.va.us/wia.cfm?loc=wia&info=vaplans> or by contacting Kathy H. Thompson, Executive Policy Analyst at the Governor's Office for Workforce Development, Old City Hall, Room 135, Richmond, VA 23219, telephone (804) 371-2649. Unless otherwise indicated, there is a \$1.00 per document copying charge.

Questions regarding interpretation or implementation of Unemployment Insurance documents may be directed to M. Coleman Walsh, Jr., Chief Administrative Law Judge, Virginia Employment Commission, Office of Commission Appeals, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-7554 or FAX (804) 786-9034. Questions regarding interpretation or implementation of Workforce Investment Act documents may be directed to Kathy H. Thompson, Executive Policy Analyst at the Governor's Office for Workforce Development, Old City Hall, Room 135, Richmond, VA 23219, telephone (804) 371-2649. All Workforce Investment Act Guidance Documents provide interpretive guidance for P.L. 105-220 and 20 CFR Part 652

### Unemployment Insurance Guidance Documents:

Precedent Decision Manual, revised January 1997, § 60.2-100 et seq. and 16VAC5-10, \$90

Guide for Effective Unemployment Insurance Adjudication, revised September 1994, § 60.2-100 et seq., \$90

A Digest of Virginia Unemployment Insurance Tax Law, revised June 1990, Va. Code Anno., Title 60.2 Chapters 2 and 5, \$43

Field Operations Bulletin Manual, revised January 29, 1997, Title 60.2 Chapters 2 and 6, 16VAC5-10, \$10

Interoffice Communication on The 28-Day Rule, issued July 11, 1996, 16VAC5-60-10 F

Interoffice Communication on Interpretation of the Two-Week Limitation on Benefits Set Out in Section 60.2-612(8)

of the Code of Virginia, issued January 3, 1997, § 60.2-612(8)

Interoffice Communication on Party Tape Recording Hearing, issued March 19, 1997, § 60.2-623

Commission Decision 54991-C, Meade v. Buster Brown Apparel, Inc., issued November 25, 1997, § 60.2-229(A)

Commission Decision 41251-C, Williams v. U. S. Army, issued March 19, 1993, § 60.2-604

Commission Decision 47602-C, Sikka v. Cater Air International Corp., issued March 22, 1995, § 60.2-604

Commission Decision 45419-C, In re Purvis, issued June 13, 1994, § 60.2-608

Commission Decision 12665-C, Picard v. Hayes, Seay, Mattern and Mattern, issued October 4, 1979, § 60.2-612

Commission Decision 22777-C, Moore v. Klate Holt Company, issued January 24, 1984, § 60.2-612

Commission Decision 25950-C, Heldreth v. Southwest Virginia Enterprise, issued July 11, 1986, § 60.2-612

Commission Decision 46472-C, Duncan v. Department of Corrections, issued November 15, 1994, § 60.2-612

Commission Decision 50908-C, In re Parnell, issued April 17, 1996, § 60.2-612(1)

Commission Decision 36809-C, Coy v. Philip Morris, Inc., issued November 20, 1991, § 60.2-612(5)

Commission Decision 23806-C, Sysco v. Virginia Stage Company, issued August 31, 1984, § 60.2-612(7)

Commission Decision 38556-C, Copeland v. U. S. Navy, issued July 1, 1992, § 60.2-612(7)

Commission Decision 47764-C, Lilliam v. Commonwealth Health Care, issued April 4, 1995, § 60.2-612(7)

Commission Decision 51212-C, Alderson v. Tultex Corporation, issued May 17, 1996, § 60.2-612(7)

Decision SUA-3, Fulk v. Rocco Farm Foods, issued August 11, 1975, § 60.2-612(7)

Decision UI-76-393, Corbett v. C and P Telephone Company, issued January 24, 1977, § 60.2-612(7)

Commission Decision 3153-C, Weaver v. Ideal Laundry and Dry Cleaners, issued October 16, 1957, § 60.2-618(1)

Commission Decision 5909-C, Mahew v. Capitol Concrete Rental Corporation, issued March 12, 1973, § 60.2-618(1)

Commission Decision 6514-C, Thompson v. Dow Badische Company, issued November 26, 1974, § 60.2-618(1)

Commission Decision 8298-C, Gross v. Command Deliveries, Inc., issued August 16, 1976, § 60.2-618(1)

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## Guidance Documents

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Commission Decision 16998-C, Johnson v. Hall and Taylor Body Shop, issued November 6, 1981, § 60.2-618(1)

Commission Decision 24302-C, Young v. Mick or Mack, issued December 13, 1984, § 60.2-618(1)

Commission Decision 26561-C, Bartley v. Atlantic Research Corp., issued February 28, 1986, § 60.2-618(1)

Commission Decision 27729-C, Rasnake v. Pepsi Cola Bottling of Norton, issued July 31, 1987, § 60.2-618(1)

Commission Decision 33298-C, Pugh v. Christian Children's Fund, issued June 29, 1990, § 60.2-618(1)

Commission Decision 34957-C, Edwards v. Landmark Builders of the Triad, issued January 18, 1991, § 60.2-618(1)

Commission Decision 36673-C, Winisky v. Fauquier County School Board, issued December 2, 1991, § 60.2-618(1)

Commission Decision 37072-C, Boardwine v. Tennessee Investment Casting Company, issued December 20, 1991, § 60.2-618(1)

Commission Decision 37487-C, Beckner v. Harris Teeter Super Markets, issued April 2, 1992, § 60.2-618(1)

Commission Decision 38232-C, Wright v. Prince Edward County Department of Social Services, issued June 15, 1992, § 60.2-618(1)

Commission Decision 40365-C, Hampe v. Krisp-Pak Company, Inc., issued March 3, 1994, § 60.2-618(1)

Commission Decision 40827-C, Meador v. Bunker Hill Packing Corp., issued April 1, 1993, § 60.2-618(1)

Commission Decision 40968-C, Fields v. Bristol Home Health Services, issued May 12, 1993, § 60.2-618(1)

Commission Decision 41241-C, Jennings v. Craddock-Terry, Inc., issued March 24, 1993, § 60.2-618(1)

Commission Decision 43248-C, Zumbaugh v. GTE Government Systems, Inc., issued October 1, 1993, § 60.2-618(1)

Commission Decision 46659-C, Alsip v. Department of the Army, issued October 27, 1994, § 60.2-618(1)

Commission Decision 46964-C, Barrington v. Virginia Power, issued January 17, 1995, § 60.2-618(1)

Commission Decision 50372-C, Fedelez v. Bell Atlantic Virginia, Inc., issued March 9, 1996, § 60.2-618(1)

Commission Decision 5585-C, Newkirk v. Virginia National Bank, issued February 18, 1972, § 60.2-618(2)

Commission Decision 7340-C, Porter v. Wilson Trucking Company, issued January 5, 1976, § 60.2-618(2)

Commission Decision 7446-C, McAfee v. Harvey's Chevrolet Corp., issued February 2, 1976, § 60.2-618(2)

Commission Decision 11446-C, Wertz v. Russell Transfer, Inc., issued January 10, 1979, § 60.2-618(2)

Commission Decision 14088-C, Lee v. City of Roanoke, issued January 13, 1981, § 60.2-618(2)

Commission Decision 25853-C, Stevens v. Copy Systems, issued December 12, 1985, § 60.2-618(2)

Commission Decision 26734-C, Dawson v. Old Dominion Job Corps, issued March 28, 1986, § 60.2-618(2)

Commission Decision 28159-C, Cornett v. Harry C. Sutherland, CPA, issued April 23, 1987, § 60.2-618(2)

Commission Decision 28209-C, Garrett v. Chester Drugs, Inc., issued March 1, 1993, § 60.2-618(2)

Commission Decision 29748-C, Shelton v. Department of Labor, issued April 12, 1988, § 60.2-618(2)

Commission Decision 30052-C, Johnston v. Kennedy's Piggly Wiggly Stores, issued June 28, 1988, § 60.2-618(2)

Commission Decision 30317-C, Hodge v. Sentara Nursing Center, issued May 2, 1992, § 60.2-618(2)

Commission Decision 30397-C, Blount v. D.G.S.C., issued June 30, 1988, § 60.2-618(2)

Commission Decision 30470-C, Summers v. Turn-Key Homes, Inc., issued July 8, 1988, § 60.2-618(2)

Commission Decision 30524-C, Thomas v. Family Fashions by Avon, Inc., issued August 26, 1988, § 60.2-618(2)

Commission Decision 30609-C, Hogan v. Commonwealth of Virginia, issued September 12, 1988, § 60.2-618(2)

Commission Decision 30974-C, Garner v. Accomack County School Board, issued December 2, 1988, § 60.2-618(2)

Commission Decision 33438-C, Davis v. Stone Container Corp., issued January 18, 1991, § 60.2-618(2)

Commission Decision 34000-C, Busler v. Rapoca Energy Company, issued December 14, 1990, § 60.2-618(2)

Commission Decision 34061-C, Spencer v. Regis Hair Stylists, issued February 6, 1991, § 60.2-618(2)

Commission Decision 34343-C, Carr v. Conagra, Inc., issued November 9, 1990, § 60.2-618(2)

Commission Decision 34603-C, Lambert v. Department of the Army, issued November 29, 1990, § 60.2-618(2)

Commission Decision 35174-C, Thomas v. Steven J. Chavis, issued February 11, 1991, § 60.2-618(2)

Commission Decision 35294-C, Baker v. Norfolk Shipbuilding and Drydock, issued (unknown), § 60.2-618(2)

Commission Decision 35309-C, Morrison v. J.T.M. Pizza, Inc., issued March 2, 1992, § 60.2-618(2)

- Commission Decision 35866-C, *Bishop v. Crown Central Petroleum Corp.*, issued June 24, 1991, § 60.2-618(2)
- Commission Decision 35909-C, *Culpepper v. Quality Cleaners*, issued July 1, 1991, § 60.2-618(2)
- Commission Decision 35999-C, *Simmons v. Numanco*, issued July 11, 1991, § 60.2-618(2)
- Commission Decision 36195-C, *Mallory v. J. A. Jones Construction Company*, issued August 19, 1991, § 60.2-618(2)
- Commission Decision 36310-C, *Holloway v. Pearle Vision Center and The Price Club*, issued August 29, 1991, § 60.2-618(2)
- Commission Decision 36653-C, *Parker v. Roadway Express*, issued July 22, 1992, § 60.2-618(2)
- Commission Decision 36655-C, *Simonson v. Sligh Plumbing and Heating Company*, issued November 27, 1991, § 60.2-618(2)
- Commission Decision 36794-C, *Jordan v. Newport News Shipbuilding, Inc.*, issued December 17, 1991, § 60.2-618(2)
- Commission Decision 37114-C, *Neil v. Newport News Shipbuilding, Inc.*, issued December 24, 1991, § 60.2-618(2)
- Commission Decision 37615-C, *Robinson v. Smithfield Packing Co., Inc.*, issued March 6, 1992, § 60.2-618(2)
- Commission Decision 37762-C, *Critton v. Sola Optical U.S.A.*, issued April 25, 1992, § 60.2-618(2)
- Commission Decision 37934-C, *Jefferson v. Heritage Garden Center, Inc.*, issued April 17, 1992, § 60.2-618(2)
- Commission Decision 39082-C, *Perry v. Newport News Shipbuilding, Inc.*, issued September 12, 1992, § 60.2-618(2)
- Commission Decision 39702-C, *Butts v. Jones, Blechman, Woltz and Kelly, P.C.*, issued October 15, 1992, § 60.2-618(2)
- Commission Decision 39703-C, *Kao v. Gordon Boulevard Services, Inc.*, issued November 3, 1992, § 60.2-618(2)
- Commission Decision 39862-C, *Lauzonis v. Holiday Inn-South*, issued December 7, 1992, § 60.2-618(2)
- Commission Decision 40195-C, *Slacum v. R. H. Walker and Associates*, issued January 11, 1993, § 60.2-618(2)
- Commission Decision 41247-C, *Osborne v. Transit Management of Alexandria, Inc.*, issued June 4, 1993, § 60.2-618(2)
- Commission Decision 41966-C, *Cobble v. United Consumers, Inc.*, issued June 28, 1993, § 60.2-618(2)
- Commission Decision 42083-C, *Girma v. News Emporium, Inc.*, issued June 7, 1993, § 60.2-618(2)
- Commission Decision 42091-C, *Hurley v. Wallace*, issued July 10, 1993, § 60.2-618(2)
- Commission Decision 42493-C, *Layne v. Leslie G. Rowland*, issued July 16, 1993, § 60.2-618(2)
- Commission Decision 42703-C, *Lee v. Gam Industries, Inc.*, issued July 30, 1993, § 60.2-618(2)
- Commission Decision 42977-C, *Bland v. Bristol Newspapers, Inc.*, issued August 28, 1993, § 60.2-618(2)
- Commission Decision 43306-C, *Stover v. Pulaski Furniture Corporation*, issued October 2, 1993, § 60.2-618(2)
- Commission Decision 43933-C, *Yousef v. Avis Rent-A-Car System, Inc.*, issued January 7, 1994, § 60.2-618(2)
- Commission Decision 44291-C, *Liberty v. Hampton Roads Vending and Food Service, Inc.*, issued February 12, 1994, § 60.2-618(2)
- Commission Decision 44375-C, *Turner v. Christiansburg Garment Co., Inc.*, issued March 29, 1994, § 60.2-618(2)
- Commission Decision 45948-C, *Robins v. Security Transcontinental, Inc.*, issued August 26, 1994, § 60.2-618(2)
- Commission Decision 45991-C, *Sydenstricker v. Boddie-Noell Enterprises*, issued July 28, 1994, § 60.2-618(2)
- Commission Decision 47019-C, *Agnew v. Memorial Hospital of Martinsville*, issued February 28, 1995, § 60.2-618(2)
- Commission Decision 49303-C, *Broad v. Town of Grottoes*, issued September 23, 1995, § 60.2-618(2)
- Commission Decision 49590-C, *Vanwinkle v. Ammars, Incorporated*, issued July 25, 1996, § 60.2-618(2)
- Commission Decision 50577-C, *Billings v. Regional Enterprises*, issued June 25, 1996, § 60.2-618(2)
- Commission Decision 52458-C, *Larrabee v. The Sealaw Group*, issued June 16, 1996, § 60.2-618(2)
- Commission Decision UCFE-246, *Pryor v. Department of Defense*, issued April 25, 1975, § 60.2-618(2)
- Commission Decision 34269-C, *Coleman v. Clinchfield Coal Company*, issued February 6, 1991, § 60.2-618(3)
- Commission Decision 43652-C, *Hearn v. U. S. Army*, issued November 30, 1993, § 60.2-618(3)
- Commission Decision 47442-C, *Jones v. Northside Electric Company*, issued March 27, 1995, § 60.2-618(3)
- Commission Decision 30679-C, *Russell v. Richard T. Traylor*, issued August 24, 1988, § 60.2-618(4)
- Commission Decision 39904-C, *Warren v. Orion Associates, Inc.*, issued November 19, 1992, § 60.2-618(5)
- Commission Decision 45555-C, *Fuller v. Banner Masonry*, issued June 3, 1994, § 60.2-618(5)

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## Guidance Documents

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Commission Decision 10619-C, *In re Ardizonne*, issued August 2, 1978, § 60.2-619(A) and (C)

Commission Decision 18398-C, *Crone v. Kitchens Equipment Company*, issued July 1, 1982, § 60.2-619(A) and (C)

Commission Decision 25734-C, *Randolph v. Huff-Cook, MBA*, issued July 11, 1986, § 60.2-619(A) and (C)

Commission Order 38616-C, *Melton v. Monroe Systems for Business, Inc.*, issued June 26, 1992, § 60.2-619(A) and (C)

Commission Decision 43213-C, *Forehand v. J. B. Denny Company, et al*, issued September 10, 1993, § 60.2-619(C)

Commission Decision 51475-C, *Crisman v. Select Staffing Services, Inc.*, issued June 14, 1996, § 60.2-619(C)

Commission Decision 53842-C, *Wilson v. Four J's, Inc.*, issued December 12, 1997, § 60.2-619(C)

Commission Decision 40782-C, *Luther v. Dynamic Engineering, Inc., et al*, issued March 2, 1993, § 60.2-620(A)

Commission Decision 43043-C, *Olabosipo v. Electronics Boutique*, issued October 4, 1993, § 60.2-620(A)

Commission Order 42777-C, *Royster v. Halifax-South Boston Community Hospital*, § 60.2-620(A)

Commission Decision 33733-C, *Gonzalez v. Thornhill*, issued June 22, 1990, § 60.2-620(B)

Commission Decision 42124-C, *Lasalle v. Great Falls Shell*, issued June 29, 1993, § 60.2-620(B)

Commission Decision 51212-C, *Alderson v. Tultex Corporation*, issued May 17, 1996, 16VAC5-60-20 F

Commission Decision 39240-C, *Edwards v. Newport News Shipbuilding, Inc.*, issued August 31, 1992, 16VAC5-80-20 I

Commission Decision 42406-C, *Singleton v. Wilds*, issued July 8, 1993, 16VAC5-80-20 I

Commission Decision 33733-C, *Gonzalez v. Thornhill*, issued June 22, 1990, 16VAC5-80-30 A 1

### **Workforce Investment Act Guidance Documents:**

Virginia's Negotiated Levels of Performance

Virginia's Unified WIA Plan, revised according to USDOL comments, and re-submitted on 5/30/200

Index to Unified Plan Revisions; 5/30/2000

Virginia's Abbreviated Transition Plan for Youth Activities

99-1 Designation of Local Workforce Investment Areas

99-2 Establishment of Local Workforce Investment Board

00-1 Local Workforce Investment Board Focus, Staffing and Service Restrictions

00-2 Youth Councils Under Title I of the Workforce Investment Act

00-3 Public Participation and Collaboration in the Development and Implementation of the Commonwealth's Workforce Investment System

00-4 One Stop Service Delivery System

00-5 Youth Programs Under Title I of the Workforce Investment Act

00-6 Universal Access, Adult Eligibility and Priority of Services

00-7 Certification Process for WIA Training Providers

00-8 Virginia's Training Voucher System Under WIA

00-9 One Stop Chartering Process

00-10 Equal Opportunity Policy

00-11 Continuous Improvement, Incentives and Sanctions for the WIA

00-12 Assessment Services for Adult, Dislocated Workers and Youth Programs

01-01 WIA Methods of Administration, 29 CFR Part 37

01-02 Discrimination Policy

01-03 National Emergency Grant

01-04 Process for Additional Funding of Dislocated Worker Activities

02-01 Processing Grievances and Complaints

02-02 Recaptured Workforce Investment Act Title I Local Formula Funds

02-04 Existing Worker Strategy VWC Policy

03-01 Work first

03-02 Core Services

03-03 Priority of Service

05-01 Continuous Improvement

05-02 WIA Incentives

05-03 Sanctions

05-04 Use of WIA Local Formula Funds for Economic Development

Virginia Workforce Training Oversight Assessment Guide

PY03 Local Plan Guidance

PY2001-PY2003 Local Planning Guidance, as approved by the Virginia Workforce Council

Virginia Memorandum of Understanding Guide

FGM #00-01 Consumer Reports System  
FGM # 00-02 Implementation of Interim Data Collection and Reporting System  
FGM #01-01 Follow-up Services  
FGM #01-02 Employed Worker Response  
FGM #01-03 Memoranda of Understanding Guidelines  
FGM #01-04 Local WIA Program Policy Implementation  
FGM #02-01 FGM Board Staff Costs  
FGM #02-02 Clarification of the Term "School Dropout"  
FGM #02-03 Carrying Over WIA Funds  
FGM #02-04 Local Area WIA Funds Transfer Procedures  
FGM #02-05 Sanctions for Unacceptable Performance  
FGM #02-06 2002 Poverty and 70% Lower Living Standard Income Levels  
FGM #02-07 Definition of Family  
FGM #02-08 Definition of Family Income  
FGM #02-09 LWIB Recertification  
FGM #03-01 Credentials and Certifications  
FGM #03-02 Training Special Populations  
FGM #03-03 Registration and Exit  
FGM #03-04 Supplemental Data  
FGM #03-05 Timely Data Entry - Rescinded  
FGM #03-06 2003 Poverty and 70% Lower Living Standard Income Levels Rescinded  
FGM #04-01 2004 Poverty and 70% Lower Living Standard Income Levels Rescinded  
FGM #05-01 Compliance Review CAP Guidance  
FGM #05-02 Corrective Action Plans  
FGM #05-03 Youth Work Experience  
FGM #05-04 Timely Data Entry  
FGM #05-05, Expenses Prohibited Under WIA  
FGM #05-06, Program Income  
FGM #05-07, 2005 Poverty and 70% Lower Living Standard Income Levels  
FGM #05-08, Individual Training Accounts For Out-of-School and/or Older Youth  
FGM #05-09, Local Area Incumbent Worker Training Service Provisions

FGM #05-10, 2006 Poverty and 70% Lower Living Standard Income Levels  
FGM #05-11, Credentials and Certifications  
FGM #05-12, WIA Program Participation and Performance Measures  
FGM #05-13, Program Exit  
FGM #05-14, Timely Data Entry  
Q&A DOL WIA Transition and Implementation Issues  
Q&A WIA Local Roles and Responsibilities  
Q&A WIA Title I Funding to Localities in Virginia  
Q&A Transition to a One Stop System in Virginia  
Q&A Youth and Summer Program 2000 Guidance  
Q&A Transition to WIA  
Q&A WIA Overview for Virginia

## **DEPARTMENT OF EMPLOYMENT DISPUTE RESOLUTION**

Copies of the following documents may be viewed during regular workdays from 8:30 a.m. until 4:30 p.m. at the Department of Employment Dispute Resolution (EDR), Main Street Centre, 600 E. Main Street, Suite 301, Richmond, VA 23219. A single copy may be obtained free of charge by contacting Doris Harris-Price at the same address, telephone (804) 786-7994, toll free (888) 232-3842, FAX (804) 786-0100 or email [administrator@edr.virginia.gov](mailto:administrator@edr.virginia.gov). EDR reserves the right to charge a reasonable fee for multiple copies. All documents are posted on EDR's website at [www.edr.virginia.gov](http://www.edr.virginia.gov). EDR does not charge for the downloading of these documents.

Questions regarding interpretation or implementation of the documents may be directed to Claudia T. Farr, Director, Department of Employment Dispute Resolution, Main Street Centre, 600 E. Main Street, Suite 301, Richmond, VA 23219, telephone (804) 786-7994, toll free (888) 232-3842, FAX (804) 786-0100 or email [administrator@edr.virginia.gov](mailto:administrator@edr.virginia.gov).

### **Guidance Documents:**

Grievance Procedure Manual, revised August 30, 2004, §§ 2.2-1000 et seq. and 2.2-3000 et seq.

Rules for Conducting Grievance Hearings, revised August 30, 2004, §§ 2.2-1000 et seq. and 2.2-3000 et seq.

Frequently Asked Grievance Questions, October 24, 2006

Mediation Guidelines, revised October 18, 2002, §§ 2.2-1000 et seq. and 2.2-3000 et seq.

Note: EDR publishes fact-specific grievance rulings and hearing decisions on EDR's website at

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# Guidance Documents

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<http://www.edr.virginia.gov>. EDR does not charge for the downloading of rulings or decisions.

## DEPARTMENT OF ENVIRONMENTAL QUALITY

The Department of Environmental Quality has numerous documents in use which guide staff in the implementation of the regulations adopted by the three boards: State Air Pollution Control Board, Virginia Waste Management Board and State Water Control Board. In accordance with state law, the department will publish an annual list of guidance documents.

The list which follows contains documents prepared by the department. It does not include documents which merely restate regulatory provisions in a different format such as checklists or boilerplates, nor does it include guidance documents developed by other federal and state agencies.

The majority of the guidance documents are available, at no charge, on the Virginia Regulatory Town Hall website: [www.townhall.virginia.gov](http://www.townhall.virginia.gov).

Requests for copies of those documents not available electronically on the Town Hall or copies of any of the documents listed are considered a request for information under the Freedom of Information Act. There is a charge for copies. Unless a cost is specifically listed, the charge will be based on the department's FOIA Policy.

Requests for copies or questions regarding interpretation of Waste Division Guidance should be directed to: Central Office Waste Division, 629 E. Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 629-4147.

Requests for copies or questions regarding interpretation of the FOIA Policy should be directed to: Central Office FOIA Officer, 629 E. Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 629-4035.

Requests for copies or questions regarding interpretation of the Litter Prevention and Recycling documents should be directed to: Coordinator, Litter Control and Recycling, Department of Environmental Quality, 629 E. Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4003.

Requests for copies or questions regarding interpretation of any of the other guidance documents should be directed to the appropriate regional office:

Southwest Regional Office, 355 Deadmore Street, P.O. Box 1688, Abingdon, VA 24210, telephone (276) 676-4800.

Valley Regional Office, 4411 Early Road, P.O. Box 3000, Harrisonburg, VA 22801, telephone (540) 574-7800.

Piedmont Regional Office, 4949 A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5020.

Blue Ridge Regional Office, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6700.

Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462, telephone (757) 518-2000.

Northern Regional Office, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3800.

Blue Ridge Regional Office, 7705 Timberlake Road, Lynchburg, VA 24502 (434) 582-5120.

Copies may also be requested by writing to: FOIA Officer, Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218.

## Guidance Documents:

[\[EGM No. 2-2007\] Department of Environmental Quality Formal Hearing Procedures \(Enforcement Guidance Memorandum No. 2-2006\)](#)

### Air Pollution Control Board

## Guidance Documents:

[\[Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency\]](#)

[\[Regulatory Guidance Development\]](#)

[\[Vegetative Waste Burning at Closed Landfills\]](#)

[\[Virginia Freedom of Information Act Compliance - Agency Policy Statement No. 9-2005\]](#)

[\[APG-100\] Air Permitting Guidelines, New and Modified Sources](#)

[\[APG-101\] Interim Guidance, Shell Buildings](#)

[\[APG-102\] Public Participation Requirements prior to issuing any permit for the construction of a new major stationary source or major modification to an existing source pursuant to Section 10.1-1307.01 \(Localities Particularly Affected\) \(Memo No. 99-1004\)](#)

[\[APG-103\] Guidance on Permit Applicability - PM and PM-10 Sources \(Memo No. 01-1002\)](#)

[\[APG-104\] Confidentiality Policy \(Memo No. 02-1002\)](#)

[\[APG-105\] Procedures for Shutting Down Sources \(Memo No. 03-1006\)](#)

[\[APG-105A\] Comments Received for the Procedures for Shutting Down Sources](#)

[\[APG-106\] Nitrogen Oxides Emissions during Fuel Transfers for GE Frame 7FA Turbines \(Memo No. 03-1009\)](#)

[\[APG-150\] Air Permit Application Fee Guidance \(Memo No. 05-1001\)](#)

[\[APG-200\] New Title V Procedures Manual \(Memo No. 99-1002\)](#)

- [\[APG-200A\] Title V Air Permits Guidance Manual](#)
- [\[APG-201\] Implementation of Exclusionary General Permit Regulation \(Memo No. 90-1002\)](#)
- [\[APG-202\] EPA's White Papers on Title V Operating Permit Program \(Memo No. 97-1004\)](#)
- [\[APG-203\] Utilization of the Wood Furniture Manufacturing Title V Permit Boilerplate \(Memo No. 98-1001\)](#)
- [\[APG-204\] Common Control Determinations for Title V Permit Applicability \(Memo No. 98-1002\)](#)
- [\[APG-205\] Chapter 9, CAM Guidance \(Memo No. 01-1001\)](#)
- [\[APG-206\] Existing Source Startup, Shutdown, and Malfunction Opacity Exclusion for Title V Permits](#)
- [\[APG-207\] Chapter 10 Procedure for State Only Changes \(Memo No. 02-1003\)](#)
- [\[APG-208\] Chapter 11, Procedure for Changing a Facility from a Major Title V Facility to a Synthetic Minor Facility \(Memo No. 02-1004\)](#)
- [\[APG-209\] Title V Permit Changes](#)
- [\[APG-210\] Title V Boilerplate Changes](#)
- [\[APG-211\] Chapter 12, Procedures for Renewal of Federal Operating Permits \(Memo No. 03-1003\)](#)
- [\[APG-212\] Title V Template Changes: Titles and Language Update](#)
- [\[APG-213\] Sample MACT Place Holder Conditions](#)
- [\[APG-214\] T5 NSR Conflicts](#)
- [\[APG-215\] Title V Boilerplate Style Update](#)
- [\[APG-250\] Permit Writer's Guide to Acid Rain Permitting \(Memo No. 03-1002\)](#)
- [\[APG-251\] Title V Acid Rain Permit Conversion and Boilerplate \(Memo No. 02-1007\)](#)
- [\[APG-252\] Title V Acid Rain Permits, September 20, 2002](#)
- [\[APG-301\] Memorandum of understanding between Shenandoah National Park and Commonwealth of Virginia regarding PSD permitting issues](#)
- [\[APG-302\] Memorandum of understanding between Jefferson National Forest and Commonwealth of Virginia Regarding PSD Permitting Issues](#)
- [\[APG-303\] PSD Definitions](#)
- [\[APG-304\] Interpretation of "Designed to Accommodate" in the New Source Review Definition of "Modification"](#)
- [\[APG-305\] Incidental CO Emission Increases from Utility NOx Control Efforts](#)
- [\[APG-306\] Relocation of Portable Non-diesel Engines](#)
- [\[APG-307\] Interim Implementation of New Source Review for PM<sub>2.5</sub>](#)
- [\[APG-350\] New Source Review Permits Program Manual](#)
- [\[APG-350A\] Article 6 - Minor New Source Review Permit Program Manual, Draft](#)
- [\[APG-351\] Guidance on Confidential Information and Responding to FOIA Requests for Air Permitting Records, New Source Review Manual \(Memo No. 03-1005\)](#)
- [\[APG-352\] Permit and BACT Applicability under Chapter 80 Article 6 Permitting \(Memo. No. 03-1004\)](#)
- [\[APG-353\] Alternative Fuel Permitting](#)
- [\[APG-400\] Promulgation of State Operating Permits Manual \(Memo No. 99-1006\)](#)
- [\[APG-400A\] State Operation Permits Manual](#)
- [\[APG-450\] Primary Authority for Implementation and Enforcement of 40 CFR Part 63 Standards in Virginia \(Memo No. 98-1003\)](#)
- [\[APG-451\] Incorporating State Toxics Requirements in Title V Permits \(Memo No. 00-1001\)](#)
- [\[APG-452\] Section 112\(g\) Implementation Guidance \(Policy No. 99-1007\)](#)
- [\[APG-453\] Implementation Guidance for Incorporating State Toxics Requirements in Air Permits \(Memo No. 02-1001\)](#)
- [\[APG-454\] Policy for Formaldehyde Emission Estimates](#)
- [\[APG-455\] EPA Guidance on Case-by-Case MACT for POTWs \(Memo No. 97-1003\)](#)
- [\[APG-456\] Regulation of Federal HAPs Under the State Toxics Program and State NSR Programs](#)
- [\[APG-500\] Nitrogen Oxides Budget Trading Program State Implementation Plan - Permit Application \(Memo No. 02-1006\)](#)
- [\[APG-501\] Permit Writer's Guide to the NOx Budget Trading Program \(Memo No. 03-1001\)](#)
- [\[APG-551\] Procedures for Permitting and other Activities Associated with Coal Processing Plants \(ADP Statement No. 2-96\)](#)
- [\[APG-552\] Evaluation and Air Permitting Requirements for Landfills in Virginia \(ADP Statement No. 1-96\)](#)
- [\[APG-553\] Promulgation of Municipal Solid Waste Landfill Procedures and Boilerplate Permits \(Memo No. 99-1005\)](#)
- [\[APG-553A\] Municipal Solid Waste Landfill Procedures and Boilerplate Permits](#)
- [\[APG-554\] Permitting and Compliance Issues for Non-road Internal Combustion Engines](#)

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## Guidance Documents

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[\[APG-554A\] Internal Combustion Engine](#)

[\[APG-555\] Boilerplate and Procedures for Poultry Incinerator Permits \(Memo No. 02-1005\)](#)

[\[APG-556\] Exemption for Poultry Incinerators \(Memo No. 03-1008\)](#)

[\[APG-557\] Incinerator Procedure for Writing New and Modified Permits](#)

[\[APG-558\] Stone Processing Operations](#)

[\[APG-559\] Coal Preparation Procedure for Writing New and Modified Permits](#)

[\[APG-560\] Wood Fired Boiler Procedure for Writing New and Modified Permits](#)

[\[APG-561\] Residual Oil Procedure for Writing New and Modified Permits for Boilers](#)

[\[APG-562\] Natural Gas and Distillate Oil Procedure for Writing New and Modified Permits for Boilers](#)

[\[APG-563\] Wood Coating Procedure for Writing New and Modified Permits](#)

[\[APG-564\] Wood Working Procedure for Writing New and Modified Permits](#)

[\[APG-565\] Concrete Plant Procedure for Writing New and Modified Permits](#)

[\[APG-566\] Asphalt Plant Procedure for Writing New and Modified Permits](#)

[\[APG-567\] Miscellaneous Coatings Procedure for Writing New and Modified Permits](#)

[\[APG-568\] Printing Procedure for Writing New and Modified Permits](#)

[\[APG-569\] Guidance to Implement and Enforce Non-delegated Federal Regulations](#)

[\[AQP-01\] Procedures for Testing Facilities Subject to Emission Standards for Volatile Organic Compounds](#)

[\[AQP-02\] Procedures for Determining Compliance with Volatile Organic Compound Emission Standards Covering Surface Coating Operations](#)

[\[AQP-03\] Procedures for the Measurement of Capture Efficiency for Determining Compliance with Volatile Organic Compound Emission Standards Covering Surface Coating Operations and Graphic Arts Printing Processes](#)

[\[AQP-04\] Procedures for Maintaining Records for Surface Coating Operations and Graphic Arts Printing Processes](#)

[\[AQP-08\] Procedures for Preparing and Submitting Emission Statements for Stationary Sources](#)

[\[AQP-09\] Procedures for Implementation of Regulations Covering Stage II Vapor Recovery Systems for Gasoline Dispensing Facilities](#)

[\[AQP-11\] Implementation of the Prevention of Significant Deterioration \(PSD\) of Air Quality Program](#)

[\[AQP-12\] Factors to be Considered in Determining the Suitability of a Proposed Facility to Locate at a Particular Site](#)

[\[AQP-14\] Control Technology Requirements for Emissions of NOx from Electric Generating Combined Cycle Turbines](#)

[\[AQP-15\] Public Comments at State Air Pollution Control Board Meetings](#)

[\[ASOP-01\] Complaints](#)

[\[ASOP-02\] Inspections](#)

[\[ASOP-03\] Visible Emissions Evaluations](#)

[\[ASOP-04\] CEM Audit Evaluation](#)

[\[ASOP-05\] Gasoline Delivery Tank Operation, Testing and Certification](#)

[\[ASOP-06\] Title V Report/Certification Evaluations](#)

[\[ASOP-07\] VOC Testing](#)

[\[ASOP-08\] Particulate Testing: Role of Agency Observer](#)

[\[ASOP-09\] VOC Sampling and Analysis](#)

[\[ASOP-10\] Review of CEM Reports](#)

[\[ASOP-11\] The NOx Trading Program](#)

[\[ASOP-13\] Tax Certifications](#)

[\[ASOP-17\] Compliance Assistance](#)

[\[EGM\] Enforcement Manual](#)

[\[EGM 1-2005 Rev. 1\] Notices of Alleged Violation \(NOAVs\): Formats and Processes for Warning Letters and Notices of Violation - Rev. 1](#)

[\[EGM 2-2006 Rev. 2\] Civil Charges and Civil Penalties in Administrative Actions - Rev. 2](#)

[\[EGM No. 1-2006\] Voluntary Environmental Assessments \(Enforcement Guidance Memorandum No. 1-2006\)](#)

[\[EGM No. 3-2006\] Supplemental Environmental Projects \(SEPs\) - Enforcement Guidance Memorandum No. 3-2006](#)

[\[GM00-2016\] Chain of Custody Policy and Procedures - Amendment 1](#)

[\[MSOP-01\] Professional Responsibilities and Conduct of Mobile Source Operations Staff](#)

[\[MSOP-02\] Field Activity Procedures](#)

[\[MSOP-03\] Station/Facility Permitting/Certification and Renewal Procedures](#)

[\[MSOP-04\] Complaint Procedures and Investigations](#)  
[\[MSOP-05\] Procedures for Operating State Vehicles](#)  
[\[MSOP-06\] Data Disk Procedures and Vehicle Inspection Report Voiding Process](#)  
[\[MSOP-07\] Vehicle Emissions Inspection Station Recognition Program](#)  
[\[MSOP-08\] Exemption of Non-Conforming Vehicles](#)  
[\[MSOP-09\] Special "Covert" Inspection Procedures](#)  
[\[MSOP-10\] Kit-Car Vehicles](#)  
[\[MSOP-11\] Emissions Inspection Deferral Request](#)  
[\[MSOP-12\] Remote Visual Observation Inspection Procedures](#)  
[\[MSOP-13\] Enforcement Procedures and Schedule of Penalties](#)  
[\[SBAP-01\] Small Business Assistance Program Modification Procedures for Modification of Work Practices, Technical Methods or Time Frame](#)  
[\[SBAP-02\] Guide to Compliance Requirements for Dry Cleaners](#)  
[\[SBAP-03\] Fact Sheet - Wood Furniture Operations](#)  
[\[SBAP-04\] Fact Sheet - Lithographic Printing Processes](#)  
[\[SBAP-05\] Fact Sheet - Flexographic, Rotogravure, and Publication Rotogravure Printing Lines](#)  
[\[SBAP-06\] Fact Sheet - Small Business Assistance Program](#)  
[Citizen Nomination of State Surface Waters for Inclusion in Annual Water Quality Monitoring Plan in Accordance With § 62.1-44.19:5.F of the Code of Virginia](#)  
[FY2008 Virginia Coastal Resources Management Program Grant Proposal Guidance](#)  
[Litter Prevention and Recycling Grant Programs](#)  
[Planning District Commission Technical Assistance Grant Minimum Standards](#)  
[Procedure for Environmental Impact Review](#)  
[Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency](#)  
[Regulatory Guidance Development](#)  
[Virginia Freedom of Information Act Compliance - Agency Policy Statement No. 9-2005](#)  
[Virginia Litter and Recycling Educational Projects](#)  
[\[EGM\] Enforcement Manual](#)  
[\[EGM No. 1-2006\] Voluntary Environmental Assessments \(Enforcement Guidance Memorandum No. 1-2006\)](#)

[\[EGM No. 3-2006\] Supplemental Environmental Projects \(SEPs\) - Enforcement Guidance Memorandum No. 3-2006](#)  
[\[GM00-2016\] Chain of Custody Policy and Procedures - Amendment 1](#)

## State Water Control Board

### Guidance Documents:

[Procedural Guidelines for Virginia's Wastewater Revolving Loan Fund](#)  
[Procedure for Uncontested Termination of Ground Water Withdrawal Permits and Special Exceptions](#)  
[Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency](#)  
[Public Comment at State Water Control Board Meetings](#)  
[Regulatory Guidance Development](#)  
[Virginia Agricultural BMP Loan Program Guidelines](#)  
[Virginia Brownfield Remediation Loan Program Guidelines](#)  
[Virginia Freedom of Information Act Compliance - Agency Policy Statement No. 9-2005](#)  
[Virginia Land Conservation Loan Program Guidelines](#)  
[Virginia Wastewater Revolving Loan Fund Program Design Manual](#)  
[Virginia Water Quality Improvement Fund - Guidelines](#)  
[\[00-2003\] Wetland Compensation Ratios](#)  
[\[00-2004\] Reimbursement Guidance Manual - 3rd Edition](#)  
[\[00-2006\] Spiking Requirements for Metals Analysis](#)  
[\[00-2008\] Notification of Acceptance for Coverage by a General Permit](#)  
[\[00-2010\] Protocol for DEQ Action in the Event Unpermitted Discharges are Identified](#)  
[\[00-2011\] Guidance on Preparing VPDES Permit Limits based on Water Quality Standards for Toxics](#)  
[\[00-2011\] QL Related Update to Guidance Memo 00-2011 - Amendment 4 \(1-3 no longer effective\)\)](#)  
[\[00-2012\] Toxics Management Program Implementation](#)  
[\[00-2013\] Quality Assurance Project Plan for the Alternate Water Supply Program](#)  
[\[00-2014\] Quality Assurance Project Plan for the State Lead Program](#)  
[\[00-2015\] Implementation Guidance for July 2000 Revisions to the VPDES Permit Regulation](#)  
[\[00-2018\] Implementation of the VPA General Permit Regulation for Poultry Waste Management](#)

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## Guidance Documents

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[\[01-2001\] Use of USGS 1980 Hydrologic Unit Map of the US to Determine Appropriate Hydrologic Unit Code for Compensatory Mitigation using Mitigation Bank Credits](#)

[\[01-2002\] Implementation Guidance for Financial Assurance Regulation](#)

[\[01-2003\] Standard Operating Procedures for Clean Metals Sampling - Amendment 1](#)

[\[01-2005\] Interim Guidance for Spray Irrigation and Reuse of Wastewater](#)

[\[01-2007\] Implementation Guidance for December 2000 Revisions to the VPDES Permit Regulation](#)

[\[01-2008\] Numbering of Outfalls for VPDES Permits](#)

[\[01-2011\] Monitoring Toxic Trace Metals in Surface Waters](#)

[\[01-2012\] Siting of Storm Water BMPs in Surface Waters and the Application of Temperature Standard to Impoundments](#)

[\[01-2013\] Checklists for Wastewater Laboratory Inspections](#)

[\[01-2013\] Checklists for Wastewater Laboratory Inspections - Amendment #3](#)

[\[01-2013\] Checklists for Wastewater Laboratory Inspections - Amendment 2](#)

[\[01-2017\] DEQ Staff Biosecurity Procedures and Response to Suspected and/or Confirmed Outbreak of Foot & Mouth Disease](#)

[\[01-2020\] Implementation of Amendments to the VPDES Permit Regulation and General VPDES Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 GPD - Local Government Ordinance Form](#)

[\[01-2021\] Virginia Department of Transportation Interagency Transfer Process for Permit Application Fees](#)

[\[01-2024\] Storage Tank Program Technical Manual, Third Edition](#)

[\[01-2025\] Petroleum Storage Tank Compliance Manual](#)

[\[02-2001\] Confined Animal Feeding Operation \(CAFO\) Inspection Checklist](#)

[\[02-2002\] Fish Kill Guidance Manual Second Edition](#)

[\[02-2004\] Targeted Lake and Reservoir Monitoring](#)

[\[02-2006\] VPDES-VPA Inspection Strategy](#)

[\[02-2008\] Authorization of Remediation Equipment for Reimbursement Using Lease Versus Purchase Analysis](#)

[\[02-2010\] Water Compliance Auditing Manual](#)

[\[02-2012\] Determination of Service Areas for Compensatory Mitigation Banks](#)

[\[02-2013\] Evaluation of Vapor Monitoring Data for Petroleum Storage Tank Release Detection](#)

[\[02-2015\] Repeal of the Sewerage Regulations and VDH's Adoption of Sewage Collection and Treatment Regulations](#)

[\[02-2016\] Issuance of Virginia Water Protection Permits for Surface Water Impacts in the Potomac River](#)

[\[02-2018\] Revision to Petroleum Clean-up AAF Verification Procedures](#)

[\[02-2019\] Virginia Petroleum Storage Tank Fund Reimbursement Guidance Manual, Volume II, 5th Edition](#)

[\[02-2020\] MTBE Corrective Action Requirements](#)

[\[03-2001\] Reporting Operator Misconduct or Convictions](#)

[\[03-2004\] Managing Water Monitoring Programs While Under Reduced Resources](#)

[\[03-2006\] Permitting ISTEA Exempted Municipally Owned Industrial Activity Storm Water Discharges](#)

[\[03-2007\] Implementation of bacteria standards in VPDES Permits](#)

[\[10-2002\] Underground Storage Tank Financial Responsibility: Frequently Asked Questions](#)

[\[90-011\] Interpretation of Nutrient Policy](#)

[\[90-016\] Use of State Model by Consultants](#)

[\[91-004\] Permits/Certificates Approved at Board Meetings](#)

[\[91-006\] Purchase of Sample Containers](#)

[\[91-007\] Sample Volumes for Nonmetals Lab](#)

[\[91-020\] Modifications to September 8, 1989 Guidance Memo VPDES Permitting Strategy for Discharges Resulting from UST Remediation Projects and Similar Projects](#)

[\[91-026\] Oil and Grease Analysis Manual](#)

[\[91-028\] Procedure for Assigning Numbers to Permits](#)

[\[92-005\] Pretreatment Program Priorities](#)

[\[92-006\] Authorization to Issue Certifications for Tax Exemptions](#)

[\[92-006\] Authorization to Issue Certifications for Tax Exemptions for Underground Storage Tanks - Addendum #5](#)

[\[92-013\] Reporting of BOD5 Results for VPDES Monitoring](#)

[\[92-016\] Virginia Pollution Abatement \(VPA\) Permit Manual](#)

[\[92-018\] Virginia Pollution Abatement \(VPA\) Permit Program](#)

[\[93-007\] Virginia Pollution Abatement \(VPA\) Manual Update-New PAN Uptake Tables](#)

- [\[93-008\] DEQ Water Division Water Purification Systems Contaminants](#)
- [\[93-023\] Procedures for Processing VPA Permits for the Food Processing Category](#)
- [\[94-003\] Classification of Effluent/Water Quality Limiting Segments and Relationship with Antidegradation Tiers](#)
- [\[94-012\] Calcium Carbonate Equivalence Testing Requirements](#)
- [\[94-014\] Implementation of the VPA General Permit for Confined Animal Feeding Operations](#)
- [\[94-017\] VPA Farm Fertilizer and Chemical Dealerships](#)
- [\[95-002\] VPA Land Application of Water Treatment Plant Residuals](#)
- [\[95-006\] Updated Technical Criteria for VPA Industrial Land Application Program](#)
- [\[95-008\] General Permits](#)
- [\[95-009\] Nutrient Management Plans for Activities Covered Under the VPA General Permit for Confined Animal Feeding Operations](#)
- [\[95-010\] VPA Permit Application Forms Revision](#)
- [\[96-001\] Storm Water Permitting](#)
- [\[96-002\] OandG/TPH Limites for Certain Effluents](#)
- [\[96-009\] Obtaining Dissolved Metals Data](#)
- [\[96-009\] Obtaining Dissolved Metals Data - Amendment 1](#)
- [\[96-009\] Obtaining Dissolved Metals Data - Amendment 2](#)
- [\[97-001\] VPDES Toxic Management Program](#)
- [\[97-002\] Holding Time Requirements](#)
- [\[97-2003\] Standard Operating Procedure for the Electronic File Transfer of Data Sets from the National Computing Center STORET Database to a PC](#)
- [\[98-2005\] Reduced Monitoring](#)
- [\[98-2007\] Evaluation of Calibration Curve Linearity](#)
- [\[98-2010\] VPDES Permit and VPA Permit Ground Water Monitoring Plans](#)
- [\[98-2011\] Inspection Checklists for Analyses of Mercury by Cold Vapor and Metals](#)
- [\[99-2003\] Use of Method 1664 for Total Petroleum Hydrocarbons \(TPH\) Determination in VPDES Permits](#)
- [\[99-2009\] Implementation of the VPDES General Permit for Storm Water Discharges Associated with Industrial Activity](#)
- [\[EGM\] Enforcement Manual](#)
- [\[EGM 1-2005 Rev. 1\] Notices of Alleged Violation \(NOAVs\): Formats and Processes for Warning Letters and Notices of Violation - Rev. 1](#)
- [\[EGM 2-2006 Rev. 2\] Civil Charges and Civil Penalties in Administrative Actions - Rev. 2](#)
- [\[EGM No. 1-2006\] Voluntary Environmental Assessments \(Enforcement Guidance Memorandum No. 1-2006\)](#)
- [\[EGM No. 1-2007\] Process for Issuing Administrative Orders to Prevent or Minimize Sanitary Sewer Overflows](#)
- [\[EGM No. 2-2006 A1\] Civil Charges and Civil Penalties in Administrative Actions - \(Enforcement Guidance Memorandum No. 2-2006, Amendment 1\)](#)
- [\[EGM No. 3-2006\] Supplemental Environmental Projects \(SEPs\) - Enforcement Guidance Memorandum No. 3-2006](#)
- [\[GM00-2016\] Chain of Custody Policy and Procedures - Amendment 1](#)
- [\[GM01-2013\] Checklist for Wastewater Laboratory - Amendment #7](#)
- [\[GM01-2013\] Checklists for Wastewater Laboratory Inspections](#)
- [\[GM01-2013\] Checklists for Wastewater Laboratory Inspections - Amendment #5](#)
- [\[GM01-2013\] Checklists for Wastewater Laboratory Inspections - Amendment #6](#)
- [\[GM01-2013\] Checklists for Wastewater Laboratory Inspections - Amendment 4A](#)
- [\[GM01-2024\] Clarification of Statistical Inventory Reconciliation Release Detection Guidance for Underground Storage Tanks - Amendment 1](#)
- [\[GM02-2010\] Water Compliance Auditing Manual Amendment 1- Revisions to Section I "Spills" and Appendix 1 "Point Assessment Criteria"](#)
- [\[GM03-2003\] Interpretation for Water Monitoring of GM00-2016 - Chain of Custody Policy and Procedures - Amendment 1](#)
- [\[GM03-2012\] HSPF Model Calibration and Verification for Bacteria TMDLs](#)
- [\[GM03-2013\] Method for Calculating E. Coli TMDLs based on Fecal Coliform Monitoring](#)
- [\[GM03-2014\] Reporting of Data Generated During Approved Training Programs](#)
- [\[GM03-2015\] Method for Representing WLAs in Bacteria TMDLs](#)
- [\[GM04-2003\] Certification of Operator Requirements](#)

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## Guidance Documents

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[\[GM04-2004\] Permit Reviews and Issuance for VWP Applications Involving Water Withdrawal and Minimum In-Stream Flows](#)

[\[GM04-2005\] Water Quality Monitoring Consolidated Guidance Memorandum - Amendment #2](#)

[\[GM04-2005-Am1\] Water Quality Monitoring Consolidated Guidance Memorandum - Amendment 1](#)

[\[GM04-2007\] Avoidance and Minimization of Impacts to Surface Waters](#)

[\[GM04-2009\] Guidance on Wetlands Created During Mining Operations](#)

[\[GM04-2010\] Public Participation Procedures for Water Quality Management Planning](#)

[\[GM04-2011\] Implementation of the VPDES General Permit Regulation for Nonmetallic Mineral Mining Facilities - 2004 Reissuance](#)

[\[GM04-2012\] Coordination of Water Permit Programs with the Dept. of Health](#)

[\[GM04-2013\] VPDES Manual - June 2004](#)

[\[GM04-2014\] Procedures-Project Evaluation & Processing of Plans & Specs for Sewage Collection Systems and Treatment Works](#)

[\[GM04-2015\] Local Review Program](#)

[\[GM04-2018\] Requirements for VWPP to Impact Wetlands within Storm Water Best Management Practices](#)

[\[GM04-2019\] Revised Commercial Laboratory Inspection Procedures](#)

[\[GM04-2021\] Guidance for Exceptional State Waters Designations in Antidegradation Policy Section of WQS Regulation](#)

[\[GM04-2023\] 2004 Joint Permit Application Form for Virginia Water Protection Permits](#)

[\[GM05-2001\] Final 316\(b\) Phase II Rule Implementation](#)

[\[GM05-2002\] Procedure for Terminating Uncontested Permits](#)

[\[GM05-2003\] Revisions to the Virginia Water Protection Permit General Permits](#)

[\[GM05-2004\] EPA Review of VPDES Permits for 2005](#)

[\[GM05--2005\] Procedures-Closure or abandonment of Lagoon or Sewage Treatment Works](#)

[\[GM05-2006\] Virginia Petroleum Storage Tank Fund Third Party Disbursement Guidelines](#)

[\[GM05-2007\] Pollution Response Program \(PREP\) Manual](#)

[\[GM05-2008\] Determining Eligibility and Issuance of the VPA General Permit Regulation for Animal Feeding Operations](#)

[\[GM05-2010\] CEDS Data Entry Rules](#)

[\[GM05-2011\] TMDL Modifications in Response to New or Expanding Discharges](#)

[\[GM05-2012\] Coordination of Permitting Requirements for Wetlands and the Siting of Solid Waste Landfills](#)

[\[GM05-2013\] Duty to Apply for VPDES CAFO Permit in Lieu of 2005 U.S. 2nd Circuit Court of Appeals Decision](#)

[\[GM05-2014\] Modifications to the VPA General Permit Regulation for Poultry Waste Management](#)

[\[GM05-2015\] EPA Brownfields Grant Eligibility Review for Petroleum Contaminated Sites](#)

[\[GM05-2016\] Lender Liability Exemption Guidelines](#)

[\[GM06-2001\] Implementation of the 2006 Reissuance of the VPDES General Permit Regulation for Seafood Processing Facilities - VAG52](#)

[\[GM06-2002\] Implementation of the VPDES General Permit for Coin Operated Laundries VAG72](#)

[\[GM06-2003\] Implementation Guidance for Reissuance of the General VPDES Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day](#)

[\[GM06-2004\] Geographical Information System \(GIS\) Data Plotting Procedure](#)

[\[GM06-2005\] Biosecurity Procedures for Poultry Farm Visits](#)

[\[GM06-2006\] Guidelines for Underground Storage Tank Cathodic Protection Evaluation](#)

[\[GM06-2007\] Definition of Aboveground Storage Tanks for the Purpose of Eligibility for Va. Petroleum Storage Tank Reimbursement](#)

[\[GM06-2008\] Local Government Certification for New VPDES Permitted Landfills](#)

[\[GM06-2009\] Review and Approval of Operation and Maintenance Manuals for Municipal Sewage Treatment Works](#)

[\[GM06-2010\] Guidelines for DEQ Review and Approval of Biological Monitoring QAPPs Submitted by Non-DEQ Sources](#)

[\[GM06-2011\] Water Permit Fee Program Procedures](#)

[\[GM06-2012-Amd #1\] Review Procedures for WQIF Grant Applications and Agreement Negotiations](#)

[\[GM06-2013\] Implementation of the Reissued VPDES General Permit for Car Wash Facilities \(VAG75\)](#)

[\[GM06-2014\] Revisions to the Virginia Water Protection General Permits 9 VAC25-660, 9VAC25- 670, 9VAC25-680, 9VAC25-690 \(Effective August 1, 2006\)](#)

[\[GM06-2015\] VWP Permit Program Staff Manual](#)

[\[GM06-2016\] Significant Figures for Discharge Monitoring Reports](#)

[\[GM06-2016\] Significant Figures for Discharge Monitoring Reports - Amendment #1](#)

[\[GM07-2001\] Virginia Petroleum Storage Tank Fund Reimbursement Guidance Manual, Volume III, Application Process: For Work Authorized On Or After March 1, 2007](#)

[\[GM07-2002\] The Virginia Petroleum Storage Tank Fund Reimbursement Guidance Manual, Volume IV, 007 UCR Schedules: For Work Authorized On Or After March 1, 2007;](#)

[\[GM07-2003\] The Virginia Petroleum Storage Tank Fund Reimbursement Guidance Manual, Volume V, Reconsideration Procedures Applicable to initial Reimbursement Decisions issued after March 1, 2007](#)

[\[GM07-2004\] Investigation and Characterization of Discharges from Heating Oil Tanks](#)

[\[GM07-2005\] Authorization to Issue Certification for Tax Exemptions of Stormwater Management - Amendment 1](#)

[\[GM07-2006\] TANK REGISTRATION DATABASE OPERATIONS](#)

[\[GM07-2007\] Threatened and Endangered Species Screening for VPDES Permits](#)

[\[GM07-2008\] Permitting Considerations for Facilities in the Chesapeake Bay Watershed - Amendment 2](#)

[\[GM07-2009\] VPDES Permit Applications for Discharges in Shellfish Growing Areas](#)

[\[GM07-2010\] 2008 Water Quality Assessment Guidance Manual](#)

[\[GM07-2011\] Issuing a Certificate to Construct from a Final Engineering Report](#)

[\[GM07-2012\] Assigning Operator License Classes](#)

[\[GM07-2013\] CEDS DMR Data Entry Rules](#)

[\[GM08-2001\] Processing of Priority Permits, Administrative Continuance of Expired Permits and Permitting](#)

[\[GM08-2002\] Surface Water Impacts at Solid Waste Landfills](#)

[\[GM08-2003\] Procedure for Designation of Vessel No Discharge Zones](#)

[\[GM08-2004\] Regulation of Ditches under the Virginia Water Protection Permit Program](#)

[\[GM08-2005\] Implementation Guidance for Reissuance of VPDES General Permit VAG25 - VPDES General Permit for Cooling Water Discharges](#)

[\[GM08-2006\] Implementation Guidance for Reissuance of VPDES General Permit VAG83 - VPDES General Permit Regulation for Discharges From Petroleum Contaminated Sites, Groundwater Remediation and Hydrostatic Tests](#)

[\[GM08-2007\] Issuance of Biosolids Use Permits under the Virginia Pollution Abatement Permit System](#)

[\[GM08-2008\] Investigating and Coordinating Complaints Related to Discharges of Sediment from Construction Sites](#)

[\[GM08-2009\] Use of Preservation for Compensatory Mitigation in VWP Permits](#)

[\[GM08-2010\] Implementation Guidance for Reissuance of the General VPDES Permit for Concrete Products Facilities VAG11](#)

[\[GM08-2011\] Permitting Dam Maintenance Activities in Surface Waters](#)

[\[GM08-2012\] Farm Pond or Impoundment and Stock Pond or Impoundment Exemption from Virginia Water Protection Program Requirements](#)

[\[GM99-2006\] Storage Tank Program Quality Management Plan - Amendment 1](#)

[\[GM99-2007\] Implementation Guidance for Reissued VPDES General Permit VAG84, Nonmetallic Mineral Mining](#)

[\[GMWRD06-100\] Ground Water Withdrawal Permit Procedures Manual](#)

[\[WQS-1\] Water Quality Standards Interpretation - New Standards \(1992\)](#)

[\[WQS-2\] Water Quality Standards Interpretation of Biologically Based Flows, Low Flow Application and Mixing Zones](#)

[\[WQS-3\] Water Quality Standards Interpretation of Fecal Coliform Bacteria and Mixing Zones](#)

[\[WQS-4\] Water Quality Standards Interpretation of Cyanide Standard](#)

## Virginia Waste Management Board

### Guidance Documents:

[Process for Early Dispute Resolution of Notices of Alleged Violation and Notices of Deficiency](#)

[Public Comments at Virginia Waste Management Board Meetings](#)

[Regulatory Guidance Development](#)

[Vegetative Waste Burning at Closed Landfills](#)

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## Guidance Documents

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[Virginia Freedom of Information Act Compliance - Agency Policy Statement No. 9-2005](#)

[\[01-1994\] Gas Condensate Recirculation](#)

[\[01-1995\] Policy for Handling Investigation Derived Waste](#)

[\[01-1997\] Discarded Sandblast Grit Policy](#)

[\[01-1999\] Guidance for Determining Eligibility of Sites for the Voluntary Remediation Program](#)

[\[01-2001\] Terminating Sites in the Voluntary Remediation Program](#)

[\[01-2002\(01\)\] Submission Instruction 01 - Procedural Requirements](#)

[\[01-2002\(02\)\] Submission Instruction 02 - Module III, IV and V Landfill Design Report](#)

[\[01-2002\(04\)\] Submission Instruction 04 - Design Plans and Report for Other Storage and Treatment Units](#)

[\[01-2002\(05\)\] Submission Instruction 05 - Groundwater Monitoring and Sampling and Analysis Plans for New Solid Waste Disposal Facilities](#)

[\[01-2002\(06\)\] Submission Instruction 06 - Closure and Post Closure Requirements](#)

[\[01-2002\(07\)\] Submission Instruction 07 - Emergency \(Contingency\) Plans](#)

[\[01-2002\(08\)\] Submission Instruction 08 - Operation Manual](#)

[\[01-2002\(09\)\] Submission Instruction 09 - Requirements for Financial Assurance Mechanisms](#)

[\[01-2002\(11\)\] Submission Instruction 11 - Groundwater Monitoring Sampling and Analysis Plan for Existing Regulated CDD and Industrial Landfills](#)

[\[01-2002\(12\)\] Submission Instruction 12 - Groundwater Monitoring Sampling and Analysis Plan for Sanitary Landfills](#)

[\[01-2002\(13\)\] Submission Instruction 13 - Gas Management and Control System Facilities](#)

[\[01-2002\(14\)\] Submission Instruction 14 - Groundwater Annual Report](#)

[\[01-2005\] Guidance for Soil Analysis Required for Facilities Treating Petroleum Contaminated Soil Under the Provisions of 9 VAC 20-80-360](#)

[\[02-1993\] Seismic Impact Zone - Part A Requirements](#)

[\[02-1997\] Activities on Closed Landfills](#)

[\[02-2002\] Guidance Document Development](#)

[\[02-2002\(03\)\] Submission Instruction 03 - Design Plans and Report for Incinerators and Energy Recovery Facilities](#)

[\[02-2003\] Guidance on Procedures for Reporting NPL-Caliber Landfills Progress to EPA](#)

[\[02-2004\] Submission Instruction 19 - Alternate Source Demonstrations](#)

[\[02-2004\] Submission Instruction 21 - Monitored Natural Attenuation](#)

[\[03-1993\] Clarification of Final Cover Designs and Alternate Designs](#)

[\[03-1994\] Risk Based Closure - \(REAMS\) Risk Exposure and Analysis Modeling System](#)

[\[03-1997\] Notice of Expansion for Category 2 and Category 3 Facilities](#)

[\[03-2001\] Local Landfill Certification for Non-Captive Industrial Landfills](#)

[\[03-2002\] Guidance for Assessing Groundwater at Voluntary Remediation Sites](#)

[\[03-2004\] Waste Division Review of Environmental Review Reports as Required by NEPA](#)

[\[03-2005\] Siting and Groundwater Monitoring for Landfills and the Vicinity of Wetlands](#)

[\[04-1993\] HELP Model - Leachate generation for tank design](#)

[\[04-1994\] Guidelines for Special Waste Disposal](#)

[\[04-1994\(SPSW-1\)\] Guidelines for Special Waste Disposal \(Form SPSW-1\)](#)

[\[04-1994\(SPSW-2\)\] Guidelines for Special Waste Disposal \(Form SPSW-2\)](#)

[\[04-1994\(SPSW-3\)\] Guidelines for Special Waste Disposal \(Form SPSW-3\)](#)

[\[04-1996\] Addendum to Policy for Handling Investigation Derived Waste](#)

[\[04-1999\] Guidance for Facility Property Boundary Modifications](#)

[\[04-2003\(15\)\] Submission Instruction 15 - Nature and Extent](#)

[\[04-2003\(16\)\] Submission Instruction 16 - Assessment of Corrective Measures](#)

[\[04-2003\(17\)\] Submission Instruction 17 - Corrective Action Plan](#)

[\[05-1995\] Definition of Appropriate Container](#)

[\[05-1996\] Siting Requirements for Hazardous Waste Management Facilities](#)

[\[05-2001\] Certification of Satisfactory Completion of Remediation](#)

[\[06-1996\] Disposal of Sharps](#)

[\[06-2001\] Guidance on the Director's Determination in 10.1-1408.1.D.1 of the Code of Virginia - Permit by Rule Submissions](#)

[\[06-2003\] Brownfields Manual](#)

[\[07-1996\] Closure Documents - Survey Plat Guidance](#)

[\[07-2003\] Permitting Guidance for the 10 Year Permit Review](#)

[\[08-1993\] P. E. Certifications Required for Permit by Rules](#)

[\[08-2001\] Statement Regarding Data to be Incorporated into the Regulations for Solid Waste Management Planning](#)

[\[09-1993\] Thermal Treatment Facility Inspection Guidance](#)

[\[09-2001\] Management of Dredged Material](#)

[\[09-2003\] Submission Instruction 18 - Proposal for Presumptive Remedies](#)

[\[16-2002\] Guidance for Certification of Waste Oil Burning Equipment for the State Income Tax Credit](#)

[\[17-2002\] Solid Waste Financial Assurance Procedures](#)

[\[18-2002\] Hazardous Waste Financial Assurance Procedures](#)

[\[EE-151\] Virginia Waste Tire Program - Waste Tire Certification Instructions](#)

[\[EE-160\] Virginia Waste Tire Program - Standards for Use of Tire Chips in a Residential Septic Drainfield](#)

[\[EE-166\] Virginia Waste Tire Program Utilization of Waste Tire Shred/Chips](#)

[\[EGM\] Enforcement Manual](#)

[\[EGM 1-2005 Rev. 1\] Notices of Alleged Violation \(NOAVs\): Formats and Processes for Warning Letters and Notices of Violation - Rev. 1](#)

[\[EGM 2-2006 Rev. 2\] Civil Charges and Civil Penalties in Administrative Actions - Rev. 2](#)

[\[EGM No. 1-2006\] Voluntary Environmental Assessments \(Enforcement Guidance Memorandum No. 1-2006\)](#)

[\[EGM No. 3-2006\] Supplemental Environmental Projects \(SEPs\) - Enforcement Guidance Memorandum No. 3-2006](#)

[\[GM00-2016\] Chain of Custody Policy and Procedures - Amendment 1](#)

[\[GM06-2005\] Coordination of Permitting Requirements for Wetlands and the Siting of Solid Waste Landfills](#)

[\[Waste GM01-2007\] Post-Closure Care Termination & Submission Instruction No. 20](#)

[\[Waste GM01-2008\] Surface Water Impacts at Solid Waste Landfills](#)

## DEPARTMENT OF FIRE PROGRAMS

To obtain copies of the agency's guidance documents, please contact the Agency's Director of Administration at (804) 371-0220 or toll free at 18664VAFIRE.

Please contact the Agency's Grant and Local Aid Manager, at (804) 371-0220 or toll free at 18664VAFIRE, for interpretive or implementation questions regarding the Virginia Fire Services Board guidance documents.

Please contract the Agency's State Fire Marshal's Office - headquarters office, at (804) 371-0220 or toll free at 18664VAFIRE - for interpretive or implementation questions regarding the issuance of permits.

Copies of the guidance documents can be retrieved, free of charge, via the agency's website, <http://www.vafire.com>, under the Grants & Local Aid link and the State Fire Marshal's Office link.

Copies of the agency's guidance documents are also available, free of charge, via the Town Hall website.

Copies of the agency's guidance documents can also be viewed at the VDFP head quarters office, 1005 Technology Park Drive, Glen Allen, VA 20359. Please contact the Agency's Director of Administration, (804) 371-0220 or toll free at 18664VAFIRE, to schedule and appointment to view the guidance documents.

### Guidance Documents:

[\[SFMO - 1\] Use of pyrotechnics inside or outdoors on State-owned Property before a proximate audience](#)

[\[SFMO - 10\] Blasters Re-Certification Training Hours & Sources Policy Statement](#)

[\[SFMO - 2\] Application for Emergency or Special Operations Permit to Use Explosives](#)

[\[SFMO - 3\] Application for Annual Permit to Manufacture Explosives](#)

[\[SFMO - 4\] Application for Annual Permit to Sell Explosives](#)

[\[SFMO - 5\] Application for Annual Permit to Store Explosives](#)

[\[SFMO - 6\] Application for Annual Permit to use Explosives](#)

[\[SFMO - 7\] Application for a Background Clearance Card \(BCC\) Application for Certification of a Blaster](#)

[\[SFMO - 8\] Application to Renew a Background Clearance Card \(BCC\) Application to renew Certification as a Blaster](#)

[\[SFMO - 9\] Application for the Display of Aerial Fireworks on State-owned Property](#)

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# Guidance Documents

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## Virginia Fire Services Board

### Guidance Documents:

[Aid-To-Localities Policy](#)

[\[3220\] Burn Building Policy](#)

[\[3229\] Virginia Fire Incident Reporting \(VFIRS\) Hardware Grant](#)

[\[3327\] Burn Building Project Manual](#)

[\[3328\] Training Min-Grant Policy](#)

## DEPARTMENT OF FORESTRY

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Department of Forestry, 900 Natural Resources Drive, Suite 800, Room 1144, Charlottesville, VA 22903. Copies of the Alternate Management Plans and Reforestation of Timberlands Policy may be obtained free of charge by contacting Dean Cumbia at the same address, telephone (434) 977-6555 or FAX (434) 296-2369.

Questions regarding interpretation or implementation of Alternate Management Plans or Reforestation of Timberland Policy may be directed to Dean Cumbia, Department of Forestry, 900 Natural Resources Drive, Suite 800, Room 2108, Charlottesville, VA 22903, telephone (434) 977-6555 or FAX (434) 296-2369.

Copies of the Water Quality Enforcement documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the Office of the Department of Forestry, 900 Natural Resources Drive, Suite 800, Room 2108, Charlottesville, VA 22903. Copies may be obtained free of charge by contacting Brenda Taylor at the same address, telephone (434) 977-6555 or FAX (434) 977-7749.

Questions regarding interpretation or implementation of Water Quality Enforcement documents may be directed to Matt Poirot, Department of Forestry, 900 Natural Resources Drive, Suite 800, Charlottesville, VA 22903, telephone (434) 977-6555 or FAX (434) 296-2369 or email [matt.poirot@dof.virginia.gov](mailto:matt.poirot@dof.virginia.gov).

### Guidance Documents:

2874, Procedure, Alternate Management Plans, (AMP) Form 3.74A, 09/30/2004

2875, Procedure, Reforestation of Timberlands, Policy, 05/01/2003

2876, Procedure, Water Quality Enforcement, 04/04/2004

## BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of

the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [fanbd@dhp.virginia.gov](mailto:fanbd@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Lisa R. Hahn, Executive Director of the Board, at the address above or by telephone at (804) 367-4479. Copies are free of charge.

### Guidance Documents:

65-1, Guidance on time credit for continuing education, adopted June 5, 2007

65-5, Reciprocal agreement with the District of Columbia Board of Funeral Directors, adopted December 7, 1995

65-7, Memorandum of Understanding with the Virginia Department of Agriculture and Consumer Services, May 11, 1998

65-8, Board opinion on casket stores in the Commonwealth of Virginia, revised June 3, 2008

65-9, Memorandum of Understanding Between the Cemetery Board of the Department of Professional and Occupational Regulation and the Board of Funeral Directors and Embalmers of the Department of Health Professions, April 2, 1999

65-10, By-Laws of the Board, adopted March 8, 2000, revised June 3, 2008

65-11, Inspection Guidance Document, adopted December 7, 2004, revised June 3, 2008

65-12, Board action on Confidential Consent Agreements, adopted March 9, 2004

65-13, Guidance for Conduct of an Informal Conference by an Agency Subordinate, adopted December 8, 2004

65-14, Sanction Reference Manual, adopted March 13, 2007

## DEPARTMENT OF GAME AND INLAND FISHERIES

Copies of the following guidance documents may be viewed during regular work days from 9 a.m. until 4 p.m. in the office of the Department of Game and Inland Fisheries, 4010 W. Broad Street, Richmond, VA 23230. Copies of most documents listed below may be obtained at no charge; copies of larger documents may be obtained at cost as provided for under the Virginia Freedom of Information Act. Requests for copies, and questions regarding interpretation or implementation of these documents, may be directed to the Agency Policy Analyst and Regulatory Coordinator, Phil Smith, 4016 West Broad Street, Richmond, VA 23230, telephone (804) 367-1000, or FAX (804) 367-0488.

**Guidance Documents:**

Administrative - General (revised 2007)

Department of Game and Inland Fisheries Mission Statement, January 1990, § 29.1-103

Department of Game and Inland Fisheries Annual Budget: Fiscal Year 2008 Planned Management Strategic Document (<http://www.dgif.virginia.gov/about/PlannedManagementStrategicDocumentFY2008.pdf>), June 7, 2007, § 29.1-103

Rights of Requesters and Responsibilities of the Department of Game and Inland Fisheries Under the Virginia Freedom of Information Act (<http://www.dgif.virginia.gov/about/policies.asp#foia>), July 1, 2004, § 2.2-3704.1

DGIF Media Services Policy, Media Services Project Request Form, Copyright Notice, Video/Still Photo Use License Agreement, and Media Fees, revised April 1, 2007, § 29.1-103

Administrative - Board General Policies and Guidelines (revised 2008)

Board of Game and Inland Fisheries Governance Manual, revised July 15, 2008, § 29.1-103

Board Policy on Open Government, December 14, 2005, §§ 2.2-3100 through 2.2-3131, 2.2-3700 through 2.2-3714, 2.2-3800 through 2.2-3809, 29.1-103 and 29.1-109

Board Policy on Constituency and Communications, December 14, 2005, §§ 29.1-103 and 29.1-109

Board Policy on Ethical Behavior and Practices, December 14, 2005, §§ 29.1-103 and 29.1-109

Board Policy on Mission Focus to Staff Activities, December 14, 2005, § 29.1-103

Board Policy on Use of Scientific Principles and Procedures in Natural Resources Management, December 14, 2005, §§ 29.1-103 and 29.1-109(A)

2008-2009 Hunting & Trapping Periodic Regulation Review and Amendment Process and Schedule (<http://www.dgif.virginia.gov/regulations/2008-2009-hunting-and-trapping-review-process-and-amendment-schedule.pdf>) 2008, §§ 29.1-103, 29.1-501 and 29.1-502

Administrative - Capital Programs (revised 2007)

Board Policy on Acquisition of Lands, Waters, and Structures, December 14, 2005, §§ 29.1-103, 2.2-3705.1(2), (5), (8), and (12), and 2.2-3711(A)(3) and (6).

Board Policy on Real Property Conveyances, March 27, 2007, §§ 29.1-103, 29.1-109.

Capital Programs Administrative Procedures Manual (on capital budgeting, capital outlay, boating access site selection process (revised August 2007), boating access maintenance,

DGIF dam safety program, outdoor signage of department facilities, building permit policy for construction of state owned buildings and structures, environmental and historical investigation process, acquisition of real property (revised February 2006), leasing real property, (real property) licenses and other temporary agreements, easements, trespass and boundary (revised June 2006), surplus and disposal of real property, transfers to other state agencies, land record research, and real property management appendices; appendices include but are not limited to purchase contract, acquisition project statement, real property scoring worksheet, antennae policy, special use permit (revised Oct 2007), shoreline management plan, trespass notice letter, boundary marking guide sheets (revised February 2005), facilities work request (December 2005), and facilities fire alarm contact process (January 2007)), October 2000, §§ 29.1-103 and 29.1-105

Administrative - Lifetime Hunting and Fishing Licenses (revised 2007)

Application for Lifetime Hunting and Fishing Licenses (<http://www.dgif.virginia.gov/licenses/lifetime/lifetime-license-application.pdf>), revised July 1, 2002, §§ 28.2-302.10:1 and 29.1-302.1

Application for Virginia Resident Disabled Veteran's Lifetime State License to Hunt and Freshwater Fish in Inland Waters and Virginia Resident Disabled Veteran's Lifetime State License to Trap (<http://www.dgif.virginia.gov/forms/PERM/PERM-035.pdf>), revised December 1, 2007, §§ 29.1-302 and 29.1-309.1

Application for Resident Disabled Special Lifetime Hunting, Trapping, Freshwater, Saltwater Fishing License (<http://www.dgif.virginia.gov/forms/PERM/PERM-032.pdf>), revised December 1, 2007, §§ 28.2-302.10, 29.1-302.1, 29.1-302.2, and 29.1-309.1

Resident Disabled Lifetime Licenses Physician's Affidavits (<http://www.dgif.virginia.gov/forms/PERM/PERM-034.pdf>), revised December 1, 2007, §§ 29.1-302.1 and 29.1-302.2

Application for Replacement of Resident Disabled Lifetime License or Resident Disabled Saltwater Lifetime License (<http://www.dgif.virginia.gov/forms/PERM/PERM-036.pdf>), revised December 1, 2007, § 29.1-334

Game Wildlife (revised 2008)

Hunting and Trapping in Virginia, 2008-2009 Regulations (<http://www.dgif.virginia.gov/hunting/regulations/2008-09huntregs-smallerfile.pdf>), June 2008, §§ 29.1-103, 29.1-501 and 29.1-502

2008-2009 Virginia Migratory Waterfowl Seasons and Bag Limits (<http://www.dgif.virginia.gov/hunting/regulations/waterfowl/2008-09waterfowl-smaller-file.pdf>), August 2008, § 29.1-103

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## Guidance Documents

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2008-2009 Doves, Woodcock, Snipe, Rails, Falconry, September Canada Goose and September Teal (Virginia migratory game bird seasons and bag limits) (<http://www.dgif.virginia.gov/hunting/regulations/2008-2009-webless-migratory-waterfowl.pdf>), July 2008, § 29.1-103

Board Procedures for Non-Regulatory Matters and Migratory Bird Seasons and Bag Limits, January 1994, § 29.1-103

Wildlife Information Publication No. 07-1, Virginia Deer Management Plan 2006-2015 (<http://www.dgif.virginia.gov/wildlife/deer/management-plan/virginia-deer-management-plan.pdf>), June 2007, § 29.1-103

Virginia Black Bear Management Plan, 2001-2010 (<http://www.dgif.virginia.gov/wildlife/bear/blackbearmanagementplan.pdf>), revised March 2002, §§ 29.1-103, 29.1-109, and 29.1-501

Deer Management Assistance Program (DMAP) 2008 Regulations for Participants Application (<http://www.dgif.virginia.gov/wildlife/deer/dmap-rules.pdf>), (<http://www.dgif.virginia.gov/wildlife/deer/dmap-application.pdf>) and DMAP Biologist Contact Information (<http://www.dgif.virginia.gov/wildlife/deer/dmap-map.pdf>), 2008, § 29.1-103

Wildlife Damage Control Assistance Program (DCAP) 2008 Rules, § 29.1-103

A Guide to Virginia's Wildlife Management Areas, revised July 1996, available online only, § 29.1-103

Rules for Wildlife Management Areas (<http://www.dgif.virginia.gov/hunting/regulations/wmarules.pdf>), § 29.1-103

### Fish (revised 2008)

Freshwater Fishing in Virginia - January 1 - December 31, 2009 ([www.dgif.virginia.gov/fishing/regulations/](http://www.dgif.virginia.gov/fishing/regulations/)), §§ 29.1-103, 29.1-501 and 29.1-502

Fish Division Procedure and Criteria for Issuing Fish Stocking Authorizations and the Virginia Fish Stocking Authorization Application ([www.dgif.virginia.gov/forms/PERM/PERM-003.pdf](http://www.dgif.virginia.gov/forms/PERM/PERM-003.pdf)), revised August 2004, § 29.1-103

Fish Division "Kid's Fishing Day" trout-stocking policy, July 31, 1998, § 29.1-103

Fish Division Delayed Harvest Trout Waters Management Guidelines, May 27, 1998, § 29.1-103

Striped Bass Fishing Tournament Application and Permit ([www.dgif.virginia.gov/forms/PERM/PERM-004.pdf](http://www.dgif.virginia.gov/forms/PERM/PERM-004.pdf)), April 1981, §§ 29.1-501 and 29.1-502

### Threatened and Endangered Species, Wildlife Diversity, and Environmental Review (revised 2007)

Board Policy "Comprehensive Management of Ecosystems, Habitats, and Fish and Wildlife Populations," March 21, 2006, § 29.1-103

Board Policy "Evaluation of and Response to the Changing Landscape of Virginia," March 21, 2006, § 29.1-103

Board Policy "Conservation of Endangered and Threatened Species," March 21, 2006, §§ 29.1-103, 29.1-563 through 29.1-568 and 29.1-570

Virginia Wildlife Action Plan (<http://www.bewildvirginia.org/wildlifeplan/virginia-wildlife-action-plan.pdf>), September 16, 2005, § 29.1-103

Special Status Species in Virginia (<http://www.dgif.virginia.gov/wildlife/virginiatescspecies.pdf>), January 1, 2008, §§ 29.1-563 through 29.1-568 and § 29.1-570

2007 Official Listing of Native and Naturalized Fauna in Virginia (<http://www.dgif.virginia.gov/wildlife/virginianativenaturalizedspecies.pdf>), January 1, 2008, § 29.1-100

Bald Eagle Protection Guidelines for Virginia (<http://www.dgif.virginia.gov/wildlife/birds/bald-eagle-protection-guidelines.pdf>), updated May 15, 2000, §§ 29.1-563 through 29.1-568 and § 29.1-570

Replacement criteria and values for raptors in Virginia, August 25, 2005, §§ 29.1-103 and 29.1-551

Plan to Provide Safe Harbor Assurances to Landowners in Virginia Who Voluntarily Agree to Enhance Habitat for the Endangered Red-Cockaded Woodpecker, April 2000, §§ 29.1-563 through 29.1-568 and § 29.1-570

Red-Cockaded Woodpecker Safe Harbor Evaluation Form for Virginia Landowners, April 2000, §§ 29.1-563 through 29.1-568 and § 29.1-570

Red-Cockaded Woodpecker Safe Harbor Cooperative Agreement for Landowners Near the Nature Conservancy's Piney Grove Preserve in Sussex County, Virginia, October 2000, §§ 29.1-563 through 29.1-568 and § 29.1-570

Appalachian Water Shrew Recovery Plan, approved March 2, 1994, §§ 29.1-563 through 29.1-568 and § 29.1-570

Canebrake Rattlesnake Recovery Plan, approved February 1, 1991, §§ 29.1-563 through 29.1-568 and § 29.1-570

Eastern Big-Eared Bat Recovery Plan, approved July 16, 1990, §§ 29.1-563 through 29.1-568 and § 29.1-570

Wilson's Plover Recovery Plan, approved May 28, 1991, §§ 29.1-563 through 29.1-568 and § 29.1-570

Virginia Wildlife Species Profile: Bog Turtle, No. 030061.1 ([http://www.dgif.virginia.gov/wildlife/species-profiles/030061\\_1\\_BogTurt.pdf](http://www.dgif.virginia.gov/wildlife/species-profiles/030061_1_BogTurt.pdf)), November 1999, §§ 29.1-563 through 29.1-568 and § 29.1-570

Virginia Wildlife Species Profile: Canebrake Rattlesnake, No. 030013.1 ([http://www.dgif.virginia.gov/wildlife/species-profiles/030013\\_1\\_Canebrake.pdf](http://www.dgif.virginia.gov/wildlife/species-profiles/030013_1_Canebrake.pdf)), October 1999, §§ 29.1-563 through 29.1-568 and § 29.1-570

Virginia Wildlife Species Profile: Eastern Hellbender, No. 020020.1 ([http://www.dgif.virginia.gov/wildlife/species-profiles/020020\\_1\\_Hellbender.pdf](http://www.dgif.virginia.gov/wildlife/species-profiles/020020_1_Hellbender.pdf)), November 1999, §§ 29.1-563 through 29.1-568 and § 29.1-570

Virginia Wildlife Species Profile: Eastern Tiger Salamander, No. 020052.1 ([http://www.dgif.virginia.gov/wildlife/species-profiles/020052\\_1\\_TigSal.pdf](http://www.dgif.virginia.gov/wildlife/species-profiles/020052_1_TigSal.pdf)), October 1999, §§ 29.1-563 through 29.1-568 and § 29.1-570

Virginia Wildlife Species Profile: Spotted Salamander, No. 020049.1 ([http://www.dgif.virginia.gov/wildlife/species-profiles/020049\\_1\\_SpotSal.pdf](http://www.dgif.virginia.gov/wildlife/species-profiles/020049_1_SpotSal.pdf)), November 1999, §§ 29.1-563 through 29.1-568 and § 29.1-570

Standard Environmental Review Procedures, November 20, 1992, § 29.1-103

Permitting for Threatened and Endangered Species, and Scientific and Wildlife Salvage Collection (revised 2006)

Board Policy "Conservation of Endangered and Threatened Species," on permits to take threatened and endangered species, March 21, 2006, §§ 29.1-563 through 29.1-568 and 29.1-570

Threatened and Endangered Species Permit Application and Permit Information, revised November 27, 2002 (<http://www.dgif.virginia.gov/forms/TE-permit-2003.doc>), §§ 29.1-412, 29.1-417, and 29.1-568

Threatened/Endangered Species Permit Special Conditions, January 2003, §§ 29.1-412, 29.1-417, and 29.1-568

Scientific Collection or Salvage Permit Application and Permit Information, revised November 27, 2002 (<http://www.dgif.virginia.gov/forms/scp-permit-2003.doc>), §§ 29.1-412, 29.1-417, 29.1-418

Scientific Collection Permit Special Conditions, January 2003, §§ 29.1-412, 29.1-417, 29.1-418

Wildlife Salvage Permit Special Conditions, January 2003, §§ 29.1-412, 29.1-417, 29.1-418

Supplemental Amendment Form for Scientific Collection or Salvage Permit, March 24, 1992, §§ 29.1-412, 29.1-417, 29.1-418

Scientific Collection, Salvage, and T&E Annual Permit Report and Report Instructions ([http://www.dgif.virginia.gov/permits/vert\\_permit\\_report\\_06](http://www.dgif.virginia.gov/permits/vert_permit_report_06)

zip; [http://www.dgif.virginia.gov/permits/invert\\_permit\\_report\\_04.zip](http://www.dgif.virginia.gov/permits/invert_permit_report_04.zip)) July 2006, §§ 29.1-412, 29.1-417, 29.1-418

Permitting - Generally (revised 2008)

Animal Population Control Permit for Furbearing Animals, Application and Permit Information, September 1, 2007, § 29.1-501

Commercial Nuisance Animal Permit Application to Capture, Transport, and Release or Euthanize Wildlife, and Permit Conditions, revised September 11, 2008, § 29.1-103 and 29.1-501

Permit Application to Collect Snapping Turtles, Crayfish, and Hellgrammites for Sale, and Permit Conditions, revised September 22, 2008, § 29.1-412

Dog Field Trial Permit Application and Conditions, revised February 1, 2006, §§ 29.1-417 and 29.1-422

Permit Application to Exhibit Wild Animals in Virginia, and Permit Conditions, revised September 11, 2008, § 29.1-412 and 29.1-417

Import and Possess Certain Non-Native (Exotic) Wildlife in Virginia Permit Application and Permit Conditions, revised April 11, 2008, §§ 29.1-412, 29.1-417 and 29.1-542

Exotic Species - Import Certain Non-Native Wildlife (Tilapia, Clawed Frog) Permit Application and Permit Information, revised January 10, 2008, § 29.1-542

Exotic Species - Permit to Import Certified Triploid Grass Carp for Aquatic Vegetation Control in Private Ponds Application and Permit Information, revised May 1, 2008, § 29.1-542

Falconry Permit Application, revised May 11, 2005, §§ 29.1-412 and 29.1-419

Falconry Regulations, Facilities and Equipment Examination Guidance Document, March 1, 2003, §§ 29.1-412 and 29.1-419

Permit Application to Operate a Foxhound Training Preserve and Annual Reporting Form, revised June 17, 2008, §§ 29.1-103, 29.1-412 and 29.1-417

Permit Conditions for the Operation of Foxhound Training Preserves in Virginia, revised June 17, 2008, §§ 29.1-103, 29.1-412 and 29.1-417

Permit to Deal in Furs Application and Permit Conditions, revised May 1, 2008, Title 29.1, Chapter 4

Gill Net Permit Application and Permit Conditions, revised April 9, 2008, §§ 29.1-412 and 29.1-416

Haul Seine Permit to Catch Minnows and Chubs for Sale Application and Permit Conditions, revised August 20, 2008, §§ 29.1-412 and 29.1-416

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## Guidance Documents

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Haul Seine Permit to Take Nongame Fish for Sale Application and Permit Conditions, revised August 20, 2008, §§ 29.1-412 and 29.1-416

Haul Seine Permit to Take Fish for Personal Use Application and Permit Conditions, revised August 20, 2008, §§ 29.1-412 and 29.1-416

Permit to Hold and Sell Certain Fish, Snakes, Snapping Turtles, Crayfish, and Hellgrammites For Sale Application and Permit Conditions, revised August 18, 2008, §§ 29.1-412 and 29.1-471

Nonresident Harvester's Permit Application to Take or Catch Fish in Back Bay and its Tributaries, revised August 1, 2005, §§ 29.1-412 and 29.1-416

Permit to Possess, Propagate, Buy, and Sell Certain Wildlife in Virginia (Fisheries, Wildlife) Application and Permit Conditions, revised November 14, 2008, §§ 29.1-103, 29.1-412 and 29.1-417

Permit to Possess, Propagate, Buy, and Sell Certain Wildlife in Virginia (Raptors) Application and Permit Conditions, revised, December 9, 2008, §§ 29.1-103, 29.1-412 and 29.1-417

Raccoon Hound Field Trial Permit Application and Permit Conditions, July 1, 2003, §§ 29.1-417 and 29.1-422

Wildlife Rehabilitator Permit Application, revised December 1, 2004, §§ 29.1-412 and 29.1-417

Wildlife Rehabilitator Permit Conditions, revised October 1, 2005, §§ 29.1-412 and 29.1-417

Licensed Shooting Preserve Permit Application and Permit Conditions, revised May 1, 2008, §§ 29.1-514, 29.1-544

Permit to Stuff and Mount Birds, Animals, or Fish and Parts of Them for Sale or Compensation Application and Taxidermy Permit General Conditions, revised June 5, 2008, Title 29.1, Chapter 4

### Boating (revised 2008)

Virginia Boating Safety Education Compliance Requirement (<http://www.dgif.virginia.gov/boating-safety-education-requirement.asp>), 2008, § 29.1-735.2

Board Resolution conferring on the Director the Board's authority to allow exceptions to the requirement to display motorboat registration decals, November 29, 2005, §§ 29.1-103 and 29.1-703

Virginia Watercraft Owner's Guide (<http://www.dgif.virginia.gov/boating/wog>), revised 2008, § 29.1-701

Boat Virginia, A Course on Responsible Boating, revised 2008, § 29.1-701

Personal Watercraft (PWC) - Safety Brochure (<http://www.dgif.virginia.gov/boating/pwc>), revised 2005, § 29.1-701

Life Jackets, 2003, § 29.1-701

Boat Safe without Drugs or Alcohol, 2003, § 29.1-701

Reporting a Boating Accident (<http://www.dgif.virginia.gov/boating/accident.asp>), 2006, § 29.1-701

Watercraft Dealer Licensing Fact Sheet, revised 2006, § 29.1-701

### Law Enforcement (revised 2008)

Law Enforcement Division Policy Number 1, Division Role and Authority, March 15, 2006

Law Enforcement Division Policy Number 26, Problem Wildlife Response, March 15, 2006

Law Enforcement Division Policy Number 27, Illegal Captive Wildlife, September 25, 2006

Permit for Persons Permanently Unable to Walk to Shoot from a Stationary Vehicle, February 2002, § 29.1-521.3

Physician's Affirmation as to One's Permanent Inability to Walk to Shoot from a Stationary Vehicle, revised August 2003, § 29.1-521.3

Revised Replacement Values for Illegally Taken Wildlife and Fish, October 1, 2008 § 29.1-551

Sportsman's Pledge, Release of Landowner from Liability, and Landowner's Permission to Hunt card ([http://www.dgif.virginia.gov/forms/PUBR/permission\\_to\\_hunt.pdf](http://www.dgif.virginia.gov/forms/PUBR/permission_to_hunt.pdf)), 1992, §§ 29.1-103, 29.1-509 and 29.1-521

## **DEPARTMENT OF GENERAL SERVICES**

Questions regarding interpretation of these Guidance Documents may be directed to Department of General Services (DGS) Agency Regulatory Coordinator, Rhonda M. Bishton at telephone: (804) 786-3311, FAX (804) 371-8305, or by email [rhonda.bishton@dgs.virginia.gov](mailto:rhonda.bishton@dgs.virginia.gov).

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in DGS Director's Office at 202 N. Ninth Street, Room 209, Richmond, VA 23219.

### **Guidance Documents:**

[Environmental Laboratory Certification Program application](#)

[\[DB/CM Manual\] Design-Build/Construction Management Review Board](#)

[\[DGS 08 Guidance\] Department of General Services 2008 Guidance Document List](#)

[\[DGS Dir No. 15\] DGS Directive No. 15 Indoor Clean Air Act](#)

[\[DGS Dir No. 15\] DGS Directive No. 15 Indoor Clean Air Act](#)

[\[DGS Guidance\] 2007 DGS Guidance Documents](#)

[\[DGS Parking Policy\] DGS Parking Policies and Procedures for Use of Parking Facilities](#)

[\[Env Lab Appl\] Environmental Laboratory Certification Program Application and Instructions](#)

[\[Lab Cert Applic\] Environmental Laboratory Certification Application](#)

[\[Real Property Manual\] Real Property Manual Chapter 1, Acquisition by Lease](#)

[\[Reg for Cap Square\] Regulations for Capitol Square](#)

## **Design-Build/Construction Management Review Board**

### **Guidance Documents:**

[\[DB/CM Manual\] Design-Build/Construction Management Review Board](#)

## **DEPARTMENT OF HEALTH**

Copies of the following documents are available at no charge for electronic viewing by setting an Internet browser to: [www.townhall.virginia.gov](http://www.townhall.virginia.gov), and thereafter navigating the Virginia Regulatory Town Hall to the regulatory page of the State Board of Health, and clicking on "Guidance Documents." This process is free and is the most efficient means by which citizens may obtain access to these documents.

Copies of the documents are also available from the various program offices of the Virginia Department of Health in Richmond, although a charge may apply (as indicated in the following list). For copies, contact the Regulatory Coordinator, Office of the State Health Commissioner, Virginia Department of Health, 109 Governor Street, Richmond, VA 23219, telephone (804) 864-7001 or FAX (804) 864-7022. Copies may be viewed during regular work days, excluding state holidays, from 9 a.m. until 4:30 p.m. in the program offices of the Virginia Department of Health, 109 Governor Street, Richmond, VA 23219. Notice of intent to visit these offices for viewing will facilitate the availability of desired documents. The department requests such notice through contact with the Regulatory Coordinator at the address or a number listed above.)

Questions regarding interpretation or implementation of these documents may be directed to the Regulatory Coordinator at the address and numbers above, who will redirect such questions to knowledgeable program administrators.

### **Guidance Documents:**

[\[EMS-3013\] Alternative Site Application for EMS Programs in Virginia](#)

[\[EMS-3015\] Institutional Self Study for Intermediate Programs in Virginia](#)

[\[EMS-3016\] Institutional Self Study for Paramedic Programs in Virginia](#)

[\[EMS-3019\] CoAEMSP Standards and Guidelines](#)

[\[EMS-3020\] Guidelines for the ALS Training Funds in Virginia - FY07](#)

[\[EMS-3021\] Training Program Administration Manual](#)

[\[EMS-3040A\] ALS Coordinator Application](#)

[\[EMS-3041\] BLS Individual Age, Clinical and Skill Performance Verification Record](#)

[\[EMS-3042A\] Individual Tuition Reimbursement Application](#)

[\[EMS-3042F\] BLS Student Permission Form](#)

[\[EMS-3043\] Clinical Training Record](#)

[\[EMS-3044\] Auxiliary Summary Roster](#)

[\[EMS-3044F\] Course Approval Request Form](#)

[\[EMS-3045F\] Course Summary Form](#)

[\[EMS-3046\] Course Roster](#)

[\[EMS-3048\] Prerequisites for EMS Training Program, Criminal History and Standards of Care](#)

[\[EMS-3049F\] Reimbursement Claim Form](#)

[\[EMS-3051\] Student Course Fee Summary](#)

[\[EMS-3052\] Eqivalency Challenge For Virginia EMT Certification](#)

[\[EMS-3053\] EMS Medication Schedule](#)

[\[EMS-3054\] EMS Procedures Schedule](#)

[\[EMS-6028F\] EMS Physician Application for Endorsement](#)

[\[EMS-6033A\] Application for EMS Exemption](#)

[\[EMS-6034A\] Application for EMS Variance](#)

[\[EMS-7101F\] How to Complete the Durable DNR Form](#)

[\[EMS-7102\] How to Purchase Durable DDNR Bracelets and Necklaces](#)

[\[EMS-7103F\] How to Request Durable Do Not Resuscitate Forms](#)

[\[EMS-7104F\] Virginia Durable DNR Request Form](#)

[\[EPI-111\] Refugee and Immigrant Health Program Manual](#)

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# Guidance Documents

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[\[FAM 101\] Children With Special Health Care Needs Pool of Funds Guidelines](#)

[\[FAM 403\] Newborn Screening Facts-Questions Providers Frequently Ask About Newborn Screening](#)

## State Board of Health

### Guidance Documents:

[\[ADJ-003\] ADJ-003 2002 Guidelines and Policies for COPN IFFCs](#)

[\[ADJ-005\] Instructions and Model Petition for Good Cause](#)

[\[ADJ-006\] Memo: Communications](#)

[\[CHS-002\] Eligibility Guidance Document](#)

[\[CHS-005\] Managing Accounts Receivable for Patient Care](#)

[\[COM-501\(Reg\)\] Memo on New Public Participation Guidelines \(PPGs\)](#)

[\[EMS -1010\] TASK FORCE COMMANDER CHECKLIST](#)

[\[EMS -6028\] EMS Agency Application Instructional Manual](#)

[\[EMS-1004\] EMS Physician Strike Teams SOP](#)

[\[EMS-1011\] EMS Task Force Standard Operating Procedures](#)

[\[EMS-1014\] STANDARD OPERATING PROCEDURE FOR VIRGINIA CRITICAL INCIDENT STRESS MANAGEMENT STRIKE TEAMS](#)

[\[EMS-1015\] EMS Surge Planning Template](#)

[\[EMS-1016\] EMS Communications Directory](#)

[\[EMS-1018\] Hampton Roads Evacuation Lane Reversal - Standard Operating Procedure](#)

[\[EMS-1030\] Virginia Health and Medical \(ESF-8\) Emergency Operations Center Staff STANDARD OPERATING PROCEDURE AND REFERENCE GUIDE](#)

[\[EMS-2001\] Regional Council Designation Manual](#)

[\[EMS-3010\] Medication Kit Storage Clarification Letter](#)

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[\[EMS-3055\] EMS Specialty Teams Meds and Skills Schedule](#)

[\[EMS-5001\] VSTR User & Training Manual for Trauma Registrars](#)

[\[EMS-6011\] The Accommodation Policy used by the Virginia Office of Emergency Medical Services \(Office of EMS\)](#)

[\[EMS-6011F\] EMS Accommodation Request Form](#)

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- [\[EPI-100\] Public Safety Employees and Testing for Blood-borne Pathogens](#)
- [\[EPI-101\] Letter to Physicians on Use of Zidovudine with Pregnant Women with HIV](#)
- [\[EPI-102\] Memorandum: STD / HIV Interview Periods](#)
- [\[EPI-103\] Memorandum: Bloodborne Pathogen Training for School Personnel and Management of Exposure-Prone Incidents in Schools](#)
- [\[EPI-104\] memorandum: Law Enforcement Officer and Deemed Consent](#)
- [\[EPI-105\] HIV Partner Counseling and Referral Services Guidance](#)
- [\[EPI-106\] Memorandum: Tattoo Parlors and Piercing Salons](#)
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- [\[EPI-108\] HIV / STD Operations Manual](#)
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- [\[EPI-306\] Beach Monitoring Protocol](#)
- [\[EPI-307\] Memorandum: LaCrosse Encephalitis](#)
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- [\[EPI-309\] Communicable Disease Reference Chart for School Personnel](#)
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- [\[EPI-406\] TB Drug Assistance Program Procedures](#)
- [\[EPI-407\] Drug Assistance Program for Patients Needing Second Line TB Drugs](#)
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- [\[EPI-700\] Guidance for the Retention of X-Ray Records](#)
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- [\[EPI-702\] Guidance for requesting U.S. DOT exemption E-10656 upon receiving scrap metal or related recycling material that is radioactively contaminated](#)
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- [\[EPI-704\] X-ray Fluorescence Device Regulatory Guide](#)
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- [\[FAM 101\] CSHCN Pool of Funds Guidelines](#)
- [\[FAM 102\] Hospital Protocols for Newborn Hearing Screening](#)
- [\[FAM 103\] Protocols for Diagnostic Audiological Assessment: Follow-up for Newborn Hearing Screening](#)
- [\[FAM 104\] Virginia School Health Guidelines](#)
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- [\[FAM 106\] School Entrance Health Form](#)
- [\[FAM 106A\] School Health Entrance Form Instructions](#)
- [\[FAM 107\] High-Risk Virginia ZIP Codes by Number](#)
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- [\[FAM 108\] Guidelines for Childhood Lead Poisoning Screening and Management of Children with Confirmed Elevated Blood Levels](#)
- [\[FAM 110\] Virginia's Newborn Hearing Screening, Program, Protocols for Medical Management](#)
- [\[FAM 111\] Information Systems: Security and Confidentiality Policies, Procedures and Standards, Division of Child and Adolescent Health \(DCAH\)](#)
- [\[FAM 112\] Virginia Bleeding Disorders Program Fact Sheet](#)
- [\[FAM 112A\] Virginia Bleeding Disorders Program Pool of Funds Guidelines](#)
- [\[FAM 201\] Virginia Women, Infants' and Children \(WIC\) Program Policy and Procedure Manual](#)
- [\[FAM 202\] Virginia Women, Infants' and Children \(WIC\) Program Vendor Manual](#)
- [\[FAM 401\] Eligibility Criteria for State Funding of Abortion to Terminate Pregnancy as the Result of Rape or Incest , or Fetal Deformity](#)
- [\[FAM 402\] Procedures Manual for the Virginia Congenital Anomalies Reporting and Education System](#)
- [\[FAM 406\] Family Planning Program, Voluntary Sterilization Services Procedure](#)
- [\[FAM 409\] Every Woman's Life Program Manual \(Breast and Cervical Cancer Screening\)](#)
- [\[FAM 411\] Perinatal Guidelines](#)
- [\[FAM-VCR 2007\] Virginia Cancer Registry Manual](#)
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- [\[FULL LIST\] Master List of VDH Guidance Documents \[ADJ-WTR\(W\)\], 12/13/2002](#)
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- [\[QHC-021\] Consumer guide to restraint usage in nursing facilities](#)
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- [\[QHC-024\] About nursing home inspections](#)
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- [\[RMB-001\] GUIDANCE DOCUMENT for Regulations Governing Standards and Charges for Medical Care Services to Individuals](#)
- [\[WTR-066 \(SF\)\] WTR-066 \(SF\) Uncertified Product in the Marketplace](#)
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- [\[WTR-182 \(SF\)\] WTR-182 \(SF\) Notice of Certification Expiration](#)

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[\[WTR-199 \(SF\)\] WTR-199 \(SF\) Tags](#)

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[\[WTR-204 \(SF\)\] WTR-204 \(SF\) Permitting of Wells](#)

[\[WTR-206\] WTR-206 \(SF\) Buffer Zones Around Marinas](#)

[\[WTR-212 \(SF\)\] WTR-212 Improper Out-of-State Shellstock Tags](#)

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[\[WTR-259\(W\)\] Replacement of Filter Sand with Granular Activated Carbon \(GAC\)](#)

[\[WTR-261 \(SF\)\] WTR-261 \(SF\) Sample Collection and Hydrographic Data Measurement and Collection](#)

[\[WTR-265 \(SF\)\] WTR-265 \(SF\) Shoreline Survey Preparation and Procedure](#)

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[\[WTR-273 \(SF\)\] WTR-273 \(SF\) Shellstock Commingling Plan](#)

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[\[WTR-288 \(SF\)\] WTR-288 \(SF\) Phytoplankton Sampling Program](#)

[\[WTR-290 \(SF\)\] WTR-290 \(SF\) Seawater Sampling Data Entry](#)

[\[WTR-291 \(SF\)\] WTR-291 \(SF\) Blower Tank Air Filters](#)

[\[WTR-292 \(SF\)\] WTR-292 \(SF\) Conch/Whelk Operations, Certifications and Bacteriological Standards](#)

[\[WTR-294 \(SF\)\] WTR-294 \(SF\) Policy for Virginia's Public Health Shellfish Program](#)

[\[WTR-296 \(SF\)\] WTR-296 \(SF\) HACCP Certification Requirements for Shellfish Plants](#)

[\[WTR-297 \(SF\)\] WTR-297 \(SF\) Inspection Frequency and Corrective Action Plans](#)

[\[WTR-298 \(SF\)\] WTR-298 \(SF\) Prioritization of Work Effort](#)

[\[WTR-300 \(SF\)\] WTR-300 \(SF\) Adoption of the HACCP Rule as Policy](#)

[\[WTR-302 \(SF\)\] WTR-302 \(SF\) Product Sampling Procedure](#)

[\[WTR-304 \(SF\)\] WTR-304 \(SF\) Contingency Plan for the Control of \*Vibrio parahaemolyticus\* in Oysters](#)

[\[WTR-307 \(SF\)\] WTR-307 \(SF\) Pesticide and Heavy Metal Sampling in Shellstock](#)

[\[WTR-308 \(SF\)\] WTR-308 \(SF\) Monitoring Program/Laboratory - Bacterial Source Tracking \(BST\)](#)

[\[WTR-310 \(SF\)\] WTR-310 \(SF\) Use of Truck Bodies/Trailers for Storage and Refrigeration](#)

[\[WTR-312 \(SF\)\] WTR-312 \(SF\) Statement of Certification](#)

- [\[WTR-315 \(SF\)\] WTR-315 \(SF\) Sampling Processing Facility Water](#)
- [\[WTR-316 \(SF\)\] WTR-316 \(SF\) Relay Purging Standard](#)
- [\[WTR-318 \(SF\)\] WTR-318 \(SF\) Facility Certification Timetables](#)
- [\[WTR-321\(SF\)\] WTR-321\(SF\) Shipments to Non-European Union Countries](#)
- [\[WTR-324\(SF\)\] WTR-324\(SF\) Boat Dealers](#)
- [\[WTR-325\(SF\)\] WTR-325\(SF\) Repeat Violation Procedures](#)
- [\[WTR-327 \(SF\)\] WTR-327 \(SF\) Policy for Virginia Public Health Shellfish Program](#)
- [\[WTR-328 \(SF\)\] WTR-328 \(SF\) Parameters for Developing Shellfish Buffer Zones](#)
- [\[WTR-329 \(SF\)\] New Shellfish Harvest Regulations and Implementation](#)
- [\[WTR-330 \(SF\)\] Plant policy. Issuance of certification numbers](#)
- [\[WTR-449\(W\)\] McLean Fe and Mn Filters](#)
- [\[WTR-453\(W\)\] Enforcement](#)
- [\[WTR-514\(W\)\] Individual Home Booster Pumps](#)
- [\[WTR-529\(W\)\] Enforcement \(Replacement pages for WTR-453\)](#)
- [\[WTR-566\(W\)\] Infilco Degremont SUPERPULSATOR \(TM\) Clarifier-Flocculator](#)
- [\[WTR-596\(W\)\] Equipment-Streaming Current Monitors](#)
- [\[WTR-657\(W\)\] Distribution System-Fire Pump For Small Systems](#)
- [\[WTR-680\(W\)\] Treatment-Fluoride](#)
- [\[WTR-704\(W\)\] Abandonment of Waterworks](#)
- [\[WTR-740\(W\)\] Technical Assistance Lead and Copper Rule Desktop Evaluations](#)
- [\[WTR-769\(W\)\] Monitoring of Additives to Drinking Water](#)
- [\[WTR-777\(W\)\] Recreational Use of Domestic Water Supply Reservoirs](#)
- [\[WTR-782\(W\)\] Distribution System - Air Release Valves](#)
- [\[WTR-784\(W\)\] Permit Application/Comprehensive Business Plan](#)
- [\[WTR-786\(W\)\] Chlorination, Disinfection and Monitoring](#)
- [\[WTR-795\(W\)\] PE Seal](#)
- [\[WTR-801\(W\)\] Cross Connection Control](#)
- [\[WTR-802\(W\)\] Pitless Adapters and Watertight Well Caps](#)
- [\[WTR-808\(W\)\] Lead and Copper Rule Operational Control Monitoring](#)
- [\[WTR-810\(W\)\] Package Water Treatment Plants](#)
- [\[WTR-813\(W\)\] Well Development](#)
- [\[WTR-817\(W\)\] Cartridge Filtration](#)
- [\[WTR-819\(W\)\] IESWTR - Disinfection Profiling and Benchmarking](#)
- [\[WTR-835\(W\)\] Cross Connection Control](#)
- [\[WTR-837\(W\)\] Permits - Permit Application/Comprehensive Business Plan - Noncommunity](#)
- [\[WTR-839\(W\)\] UV Disinfection Systems for Public Water Supplies](#)
- [\[WTR-840\(W\)\] Standby Generators/Fuel Tanks](#)
- [\[WTR-841\(W\)\] Interim Guidance on Waterworks Classification](#)
- [\[WTR-842\(W\)\] Board for Water and Wastewater Operators vs. Dept of Health Responsibilities](#)
- [\[WTR-844\(W\)\] Enforcement Boil Water Notices](#)
- [\[WTR-845\(W\)\] IESWTR - Filtration](#)
- [\[WTR-851\(W\)\] Surveillance Sanitary Surveys](#)
- [\[WTR-852\(W\)\] Surveillance - Source Water Assessment Program Implementation Manual](#)
- [\[WTR-861\(W\)\] Transient Noncommunity Waterworks Procedures Manual](#)
- [\[WTR-862\(W\)\] General Permit & Local Review Programs](#)
- [\[WTR-865\(W\)\] Design Capacity Evaluation of Waterworks](#)
- [\[WTR-869\(W\)\] Turbidity Treatment Technique for Other Filtration Technologies](#)
- [\[WTR-872\(W\)\] Enforcement and Public Notification - Radionuclides Monitoring/Scheduling and CCR Reporting](#)
- [\[WTR-879\(W\)\] Permits & Project Review - Construction Permits and Processing of Reports, Plans, and Specifications](#)
- [\[WTR-880\(W\)\] Treatment Hollow Fiber, Positive Pressure Driven Microfiltration and Ultrafiltration and Ultrafiltration Membrane Filtration Technology](#)
- [\[WTR-884\(W\)\] Use of Emergency Wells](#)
- [\[WTR-885\(W\)\] Permits and Project Review - Operation Permits](#)
- [\[WTR-886\(W\)\] Secondary Maximum Contaminant Levels](#)
- [\[WTR-891\(W\)\] Surveillance & Regulations - Stage 2 DBP Rule 40/30 Certifications and Very Small System Waivers](#)

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# Guidance Documents

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[\[WTR-892\(W\)\] Surveillance & Regulations - Long Term 2 Rule - Source Water Monitoring](#)

[\[WTR-893\(W\)\] Procedure - Sample Collection - Bacteriological Samples at TNC Waterworks](#)

[\[WTR-894\(W\)\] Sample Collection & Analysis - Special Sampling Procedures](#)

[\[WTR-895\(W\)\] Surveillance & Regulations - Stage 2DBP - Initial Distribution System Evaluation - System Specific Study and Standard Monitoring Plan](#)

[\[WTR-896\(W\)\] Permits & Project Review - Policy for Issuing Operation Permits](#)

[\[WTR-897\(W\)\] System Evaluation, Design & Construction - MIOX Mixed Oxidant Treatment Systems](#)

[\[WTR-898\(W\)\] Compliance Sampling and Reporting](#)

[\[WTR-899\(W\)\] Ozone Treatment & Disinfection Credit](#)

[\[WTR-901\(W\)\] Waterworks Business Operations Plans](#)

[\[WTR-902\(W\)\] Exception to Surface Water Treatment Plant Loading Rates](#)

[\[WTR-904\(W\)\] Results of Source Water Monitoring](#)

[\[WTR-905\(W\)\] GUDI Determinations](#)

[\[WTR-906\(W\)\] Procedures for Arsenic Removal Treatment Systems](#)

[\[WTR-907\(W\)\] LCR Short Term Revisions & Clarifications](#)

[\[WTR-908\(W\)\] State Only - Non Federal - Violations](#)

[\[WTR-909\(W\)\] Stage 2 D/DBP IDSE Final](#)

## Virginia Health Planning Board

### Guidance Documents:

[\[EMS-1016\] EMS Communications Directory](#)

[\[EMS-2001\] Regional Council Designation Manual](#)

[\[EMS-3055\] EMS Specialty Teams Meds and Skills Schedule](#)

[\[EMS-7002\] OEMS Data Element Dictionary - Technical Manual - Appendix B](#)

[\[EMS-7003\] PPCR Data Dictionary User Format - Appendix A](#)

[\[EMS-7004\] PPCR Data File Format](#)

[\[EMS-7008\] Trauma Center Funds Disbursement Policy](#)

[\[EMS-7009\] PPCR Manual](#)

[\[EMS-7010\] Trauma Registry System File Upload & Submission Manual](#)

[\[EMS-7011\] Resource Manual, Trauma Center Fund](#)

[\[EMS-7012\] PPCR Vendor Approval Process](#)

[\[EMS-7013\] PPDR Software User Manual](#)

[\[EMS-7014\] PPCR Educational Manual](#)

[\[EMS-7105\] DDNR Sample Form](#)

[\[EMS-7106\] DDNR Training Presentation](#)

[\[EMS-8001\] Grant Program - Reimbursement Instructions](#)

[\[EMS-8002F\] Grant Program - Award Acceptance Form](#)

[\[EMS-8003F\] Grant Program - Equipment Status/Final Report Form](#)

[\[EMS-8004\] RSAF - Rescue Truck Extrication Questionnaire](#)

[\[EMS-8005\] RSAF Special Priorities Questionnaire](#)

## BOARD OF HEALTH PROFESSIONS

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [bhp@dhp.virginia.gov](mailto:bhp@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Elizabeth Carter, Ph.D., Executive Director of the Board, at the address above or by telephone at (804) 367-4403. Copies are free of charge.

### Guidance Documents:

75-1, Recommended Policy and Procedures in Disciplinary Cases Involving Board Members, adopted October 1993

75-2, Appropriate Criteria in Determining the Need for Regulation of Any Health Care Occupation or Professions, adopted February 1998.

75-3, Mission and Vision of the Board of Health Professions, adopted April 1998

## DEPARTMENT OF HEALTH PROFESSIONS

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the Department's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested at [elaine.yeatts@dhp.virginia.gov](mailto:elaine.yeatts@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Elaine Yeatts, Agency Regulatory Coordinator, at the address above or by telephone at (804) 367-4688. Copies are free of charge.

### **Department Directives:**

76-1, Mission Statement of the Department (Directive 1.1), December 15, 2005

76-2.1, Internet Privacy Policy (Directive 1.9), September 15, 2003

76-4, Availability of copies of law and regulation (Directive 2.2), revised

76-1.17, Publication of Notices and Orders on the Department websites (Policy 76-1.17), revised June 17, 2008

76-4.2, Web policy with regards to a visitor's use of the site (Directive 1.18), May 1, 2006

76-5, Execution of Disciplinary Orders (Directive 3.1), February 28, 2002

76-6, Petition for Reinstatement of License or Modification of Disciplinary Orders (Directive 3.2), July 1, 1996

76-7, Subpoenas for Disciplinary Hearings (Directive 3.3), October 1, 1996

76-8, Complainant Notification of Case Proceedings (Directive 3.4), July 1, 1996

76-9, Complaint Receipt and Investigation of Allegations of Misconduct (Directive 4.1), July 1, 1996

76-10, Unlicensed activity (Directive 4.2), July 1, 1996

76-11, Reports to National Practitioner Data Bank (Directive 4.3), August 14, 1996

76-12, Requesting Information from The National Practitioner Data Bank (Directive 4.4), August 14, 1996

76-13.1, Agency Standards for Case Resolution (Directive 4.6), May 2, 2002

76-14, Procurement of Nonprofessional Services (Directive 5.1), July 1, 1996

76-15, Procurement of Goods (Directive 5.2), July 1, 1996

76-16, Sole Source Approval for Examination Services (Directive 5.3), July 1, 1996

76-16.1, Equal Opportunity in Agency Procurement (Directive 5.8), October 1, 2002

76-17, Recruitment and Filling Vacant Positions (Directive 6.1), July 1, 1996

76-18, Indoor Clean Air (Directive 7.1), August 18, 1997

76-19, Records Management (Directive 7.3), July 1, 2006

76.19.1, Retention of Applications and Applicant Documentation (Directive 1.16), April 1, 2005

76-25, Compensation for Members of Appointed Bodies (Directive 5.4), May 15, 2000

76-26, Compliance with Licensure Laws (Directive 4.7), October 21, 2003

76-27, Extension of Time for Active Duty Servicemen (Directive 1.12), July 1, 2004

76-28, Disclosure of Information (Directive 1.6), September 27, 2005

76-29, Disclosure of Information to Health Practitioner Intervention Program (Directive 1.7), March 16, 2006

76-30, Conduct of Surveys (Directive 1.8), September 15, 2003

76-31, Principles/Establishment of Fees (Directive 5.5), November 8, 2000

76-32, Letter to Sentara on Confidentiality Agreements, April 24, 2002

76-33, Foreign Applicants; Requirement to Provide Social Security Numbers, September 5, 2002

76-34, Requirements Imposed on Hospitals, Other Health Care Institutions, and Health Care Professionals to Report Disciplinary Actions Against and Allegations of Misconduct by Certain Health Care Practitioners to the Virginia Department of Health Professions, revised July 1, 2004

76-35, Rights & Responsibilities: The Virginia Freedom of Information Act, revised September 4, 2007

76-36, Use of grant funds derived from United States v. Dinkar N. Patel (Directive 5.10), May 1, 2005

76-37, Distribution of Controlled Substance Registration (CSR) funds (Directive 5.11), May 1, 2005

76-38, Temporary Licenses Pursuant to Executive Order 97 (Directive 3.5), September 26, 2005

### **Enforcement Documents:**

76-20, Adjudication Manual - Disciplinary process, July 1, 2006

### **Frequently-cited Inspection Deficiencies:**

76-20.1, Community pharmacies, July 1, 2006

76-20.2, Hospital pharmacies, September 1, 2002

76-20.3, Funeral facilities, September 1, 2000

### **Inspection plans and Inspection Reports:**

76-21.1 Board of Pharmacy Inspection Guidelines, July 1, 1999

76-21.1:1, community pharmacy, October, 2003

76-21.1:2, hospital pharmacy, July 1990

76-21.1:3, permitted physicians, June 2003

76-21.1:4, humane society, September 16, 2003

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# Guidance Documents

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76-21.1:5, wholesale distributors, May 2005  
76-21.1:6, medical equipment suppliers, October 2006  
76-21.1:7, warehouse, September 2006  
76-21.1:8, manufacturers, January 1989  
76-21.1:9, practitioners licensed to sell controlled substances, July 2006  
76-21.1:10, controlled substance registration inspection report A, September 16, 2003  
76-21.1:11, controlled substance registration inspection report B, September 16, 2003  
76-21.1:12, robotic inspection report, September 16, 2003  
76-21.1:13, sterile compounding report, September 16, 2003  
76-21.1:14, automation report, September 16, 2003  
76-21.1:16, alternative delivery inspection form, February 27, 2006  
76-21.2, Board of Veterinary Medicine Inspection Guidelines, July 1, 1999  
76-21.2:1, Animal facility inspection report, December 1997  
76-21.3, Board of Funeral Directors and Embalmers Inspection Guidelines, July 1, 1999  
76-21.3:1, Funeral establishment inspection report, July 1, 2000  
76-21.3:2, Crematory inspection report, October 2005  
76-21.4, Inspection summary, May 2006  
76-21.5, Pharmacy inspection report, May 22, 2006  
76-22, Case Intake Manual, 1998  
76-23, Investigators Manual, 1993  
76-24, Case Format Guidelines, February 1997  
76-24.1, Inspection Guidelines, September 2000  
76-24.2, Dental Office Inspection Report, May 2005  
76-24.3, Compressed Gas, July, 12, 1993  
(NOTE: 76-21 through 76-24 are maintained in the Enforcement Division of the Department. For copies or questions, contact Faye Lemon at the address above or at (804) 662-9902.)

## STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of the State Council of Higher Education for Virginia, 101 N. 14th Street, Richmond, VA 23219. Copies may be obtained

free of charge by contacting Linda H. Woodley, Regulatory Coordinator, at the same address, telephone (804) 371-2938, FAX (804) 786-2027 or email [lindawoodley@schev.edu](mailto:lindawoodley@schev.edu). All documents are available on SCHEV's website at <http://www.schev.edu>

### Guidance Documents:

[Tuition Relief Guidelines](#)

[Virginia Tuition Relief Refund and Reinstatement Guidelines](#)

[Chart of Accounts for Virginia State-Supported Colleges and Universities](#)

[Equipment Trust Funds Policies and Procedures](#)

[Guidelines for Transfer, Articulation, and Dual Admissions](#)

[Higher Education Facilities Condition Reporting Guidelines](#)

[Higher Education Facilities Condition Reporting Guidelines, Instructions for Reporting Infrastructure Data](#)

[Higher Education Fixed Assets Guidelines for Educational and General Programs](#)

[Organizational Changes at Public Institutions: Policies and Procedures for Internal and Off-Campus Organizational Changes](#)

[Policies and Procedures for Maintaining Auxiliary Enterprise Reserves and Investments Yields](#)

[Policies and Procedures for Program Approval](#)

[Program Productivity/Viability at Public Institutions](#)

[Tuition Relief Guidelines](#)

## DEPARTMENT OF HISTORIC RESOURCES

The documents in the following list represent publications, forms, and photocopied materials that provide guidance for the public on either how to interpret or implement statutes or regulations or how to use key agency programs. Copies of the following documents are available during regular work days from 8:30 a.m. until 4:30 p.m. in the main office of the Virginia Department of Historic Resources, 2801 Kensington Avenue, Richmond, VA 23221, or at any of its regional offices. Copying costs may apply for large orders or for documents that are out of print. Copies can be obtained by contacting the regional offices, from staff coordinating the program covered by particular documents, or from the agency archives manager, Quatro Hubbard, at the address above, telephone (804) 367-2323 ext. 124 or FAX (804) 367-2391.

The department also prepares occasional research, survey and preservation planning reports of general interest and materials of an advisory or educational nature. For a listing of such publications with prices, contact the Richmond office manager or receptionist at the address above.

Agency forms, information in the documents listed below and the agency publication lists are also available on the agency website at <http://www.dhr.virginia.gov>.

Regional office addresses and phone numbers are as follows (the Capital Regional Preservation Office is currently collocated at the central office address given above):

Tidewater Regional Preservation Office, Department of Historic Resources, 14415 Old Courthouse Way, 2nd Floor, Newport News, VA 23608, telephone (757) 886-2807.

Roanoke Regional Preservation Office, Department of Historic Resources, 1030 Penmar Avenue, SE, Roanoke, VA 24013, telephone (540) 857-7585.

Northern Regional Preservation Office, Department of Historic Resources, P.O. Box 519, 5357 Main Street, Stephens City, VA 22655 (send all mail inquiries to the P.O. Box), telephone (540) 868-7029.

### **Guidance Documents:**

#### Virginia Landmarks Register/National Register of Historic Places:

Virginia's Historical Registers: A Guide for Property Owners, prepared 1995, revised 2008, 17VAC5-30 and 17VAC10-20

Preliminary Information Forms for Archaeological Sites, Architectural Properties, and Historic Districts, revised 2004

Electronic Register Packet, revised October 2008, 36 CFR, Chapter 1, Part 60, 17VAC5-30 and 17VAC10-20

National Register Check List, updated July 2008, 36 CFR, Chapter 1, Part 60, 17VAC5-30 and 17VAC10-20

National Register of Historic Places Form, Federal form revised June 2008, 36 CFR, Chapter 1, Part 60, 17VAC5-30 and 17VAC10-20

Owner of Record Form, updated June 2008, § 10.1-2206.2, 17VAC5-30 and 17VAC10-20

Historic Designation Plaque Information sheet, revised April 2008, § 10.1-2202, 17VAC5-30 and 17VAC10-20

How to Research your Historic Property, revised 2007

Virginia Designation Style Sheet 2007

Photographic Documentation Guidelines, prepared 2006, revised March 2008

#### Virginia Historical Highway Marker System:

Marker Program Application Form, revised 2008, § 10.1-2202 and § 10.1-2204

#### Virginia and National Historic Rehabilitation Tax Credits:

State and Federal Tax Credits: Comparison of the Programs, prepared December 2007, § 58.1-339.2

Rehabilitation Tax Credits: Frequently Asked Questions, issued 2000, revised 2007, § 58.1-339.2

Tax Credit Information and Resources on the Internet, issued 2001, revised 2004, § 58.1-339.2

Sample Description of Rehabilitation Proposal, revised November 2007, § 58.1-339.2

Instructions to Apply for State and Federal Rehabilitation Tax Credits, issued 1997, revised 2006, § 58.1-339.2

Sample CPA Certification, issued 2002, revised November 2007, § 58.1-339.2

Eligible and Ineligible Expenses, prepared October 2007, § 58.1-339.2

The Real Meaning of the 24-Month Measuring Period, issued 2005

#### Historic Preservation Easements:

Vision and Choice: Protecting Your Historic Landmark, published 1990, revised 2001, § 10.1-2202.9

Virginia Historic Preservation Easement Policies (#1 through #7), issued 2007, revised December 2008, § 10.1-2202.9

#### Archaeological Collections:

Virginia Department of Historic Resources State Collections Management Standards, revised 2007, § 10.1-2202 (15)

#### Survey and Inventory:

Guidelines for Conducting Cultural Resource Survey in Virginia: Additional Guidance for the Implementation of the Federal Standards Entitled "Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines" (48 FR 44742, September 29, 1983), issued 1999, Revised 2001

Guidelines for Conducting Survey in Virginia for Cost Share Projects: Additional Guidance for the Implementation of the Federal Standards Entitled "Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines" (48 FR 44742, September 29, 1983), issued 2005

Virginia Department of Historic Resources, Data Sharing System User Manual, February 2002, revised 2006

Archives Search Request and User Agreement (form) issued 2000, revised 2008

Guidelines for electronic submission of Archaeological Survey data, June 2002, revised 2008

Guidelines for electronic submission of Architectural Survey data, June 2002, revised 2008

Guidelines for Visitors Using the DHR Archives, revised 2008.

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# Guidance Documents

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Survey File Procedures: Guidelines for Submission of Non-electronic Survey and Mapping Data, revised June 2006

## Review and Compliance:

State and Federal Regulations Related to the Preservation of Historic Properties in the Commonwealth of Virginia, prepared 1996, revised 2001

Summary of Virginia State Historic Preservation Laws and Regulations. Prepared 2007

Permit Application for Archaeological Removal of Human Burials (Application Form), issued 1998, § 10.1-2305

Permit Application for Archaeological Investigations on State Lands (Application Form), issued 1998, § 10.1-2304

Requesting a Project Review from the Department of Historic Resources, issued 2004, 36 CFR Part 800

Cell Tower Review Process and Application, issued 2001, 36 CFR Part 800

Guidelines for Assessing Impacts of Proposed Electric Transmission Lines and Associated Facilities on Historic Resources in the Commonwealth of Virginia, issued January, 2008, 36 CFR Part 800; Code of Virginia § 10.1-1186.2:1 B & C and § 56-46.1 G

## Certified Local Government Program:

How to Apply for Designation as a Certified Local Government in Virginia, 36 CFR Part 61, revised 2002

## Grants:

Historic Preservation Grant Funds from the Commonwealth for Operations, revised 2007, § 10.1-2212

Application for Operations Appropriation - Historic Organizations, revised 2007, § 10.1-2212

Historic Preservation Grant Funds from the Commonwealth for Rehabilitation or Restoration, revised 2007, § 10.1-2213

Application for Historic Preservation Funds, § 10.1-2213

Application for Capital Expense Appropriation - Historic Entities, revised 2007, § 10.1-2213

Guidelines for Disbursement of State Grant for Restoration of a Presidential Home, issued 2006, § 10.1-2213.1

Instructions for Release of State Grants to Nonstate Entities, §§ 2.2-1505 and 2.2-4343 A 14 of the Code of Virginia and § 4-5.05 of the 2008 Appropriation Act (Chapter 879, 2008 Acts of the Assembly)

Civil War Historic Site Preservation Fund Annual Announcement and Criteria for Award, issued 2006, revised annually, § 374-H of the 2008 Appropriation Act (Chapter 879, 2008 Virginia Acts of Assembly)

## Other:

Putting Virginia's History to Work: Virginia's Comprehensive Historic Preservation Plan, published 2001, 36 CFR Part 61

## **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

Copies of the following documents may be viewed during regular workdays from 8:30 a.m. until 5 p.m. at the Department of Housing and Community Development, 501 North Second Street, Richmond, VA 23219. Copies may be obtained at agency cost by contacting Stephen W. Calhoun at the same address or by telephone (804) 371-7015.

Questions regarding interpretation or implementation of these documents may be directed to Stephen Calhoun at the above address or telephone number or by email at [steve.calhoun@dhcd.virginia.gov](mailto:steve.calhoun@dhcd.virginia.gov).

## **Guidance Documents:**

HOMEownership Down Payment Assistance Program Guidelines, August 2008

Affordable Housing and Special Needs Housing Programs Guidelines 2008

State Homeless Housing Assistance Resources Program Guidelines:

Homeless Intervention Program Operations Manual – FY09, revised August 2008

Emergency Shelter Grant (Federal) Operations Manual, revised June 2008

State Shelter Grant Operations Manual, revised June 2008

Child Care for Homeless Children Program Operations Manual- FY 09, revised June 2008

HOME Match Funds for the Supportive Housing Program Manual, 2007

Child Services Coordinator Grant Operations Manual – FY 09, revised June 2008

Housing Opportunities for Persons with AIDS, Program Year 2008-2009, revised March 2008

Community Housing Development Organization Assistance Program Guide and Manual, revised November 2008

Community Housing Development Organization Certification Program Guide and Application Manual Revised July 2006

Emergency Home Repair Program Manual, 2008

Virginia Lead Safe Home Implementation Manual, 2007

Accessibility Rehabilitation Program Manual (Supplement to the Emergency Home Repair Program Operations Manual)

Shelter Improvement Grant Guidelines, May 2008

- Livable Home Tax Credit Program Guidelines, September 2008
- Weatherization and Low-Income Housing Energy Assistance Annual State Plan, 2008
- Virginia Community Development Block Grant Program: Program Design, revised December 2008
- Community Improvement Grant Management Manual, revised August 2008, 24 CFR Part 570
- Regional Consortia Workforce Grants Program Design, July 2005
- Planning Grant Prospectus and Proposal Format, 2008
- Private Activity Bond Program Guidelines, 2008
- Indoor Plumbing Rehabilitation Loan Program Management Manual, December 2008
- Virginia Enterprise Zone Program Instruction and Application Manuals:
- General Income Tax Credit Instruction Manual, October 2005
  - Job Grant Instruction Manual, October 2005
- Main Street Program Guidelines, December 2003
- Neighborhood Stabilization Program Action Plan
- Techrider Letter of Participation Guidelines
- Virginia Enterprise Initiative Program Design, 2004
- Virginia Individual Development Account Program Design, February 2005
- Handbook on State Certification for Code Officials and Inspectors, 2003
- VIRGINIA HOUSING DEVELOPMENT AUTHORITY**
- Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the offices of the Virginia Housing Development Authority, 601 S. Belvidere Street, Richmond, VA 23220. Copies may be obtained free of charge by contacting Judson McKellar at the same address or by telephone at (804) 343-5540.
- Questions regarding interpretation or implementations of these documents may be directed to Judson McKellar at the above address or telephone number.
- Guidance Documents:**
- 3.1-3.23, Single-Family Origination Guide, November 2008, 13VAC10-40
- Single-Family Exhibits Guide, November 2008, 13VAC10-40
- Single-Family Loan Documents Guide, July 2008, 13VAC10-40
- Single-Family Policy and Procedures Manual, November 13, 2008, 13VAC10-40
- Single-Family Loan Reservation Systems Guide, April 2005, 13VAC10-40
- Single-Family Servicing Guide, April 1997, 13VAC10-40
- Homeownership Education Guide, October 2008, 13VAC10-40
- Single Family Consumer Guide - A Home to Call Your Own; A Way to Make It Happen, February 2008, 13VAC10-40
- Multi-Family Development Policy and Procedures Manual, December 9, 2008, 13VAC10-20
- Asset Management Operations Manual, October 20, 2006, 13VAC10-20
- Operating Procedures, Assisted Multi-Family Program Compliance, November 28, 2000, 13VAC10-20
- Program Compliance Rules Guide, July 13, 2004, 13VAC10-20
- Housing Choice Voucher Operations Manual, October 2003, 13VAC10-70 and 13VAC10-80
- 8-528-1, Subsidy Standards, February 2005, 13VAC10-70 and 13VAC10-80
- 8-910-1, Interim Reporting Requirements, February 2005, 13VAC10-70 and 13VAC10-80
- 8-1002-1, Owner Termination of Tenancy Requirements, January 1997, 13VAC10-70 and 13VAC10-80
- 8-1012-1, Crime and Alcohol Abuse by Family Member, July 1997, 13VAC10-70 and 13VAC10-80
- 8-1040-1, Informal Reviews for Applicants, July 1996, 13VAC10-70 and 13VAC10-80
- 8-1041-1, Informal Hearing Procedures for Participants, November 2008, 13VAC10-70 and 13VAC10-80
- 8-1400-1, Portability Notice for Families, November 2008, 13VAC10-70
- VHDA Administrative Plan for Tenant Based Rental Assistance, July 2008, 13VAC10-70
- VHDA PHA Plan, July 2008, 13VAC10-70
- Application Manual - Low Income Housing Tax Credit Program, December 12, 2007, 13VAC10-180
- Federal Low-Income Housing Tax Credit Program, Compliance Monitoring Manual, January 2002, 13VAC10-180

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# Guidance Documents

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## DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

Copies of the following documents may be viewed during regular workdays from 8:30 a.m. until 4:30 p.m. in the Office of Health Benefits, James Monroe Building, 101 North 14th Street, 13th Floor, Richmond, VA 23219. Copies may be obtained by contacting Linda Morton at the same address, or by telephone at (804) 786-6432, FAX (804) 371-0231, or by email at [linda.morton@dhrm.virginia.gov](mailto:linda.morton@dhrm.virginia.gov). Unless otherwise noted, copies are available at no charge. Questions regarding interpretation or implementation of these documents may be directed to Linda Morton.

### Guidance Documents:

Employee Handbook (contents available online and updated on regular basis)  
(<http://www1.dhrm.virginia.gov/office/ahrs/eehandbook.html>), last revised January 2008

Employee Recognition Program Handbook  
(<http://www.dhrm.virginia.gov/resources/manuals.html>), September 2000

Employee Suggestion Program Procedures Manual  
(<http://www.dhrm.virginia.gov/resources/manuals.html>), revised December 2003

Handbook for Agency Heads  
(<http://www.dhrm.virginia.gov/resources/manuals.html>) (contents available online and updated on a regular basis), last revised September 2004

Health Insurance Manual  
(<http://www.dhrm.virginia.gov/resources/benefitsadmin/benefitsadmin.html>), revised June 2005, cost \$20

Human Resource Management Manual  
(<http://www.dhrm.virginia.gov/resources/manuals.html>), revised July 2003

Job Structure  
(<http://www.dhrm.virginia.gov/compensation/jobstructure.html>), revised September 2000

Personnel Management Information System User's Manual  
(<http://web1.dhrm.virginia.gov/itech/>), revised September 2000

Policies and Procedures Manual  
(<http://www.dhrm.virginia.gov/hrpolicy/policy.html>), (individual policies are updated on a regular basis), last revised July 2008

Salary Structure  
(<http://www.dhrm.virginia.gov/compensation/salarystructure.html>), revised November 25, 2007

State Workforce Planning Report  
(<http://www.dhrm.virginia.gov/customers/management.html>) last revised July 2007

Telecommuting Assistance and Guidance for Agencies  
(<http://www.dhrm.virginia.gov/resources/telecommute/information.html>), July 2008

The Local Choice Administrative Manual  
(<http://www.thelocalchoice.state.va.us/policiesandproc/policiesandprocedureslist.htm>), revised July 2006, cost \$20

Vendor Delivered Training  
(<http://www.dhrm.virginia.gov/training/vendor/vendortraining.html>), 2002

Workers' Compensation Claims Procedural Manual  
(<http://www.dhrm.virginia.gov/workerscomp.html>), revised October 2007

State Health Benefits Program

COVA Care Member Handbook  
(<http://www.dhrm.virginia.gov/hbenefits/cova/covacare.html>), July 2008

COVA HDHP Member Handbook  
(<http://www.dhrm.virginia.gov/hbenefits/cova/hdhtoc.html>), July 2008

State Retiree Health Benefits Program

Member Handbook Medicare Coordinating Plans (Advantage 65, Option I, Option II)  
(<http://www.dhrm.virginia.gov/hbenefits/retirees/medicareretiree.html>), January 2006

Dental/Vision Member Handbook Insert  
(<http://www.dhrm.virginia.gov/hbenefits/retirees/medicareretiree.html>), January 2006

Prescription Drug Member Handbook Insert  
(<http://www.dhrm.virginia.gov/hbenefits/retirees/medicareretiree.html>), January 2009

Prescription Drug 2009 Formulary  
(<http://www.medcomedicare.com/medco/consumer/medicare/home.jsp?partner=pdpccova&accessLink=pdpccova20051101>)

Prescription Drug 2009 Evidence of Coverage  
(<http://www.dhrm.virginia.gov/hbenefits/retirees/medicarenotification2009.html>)

The Local Choice Health Benefits Program

Key Advantage Member Handbook  
(<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansActive.htm>), July 1, 2008

TLC HDHP Member Handbook  
<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansActive.htm>, July 1, 2008

Key Advantage Expanded Benefits Summary Insert  
(<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansActive.htm>), Effective July 1, 2008

Key Advantage 200 Benefits Summary Insert  
(<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansActive.htm>), Effective July 1, 2008

Key Advantage 300 Benefits Summary Insert  
(<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansActive.htm>), Effective July 1, 2008

Key Advantage 500 Benefits Summary Insert  
(<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansActive.htm>), Effective July 1, 2008

Kaiser Permanente Benefits Summary  
(<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansRegional.htm>), Effective December 2007

Member Handbook Medicare Coordinating Plans  
(<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansMedicareRetirees.htm>), January 2006

Dental/Vision Summary Insert  
(<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansMedicareRetirees.htm>), July 2008

Medicare Complementary (Option I) Insert  
(<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansMedicareRetirees.htm>), July 2008

Advantage 65 Medical Only Insert  
(<http://www.thelocalchoice.state.va.us/planinfo/plans200809/plansMedicareRetirees.htm>), July 2008

## VIRGINIA INDIGENT DEFENSE COMMISSION

Copies of the following documents may be viewed on regular work days from 8 a.m. until 5 p.m. in the office of the Virginia Indigent Defense Commission, 1604 Santa Rosa Road, Ste. 109, Richmond, VA 23229. Free copies may be accessed and downloaded from the Commission's website at [www.indigentdefense.virginia.gov](http://www.indigentdefense.virginia.gov).

Questions regarding interpretation and implementation of these documents may be directed to Danielle Ferguson, Standards of Practice Enforcement Attorney, 1604 Santa Rosa Road, Ste. 109, Richmond, VA 23229, telephone (804) 662-7249, FAX (804) 662-7359 or email [dferguson@idc.virginia.gov](mailto:dferguson@idc.virginia.gov).

Court Appointed Certification Application (Felony, Misdemeanor, Juvenile),  
([www.indigentdefense.virginia.gov](http://www.indigentdefense.virginia.gov)), revised 2007, §§ 19.2-163.01, 19.2-163.03

Court Appointed Certification Application (Capital),  
([www.indigentdefense.virginia.gov](http://www.indigentdefense.virginia.gov)), revised 2007, § 19.2-163.8

Court Appointed Certification Renewal Application (Felony, Misdemeanor, Juvenile),  
([www.indigentdefense.virginia.gov](http://www.indigentdefense.virginia.gov)), revised 2007, §§ 19.2-163.01, 19.2-163.03

Court Appointed Certification Renewal Application (Capital),  
([www.indigentdefense.virginia.gov](http://www.indigentdefense.virginia.gov)), revised 2007, § 19.2-163.8

Standards of Practice For Indigent Defense Counsel,  
([www.indigentdefense.virginia.gov](http://www.indigentdefense.virginia.gov)), issued 2007, § 19.2-163.01

Standards of Practice Enforcement Policies and Procedures,  
([www.indigentdefense.virginia.gov](http://www.indigentdefense.virginia.gov)), issued 2007, § 19.2-163.01

Standards of Practice Enforcement Complaint Form, issued 2007, § 19.2-163.01

Standards of Practice Enforcement Complaint Brochure,  
([www.indigentdefense.virginia.gov](http://www.indigentdefense.virginia.gov)) issued 2007, § 19.2-163.01

## DEPARTMENT OF JUVENILE JUSTICE

Copies of the following document may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the Certification Unit, Department of Juvenile Justice, State House, 1736 Chatsworth Ave., Bon Air, VA 23235. Copies may be obtained free of charge by contacting Ken Bailey at Bon Air Juvenile Correctional Center, State House, 1736 Chatsworth Ave., Bon Air, VA 23235, telephone (804) 323-2359 or FAX (804) 323-2797 or email [kenneth.e.bailey@djj.virginia.gov](mailto:kenneth.e.bailey@djj.virginia.gov).

Questions regarding interpretation or implementation of this document may be directed to Ken Bailey, Certification Manager, Department of Juvenile Justice, State House, 1736 Chatsworth Ave., Bon Air, VA 23235, telephone (804) 323-2359 or FAX (804) 323-2797 or email [kenneth.e.bailey@djj.virginia.gov](mailto:kenneth.e.bailey@djj.virginia.gov).

## Guidance Documents - Certification of Residential Facilities and Nonresidential Services:

6VAC35-140 Standards for Juvenile Residential Facilities Compliance Manual with Interpretive Guidelines, revised January 2007, 6VAC35-140

Compliance Manual for Standards for Nonresidential Services (6VAC35-150) Available to Juvenile and Domestic Relations District Courts, revised 2004

Compliance Manual Standards for Interdepartmental Regulation of Children's Residential Facilities, 22VAC42-11, issued December 2004, 22VAC42-11

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Copies of the following document may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the Capital Outlay Office of the Department of Juvenile Justice, 700 E. Franklin Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Bob Wilburn, Capital Outlay Unit, Department of Juvenile Justice, P.O. Box 1110,

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## Guidance Documents

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Richmond, VA 23218-1110, telephone (804) 786-3772 or FAX (804) 786-1557 or email robert.wilburn@djj.virginia.gov.

Questions regarding interpretation or implementation of this document may be directed to Marilyn Miller, Detention Specialist, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 786-5402 or email marilyn.miller@djj.virginia.gov.

### **Guidance Documents - Design and Construction of Juvenile Facilities:**

Virginia Department of Juvenile Justice Guidelines for Minimum Standards in Design and Construction of Juvenile Facilities, revised January 10, 2001, § 16.1-309.5 (see Detention Homes and other services)

(NOTE: This document is also included in the Step-by-Step Procedures for Approval and Reimbursement for Local Facility Construction, Enlargement and Renovation, which may be obtained from the Department's Detention Specialist, Marilyn Miller at (804) 786-5402 or email marilyn.miller@djj.virginia.gov.)

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Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the Research and Evaluation Section at the Central Office of the Department of Juvenile Justice, 700 E. Franklin Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Lynette Greenfield at P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 786-3423 or FAX (804) 371-0773 or email lynette.greenfield@djj.virginia.gov.

Questions regarding interpretation or implementation of this document may be directed to Lynette Greenfield, Research and Evaluation Manager, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 786-3423 or FAX (804) 371-0773 or email lynette.greenfield@djj.virginia.gov.

### **Guidance Documents - Grants:**

Department of Juvenile Justice Grants Manual, revised January 2003.

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Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the State & Local Partnerships Unit, Department of Juvenile Justice, 700 E. Franklin Street, Richmond, VA 23219. Copies may be obtained free of charge through email (if available) or paper copy by contacting Donielle Langhorne, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 786-6295 or email donielle.langhorne@djj.virginia.gov.

Questions regarding interpretation or implementation of the documents may be directed to Scott Reiner, Department of Juvenile Justice, 700 E. Franklin Street, Richmond, VA 23219, telephone (804) 371-0720 or email scott.reiner@djj.virginia.gov.

### **Guidance Documents - Virginia Community Crime Control Act (VJCCCA) (§ 16.1-309.2):**

VJCCCA Manual, revised January 2008, § 16.1-309.2

\*\*\*

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the Certification Unit, Department of Juvenile Justice, 700 East Franklin Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Donielle Langhorne at P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 786-6295 or email donielle.langhorne@djj.virginia.gov.

Questions regarding interpretation or implementation of these documents may be directed to Marilyn Miller, Detention Specialist, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone 804-786-5402 or email marilyn.miller@djj.virginia.gov.

### **Guidance Documents - Detention Homes and other services**

Step-by-Step Procedures for Approval and Reimbursement for Local Facility Construction, Enlargement and Renovation, revised March 2001, § 16.1-309.5

\*\*\*

Copies of the following document may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the State and Local Partnerships Unit of the Department of Juvenile Justice, 700 E. Franklin Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Donielle Langhorne at P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 786-6295 or email donielle.langhorne@djj.virginia.gov.

Questions regarding interpretation or implementation of the document may be directed to Donielle Langhorne at P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 786-6295 or email donielle.langhorne@djj.virginia.gov.

### **Guidance Documents - Community Programs Reporting System**

Reference Manual for Reporting Community-Based Service Data to the Department of Juvenile Justice, July 2004, § 16.1-322.3

\*\*\*

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the Interstate Compact Unit, Community Programs Section (5th floor),

Department of Juvenile Justice, 700 E. Franklin Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Andrea McMahon at the same address, telephone (804) 371-0700 or FAX (804) 371-0773 or email [andrea.mcmahon@djj.virginia.gov](mailto:andrea.mcmahon@djj.virginia.gov).

Questions regarding interpretation or implementation of these documents may be directed to Andrea McMahon, Interstate Compact Specialist, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23219-1110, telephone (804) 371-0700 or FAX (804) 371-0773 or email [andrea.mcmahon@djj.virginia.gov](mailto:andrea.mcmahon@djj.virginia.gov).

## **Guidance Documents - Interstate Compact Relating to Juveniles:**

Interstate Compact Relating to Juveniles, Form I: Requisition for Runaway Juvenile, revised January 2007, § 16.1-323

Interstate Compact Relating to Juveniles, Form II: Requisition for Escape or Absconder, Requisition for Juvenile Charged with Being Delinquent (Rendition Amendment), revised August 2002, § 16.1-323

Interstate Compact Relating to Juveniles, Form III: Consent for Voluntary Return by Runaway, Escapee, Absconder, or Juvenile Charges as Delinquent, revised August 2003, § 16.1-323

Interstate Compact Relating to Juveniles, Form IV: Parole or Probation Investigation Request, revised January 2007, § 16.1-323

Interstate Compact Relating to Juveniles, Form V: Report of Sending State Upon Parolee or Probationer Being Sent To The Receiving State, revised August 2000, § 16.1-323

Interstate Compact Relating to Juveniles, Form IA/VI: Application for Services and Waiver, revised January 2007, § 16.1-323

Interstate Compact Relating to Juveniles, Form A: Petition for Requisition to Return a Runaway Juvenile, revised January 2007, § 16.1-323

Interstate Compact Relating to Juveniles: Out of State Travel Permit and Agreement to Return, revised January 2007, § 16.1-323

Interstate Compact Relating to Juveniles, Home Evaluation Report, revised January 2007

Interstate Compact Relating to Juveniles, Quarterly Progress Report, revised August 2000

## **Guidance Documents:**

Guidelines for Approval and Reimbursement for Local Facility Construction

[Interstate Compact for Juveniles - Form A](#)

[Interstate Compact for Juveniles - Form I](#)

[Interstate Compact for Juveniles - Form IA/VI](#)

[Interstate Compact for Juveniles - Form II](#)

[Interstate Compact for Juveniles - Form III](#)

[Interstate Compact for Juveniles - Form IV](#)

[Interstate Compact for Juveniles - Form V](#)

[Interstate Compact for Juveniles - Home Evaluation Report](#)

[Interstate Compact for Juveniles - Out of State Travel Permit and Agreement](#)

[Interstate Compact for Juveniles - Quarterly Progress Report](#)

[Reference Manual for Reporting Community-Based Service Data](#)

[Virginia Community Crime Control Act \(VJCCCA\) Manual](#)

## **Board of Juvenile Justice**

### **Guidance Documents:**

[Grant Manual](#)

[Guidance Document for Standards for Juvenile Residential Facilities Compliance Manual](#)

[Guidance Document for Standards for Nonresidential Services Available to Juvenile and Domestic Relations District Courts](#)

[\[3212\] Length of Stay Guidelines](#)

## **DEPARTMENT OF LABOR AND INDUSTRY**

To obtain copies of documents or ask questions regarding interpretation or implementation of the guidance documents used by the Virginia Department of Labor and Industry, contact the following persons. For guidance documents concerning Cooperative Programs or the Voluntary Protection Program, contact Milford Stern, Virginia Department of Labor and Industry, Roanoke Regional Office, 3013 Peters Creek Road, Roanoke, VA 24019, telephone (540) -562-3580, ext. 123. For guidance documents from the Consultation Program, contact Warren Rice, Virginia Department of Labor and Industry, Richmond Regional Office, North Run Business Park, 1570 East Parham Road, Richmond, VA 23228, telephone (804) 371-3104, ext. 125. For information on guidance documents for other Department of Labor and Industry programs, see the following list, which includes information on the agency contacts for those programs. Each of these persons can be reached at the headquarters office of the Virginia Department of Labor and Industry, 13 South 13th Street, Richmond, VA 23219:

Apprenticeship - Director, Division of Registered Apprenticeship, (804) 786-2382;

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## Guidance Documents

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Boiler Division - (for copies) Melodee Brown (804) 371-2321; (for interpretation) Ed Hilton, (804) 786-3262;

Labor and Employment - Director, Division of Labor and Employment, (804) 786-2386;

Occupational Health - Director of Occupational Health Compliance, (804) 786-0574;

Occupational Safety - Director of Occupational Safety Compliance, (804) 786-2391;

Virginia Occupational Safety and Health (VOSH) Program - (for copies) Regina Cobb, (804) 786-0610; (for interpretation) John Crisanti, (804) 786-4300.

Copies of these documents are provided at a cost of \$.10 per page. The Department of Labor and Industry's guidance documents are available electronically for no charge on the Virginia Regulatory Town Hall website. Copies of these guidance documents may be viewed during regular workdays from 8:30 a.m. until 4:30 p.m. at the Virginia Department of Labor and Industry, 13 South 13th Street, Richmond, VA 23219 or at any of the department's regional offices.

[\[LEL - 01\] Division of Labor and Employment Law Field Operations Manual - Chapter 1 Minimum Wage Act](#)

[\[LEL - 02\] Division of Labor and Employment Law Field Operations Manual - Chapter 2 Use of Polygraphs In Certain Employment Situations](#)

[\[LEL - 03\] Division of Labor and Employment Law Field Operations Manual - Chapter 3 Equal Pay](#)

[\[LEL - 04\] Division of Labor and Employment Law Field Operations Manual - Chapter 4 Prevention of Employment](#)

[\[LEL - 05\] Division of Labor and Employment Law Field Operations Manual - Chapter 5 Payment of Medical Exams as a Condition of Employment](#)

[\[LEL - 06\] Division of Labor and Employment Law Field Operations Manual - Chapter 6 Right To Work](#)

[\[LEL - 07\] Division of Labor and Employment Law Field Operations Manual - Chapter 7 Garnishment](#)

[\[LEL - 09\] Division of Labor and Employment Law Field Operations Manual - Chapter 9 Child Labor](#)

[\[LEL - 10\] Division of Labor and Employment Law Field Operations Manual - Chapter 10 Payment of Wage](#)

[\[LEL - 11\] Guide for the Employment of Teenagers](#)

### Apprenticeship Council

#### Guidance Documents:

[\[APP - 01\] Bylaws of the Virginia Apprenticeship Council](#)

[\[APP - 02\] Standards of Apprenticeship for Barbers](#)

[\[APP - 03\] Standards of Apprenticeship for Cosmetologists](#)

[\[APP - 04\] Standards of Apprenticeship for Nail Technicians](#)

[\[APP - 05\] Standards of Apprenticeship for Opticians](#)

[\[APP - 08\] Cooperative Working Agreement between the State of Virginia Apprenticeship Council and the Bureau of Apprenticeship and Training, U. S. Department of Labor](#)

[\[APP - 09\] Apprenticeship Directive 81-4, Granting Credit for Previous Experience](#)

[\[APP - 10\] Apprenticeship Directive 86-4, Part-Time Cosmetology Student/Apprentices](#)

[\[APP - 11\] Apprenticeship Directive 90-3, Participation by Minors Between the Ages of Sixteen and Eighteen in Certain Hazardous Occupations](#)

[\[APP - 12\] Apprenticeship Directive 01-1, Signature on Standards \(VAC & Industry Specific\)](#)

[\[APP - 13\] Apprenticeship Directive 03-3, Exemption from Full-Time Employment](#)

[\[APP - 14\] Apprenticeship Directive 03-04, Temporary Staffing Agencies](#)

[\[APP - 15\] Apprenticeship Directive 03-05, Guidelines Governing Out-of-State Businesses](#)

[\[APP - 16\] Apprenticeship Directive 03-07, Registration for Barber, Cosmetology, Nail Technician](#)

[\[APP - 17\] Apprenticeship Directive 03-09, Progressive Wage Policy](#)

### Safety and Health Codes Board

#### Guidance Documents:

[\[01-001A\] VOSH Directive - Program Directive and Classification Number System](#)

[\[01-003\] VOSH Internal Performance Audit Program](#)

[\[01-004SR\] Responsibilities of the Central and Regional Office Directors and Managers](#)

[\[01-007\] Cancellation of Selected VOSH Program Directives \(Reference: ADM 8\)](#)

[\[01-008\] Statewide Settlement Agreements \(Reference: CPL 2.90\)](#)

[\[01-009\] Citation Policy for Paperwork and Written Program Requirement Violations, CPL 2.111](#)

[\[01-015A\] State Plan Policies and Procedures Manual \(Through CH-5\)](#)

[\[01-017\] Expedited Informal Settlement Agreement \(EISA\) Program \(Reference: CPL 2.117 Draft\)](#)

[\[01-020\] OSHA Support of NIOSH "Face" Program \(Reference: CPL 02-00-134\)](#)

- [\[02-001D\] VOSH Field Operations Manual \(FOM\) - CHANGE 8](#)
- [\[02-002\] Exposure Control Plan for VOSH Personnel with Occupational Exposure to Bloodborne Pathogens](#)
- [\[02-003H\] VOSH Procedures to comply with OSHA Enforcement Exemptions and Limitations under the Federal Appropriations Act, OSHA Instruction CPL 2-0.51J](#)
- [\[02-004A\] Collection of OSHA-300 Log Data](#)
- [\[02-006A\] Abatement Verification Regulation, § 307 of the VOSH Administrative Regulations Manual \(ARM\) - Enforcement Policies and Procedures](#)
- [\[02-008A\] Access to Employee Exposure and Medical Records, § 1910.20](#)
- [\[02-009A\] Prison Inmate Form Letter](#)
- [\[02-010\] Information to be Included in Closing Conferences](#)
- [\[02-011\] Temporary Help Supply Services Used by Employers](#)
- [\[02-012\] Complaint Policies and Procedures](#)
- [\[02-013\] Compliance Policy for Emergency Action Plans and Fire Prevention Plans](#)
- [\[02-016\] Safety and Health Information Bulletins](#)
- [\[02-020\] VOSH Response to Significant Events of Potentially Catastrophic Consequence](#)
- [\[02-021\] Interpretative Rule Addressing OSHA's Policy on Employee Rescue Efforts, 29 CFR 1903.14](#)
- [\[02-032\] Guidelines for Implementing the Field Sanitation Standard, § 1928.110](#)
- [\[02-033\] Quick-Fix Program](#)
- [\[02-052A\] OSHA TECHNICAL MANUAL](#)
- [\[02-053B\] Procedures for Photographic Negatives, Audiotapes and Videotapes Taken During Inspection or Investigation](#)
- [\[02-054A\] Process Safety Management of Highly Hazardous Chemicals, 1910.119 – Inspection Procedures and Interpretive Guidance](#)
- [\[02-058\] Procedures for Combining, Grouping and Assessing Penalties for Willful Violations](#)
- [\[02-060A\] Inspection Procedures for the Hazard Communication Standard, 1910.1200, 1915.99, 1917.28, 1918.90, 1926.59 and 1928.21](#)
- [\[02-061\] Citation Policy Regarding 29 CFR 1926.20, 29 CFR 1926.21 and Related General Safety and Health Provisions.](#)
- [\[02-062A\] Application of the Permit-Required Confined Spaces \(PRCS\) Standards, § 1910.146](#)
- [\[02-064A\] Procedure for Handling Issuance of Citations to VDOT](#)
- [\[02-065B\] Virginia Construction and Telecommunications Industries Confined Space Standard Procedures and Interpretations](#)
- [\[02-067C\] Overhead High Voltage Line Safety Inspection Procedures and Interpretations](#)
- [\[02-071\] Inspection Guidelines for Post-Emergency Response Operations Under 29 CFR 1910.120](#)
- [\[02-072B\] Index of General Industry Standards Applicable to the Construction Industry](#)
- [\[02-073B\] Inspection Procedures for the Hazardous Waste Operations and Emergency Response Standard, §§ 1910.120 and 1926.65, Paragraph \(q\): Emergency Response to Hazardous Substance Releases](#)
- [\[02-101\] OSHA/U.S. Coast Guard Authority Over Vessels](#)
- [\[02-104A\] Recordkeeping Policies and Procedures Manual \(RKM\)](#)
- [\[02-206A\] Inspection of Grain Handling Facilities, § 1910.272](#)
- [\[02-208A\] Acceptance of U.S. Department of Transportation \(DOT\) Exemption DOT-E 8845 of the Select Fire Oil-Well Perforating System Detonator Interruption Device \(DID\)](#)
- [\[02-209\] Fixed Ladders Used on Outdoor Advertising Structures/Billboards in the Outdoor Advertising Industry](#)
- [\[02-210\] Excavation and Trench Procedure and Interpretations Manual](#)
- [\[02-211A\] Control of Hazardous Energy Sources \(Lockout/Tagout\) Standard enforcement of the Lockout/Tagout Standard, § 1910.147 of Subpart J](#)
- [\[02-211B\] The Control of Hazardous Energy – Enforcement Policy and Inspection Procedures](#)
- [\[02-213\] Inspection Procedures and Guidelines for Lift-Slab Construction Operations](#)
- [\[02-214\] Home-Based Worksites](#)
- [\[02-215\] Enforcement Authority at the Department of Energy's Government Owned, Contractor Operated \(GOCO\) Sites](#)
- [\[02-216\] Electrical Safety-Related Work Practices-- Inspection Procedures and Interpretive Guidelines](#)
- [\[02-217\] Guarding of Three-Roller Printing Ink Mills](#)
- [\[02-218\] Awareness Barriers Installed on Metal Cutting Shears](#)
- [\[02-223\] Abrasive Operations Using Cutoff Wheels and Masonry Saws, §§ 1910.215, 1926.303 and 1926.702\(i\)](#)

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## Guidance Documents

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[\[02-224\] Inspection Policy and Procedures for OSHA's Steel Erection Standards for Construction; and Extension of Enforcement Policy on Column Joists](#)

[\[02-225A\] Focused Inspections in Construction--Instructional Guidelines; Revision](#)

[\[02-226A\] Enforcement of Electric Power Generation, Transmission, and Distribution Standard, § 1910.269](#)

[\[02-228\] Guidelines for Point of Operation Guarding of Power Press Brakes](#)

[\[02-229\] Subpart I, Personal Protective Equipment \(PPE\) for Shipyard Employment \(Public Sector\)--Inspection Procedures and Interpretive Guidelines](#)

[\[02-230\] Inspection Procedures for Enforcing Subpart L, Scaffolds Used in Construction - 29 CFR 1926.450-454](#)

[\[02-231A\] Interim Inspection Procedures During Communication Tower Construction Activities](#)

[\[02-232A\] Compliance Assistance for the Powered Industrial Truck Operator Training Standards](#)

[\[02-234\] 29 CFR Part 1910, Subpart T – Commercial Diving Operations](#)

[\[02-235\] Slide-locks – Enforcement Policy, Inspection Procedures and Performance Guidance Criteria](#)

[\[02-390\] Plain Language Revision of OSHA Instruction STD 3.1, Interim Fall Protection Compliance Guidelines for Residential Construction](#)

[\[02-395\] Logging Operations, Inspection Procedures and Interpretive Guidance Including Twelve Previously Stayed Provisions](#)

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[\[12-226D\] Grain Handling Facilities Standard, § 1910.272; Technical Amendment](#)

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[\[12-234A\] Underground Construction Standard, § 1926.800; and Technical Corrections](#)

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[\[12-242\] Gases, Vapors, Fumes, Dusts, and Mists, § 1926.55; Amendments](#)

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[\[12-244\] Amendment Concerning Revision of Construction Industry Test and Inspection Records](#)

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[\[VOSH VPP - 1\] Voluntary Protection Programs \(VPP\) Policies and Procedures Manual](#)

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Virginia Public Records Manual, revised April 2000, available online at <http://www.lva.lib.va.us/whatwedo/records/manuals/00m-toc.htm>

Timely Destruction of Records available online at [http://www.lva.lib.va.us/whatwedo/records/timely\\_destruction.htm](http://www.lva.lib.va.us/whatwedo/records/timely_destruction.htm)

#### BOARD OF LONG-TERM CARE ADMINISTRATORS

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [lrc@dhp.virginia.gov](mailto:lrc@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Lisa Russell Hahn, Executive Director of the Board, at the address above or by telephone at (804) 367-4595. Copies are free of charge.

#### Guidance Documents:

95-1, Memorandum of Understanding with the Virginia Department of Health, Division of Licensure and Certification, adopted by board on April 28, 1989

95-2, Board Procedures for Auditing Continuing Education, July 10, 2002

95-4, Board policy on confidential consent agreements, July 23, 2003

95-5, Document of Department of Health; Common understanding of definitions and terms used to identify resident mistreatment, April 17, 2000

95-6, Board policy on process for delegation of informal fact-finding to an agency subordinate, October 13, 2004

95-7, Board policy on Qualifying for Licensure: Required Content for College Coursework, April 25, 2005

95-8, Bylaws of the Board of Long-Term Care Administrators, October 31, 2006

### LONGWOOD UNIVERSITY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the Vice President for Administration and Finance, Lancaster Hall, Room 207A, 201 High Street, Farmville, VA 23909. Copies may be obtained, at the costs listed below, by contacting the office of the Vice President for Administration and Finance at the same address, telephone (434) 395-2016 or FAX (434) 395-2635. The documents may be downloaded from the Longwood University website (<http://www.longwood.edu>).

Questions regarding interpretation or implementation of these guidance documents may be directed to the office of the Vice President for Administration and Finance at the above address, telephone or FAX number.

#### Guidance Documents:

[Administrative Policies and Procedures Manual](#) 5 cents per page

[Faculty Handbook](#) - \$14

[Parking Regulations](#) - \$.05 per page

[Student Handbook](#) - Online

[University Catalogs](#): Undergraduate - \$14 and Graduate- \$9

### STATE LOTTERY DEPARTMENT

Copies of the following documents may be viewed during regular work days from 7:30 a.m. until 4 p.m. in the Legislative and Regulatory Affairs Office of the State Lottery Department, 900 East Main Street, Richmond, VA 23219. Questions regarding interpretation or implementation of these documents and requests for copies may be directed to Frank S. Ferguson, General Counsel and Director of Legislative and Regulatory Affairs, at the same address, telephone (804) 692-7901, FAX (804) 692-7102 or email [fferguson@valottery.com](mailto:fferguson@valottery.com).

#### Director's Orders:

All Director's Orders are issued by the department's director as administrative orders. These Orders interpret and implement the Virginia Lottery's regulations relating to the licensing of lottery sales agents (11VAC5-31-10 through 11VAC5-31-190) and the games conducted by the Virginia Lottery (11VAC5-41-10 through 11VAC5-41-340). The following Director's Orders are active as of the date of this filing:

31(94), Special Licensing Program: Virginia Department of Alcoholic Beverage Control, issued 08/15/94

48(97), Virginia Lottery Retailer Cashing Bonus Program and Rules, issued 12/01/97

02(99), Establishment of a Sliding Scale for Surety Bonding Requirements, issued 02/22/99

37(99), Virginia's Third On-Line Game Lottery; "Pick 4," Final Rules for Game Operation; Second Revision, issued 09/17/99

61(01), Virginia's First On-Line Lottery Game; "Pick 3," Final Rules for Game Operation; Sixth Revision, issued 09/09/01

62(01), Virginia's Fourth On-Line Lottery; "Cash 5," Final Rules for Game Operation; Sixth Revision, issued 09/09/01

26(02), Virginia's Ninth Online Game Lottery; "Mega Millions," Final Rules for Game Operation, issued 05/14/02

05(05), Virginia's Instant Game Lottery 638; "Weekly Grand," Final Rules for Game Operation, issued 02/11/05

26(05), Virginia's Instant Game Lottery 668; "Set For Life," Final Rules for Game Operation, issued 04/26/05

39(05), Virginia's Ninth Online Game Lottery; "Mega Millions" Final Rules for Game Operations, issued 05/09/05

59(05), Final Rules for Operation; "Subscription Program," for Virginia Lottery On-line Games, issued 08/08/05

06(06), Virginia's Instant Game Lottery 713; "Blackjack," Final Rules for Game Operation, issued 01/30/06

16(06), Virginia's Tenth Online Game Lottery; "Win For Life," Final Rules for Game Operation, issued 02/22/06

21(06), Virginia's Instant Game Lottery 727; "Double Triple Cashword," Final Rules for Game Operation, issued 04/11/06

10(07), Virginia's 11th On-Line Lottery Game; "Fast Play Bingo," Final Rules for Game Operation, issued 02/01/07  
*nunc pro tunc*

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18(07), Virginia's Instant Game Lottery 738; "Hit \$200,000," Final Rules for Game Operation, issued 04/24/07

20(07), Virginia's Tenth Online Game Lottery; "Win For Life," Final Rules for Game Operation, issued 05/02/07

30(07), Virginia's Instant Game Lottery 791; "Captain Cash Tripler," Final Rules for Game Operation, issued 06/25/07

38(07), Virginia's Instant Game Lottery 804; "Extreme 7's," Final Rules for Game Operation, issued 07/25/07

39(07), Virginia's Instant Game Lottery 787; "Cashword," Final Rules for Game Operation, issued 07/30/07

43(07), Virginia's Instant Game Lottery 805; "Blackjack Bonus," Final Rules for Game Operation, issued 08/06/07

50(07), Virginia's Instant Game Lottery 820; "Lightning 7's," Final Rules for Game Operation, issued 10/02/07

60(07), Virginia's Instant Game Lottery 1009; "Cut The Deck," Final Rules for Game Operation, issued 10/23/07

61(07), Virginia's Instant Game Lottery 1011; "Cash Cards," Final Rules for Game Operation, issued 10/23/07

65(07), Virginia's Instant Game Lottery 1016; "Whole Lotta \$100's," Final Rules for Game Operation, issued 12/21/07

66(07), Virginia's Instant Game Lottery 1017; "Lucky Green," Final Rules for Game Operation, issued 12/21/07

67(07), Virginia's Instant Game Lottery 1018; "Big Money," Final Rules for Game Operation, issued 12/21/07

02(08), Virginia's Instant Game Lottery 565; "Casino Royale," Final Rules for Game Operation, issued 03/21/08

03(08), Virginia's Instant Game Lottery 1019; "Rock Paper Scissors," Final Rules for Game Operation, issued 03/18/08

05(08), Virginia's Instant Game Lottery 1021; "Kings and Queens," Final Rules for Game Operation, issued 03/21/08

06(08), Virginia's Instant Game Lottery 1015; "Tax Free Million," Final Rules for Game Operation, issued 03/17/08

07(08), Virginia's Instant Game Lottery 1040; "Washington Nationals," Final Rules for Game Operation, issued 03/21/08

08(08), Virginia's Instant Game Lottery 1023; "Bee Lucky," Final Rules for Game Operation, issued 03/28/08

09(08), Virginia's Instant Game Lottery 1024; "Lucky Dog," Final Rules for Game Operation, issued 03/28/08

12(08), Virginia's Instant Game Lottery 1046; "Best of 7's," Final Rules for Game Operation, issued 04/27/08

13(08), Virginia's Instant Game Lottery 1049; "Mini Ruby Red 7's," Final Rules for Game Operation, issued 04/24/08

14(08), Virginia's Instant Game Lottery 1051; "Blackjack," Final Rules for Game Operation, issued 04/24/08

17(08), Virginia's Instant Game Lottery 1041; "Monopoly," Final Rules for Game Operation, issued 04/17/08

18(08), Virginia's Instant Game Lottery 1025; "Money Money Money," Final Rules for Game Operation, issued 05/22/08

19(08), Virginia's Instant Game Lottery 1026; "\$100,000 Casino Action," Final Rules for Game Operation, issued 05/22/08

20(08), Virginia's Instant Game Lottery 1031; "Easy Money," Final Rules for Game Operation, issued 05/22/08

21(08), Virginia's Instant Game Lottery 1033; "Harley Davidson," Final Rules for Game Operation, issued 05/29/08

22(08), Virginia's Instant Game Lottery 1056; "Be My Boop," Final Rules for Game Operation, issued 05/22/08

23(08), Virginia's Instant Game Lottery 1059; "Sizzlin' 7's," Final Rules for Game Operation, issued 05/22/08

24(08), Virginia's Fourteenth Online Game Lottery; "Fast Play Dodge Ball" Final Rules for Game Operation, issued 05/22/08

26(08), Virginia's Instant Game Lottery 1029; "Are You In," Final Rules for Game Operation, issued 05/22/08

27(08), Virginia's Instant Game Lottery 1035; "Pinball Wizard," Final Rules for Game Operation, issued 05/22/08

28(08), Virginia's Instant Game Lottery 1034; "King of Cash," Final Rules for Game Operation, issued 06/16/08

29(08), Virginia's Instant Game Lottery 1036; "Money Maker," Final Rules for Game Operation, issued 06/16/08

30(08), Virginia's Instant Game Lottery 1037; "Bingo Night," Final Rules for Game Operation, issued 07/14/08

31(08), Virginia's Instant Game Lottery 1060; "Good Luck Tripler," Final Rules for Game Operation, issued 07/14/08

32(08), Virginia's Instant Game Lottery 1061; "Dazzler Jewels," Final Rules for Game Operation, issued 07/14/08

33(08), Virginia's Instant Game Lottery 1062; "\$120 Million Cash Blowout," Final Rules for Game Operation, issued 07/14/08

34(08), Virginia's Instant Game Lottery 1065; "Jewel 7's," Final Rules for Game Operation, issued 07/14/08

35(08), Virginia's Instant Game Lottery 1066; "Triple Dough," Final Rules for Game Operation, issued 07/14/08

- 36(08), Virginia's Instant Game Lottery 1067; "Poker Face," Final Rules for Game Operation, issued 07/14/08
- 37(08), Virginia's Instant Game Lottery 1063; "Hot \$100's," Final Rules for Game Operation, issued 07/23/08
- 38(08), Virginia's Instant Game Lottery 1064; "Go For The Gold," Final Rules for Game Operation, issued 07/23/08
- 39(08), Virginia's Instant Game Lottery 1057; "5 Times The Money," Final Rules for Game Operation, issued 07/25/08
- 40(08), Virginia's Instant Game Lottery 1071; "Colossal Cash," Final Rules for Game Operation, issued 09/02/08
- 41(08), Virginia's Instant Game Lottery 1073; "Triple 777," Final Rules for Game Operation, issued 09/02/08
- 42(08), Virginia's Instant Game Lottery 1074; "Roll 'Em," Final Rules for Game Operation, issued 09/02/08
- 43(08), Virginia's Instant Game Lottery 1075; "Blackjack," Final Rules for Game Operation, issued 08/28/08
- 44(08), Virginia's Instant Game Lottery 1062; "\$120 Million Cash Blowout," Final Rules for Game Operation, issued 08/12/08
- 45(08), Virginia's Instant Game Lottery 1058; "10X The Money," Final Rules for Game Operation, issued 09/02/08
- 46(08), Virginia's Instant Game Lottery 1069; "Monster Money," Final Rules for Game Operation, issued 09/02/08
- 50(08), Virginia's Instant Game Lottery 1070; "Match 3," Final Rules for Game Operation, issued 09/15/08
- 51(08), "Match 3 20<sup>th</sup> Birthday Sweepstakes"; Final Rules for Game Operation, issued 09/15/08
- 52(08), Virginia's Instant Game Lottery 1072; "WPT® \$100,000 Hold'em Poker" Final Rules for Game Operation, issued 10/13/08
- 53(08), Virginia's Instant Game Lottery 1082; "Holiday Treasures" Final Rules for Game Operation, issued 10/16/08
- 54(08), Virginia's Instant Game Lottery 1083; "EZ Grand" Final Rules for Game Operation, issued 10/16/08
- 63(08), World Poker Tour® \$100,000 Hold'em Poker Sweepstakes"; Final Rules for Game Operation, issued 10/07/08
- 64(08), Virginia's Instant Game Lottery 1076; "Win For Life" Final Rules for Game Operation, issued 10/13/08
- 66(08), Virginia's Instant Game Lottery 1078; "Aces High" Final Rules for Game Operation, issued 10/24/08 *nunc pro tunc* 10/14/08
- 67(08), Virginia's Instant Game Lottery 1079; "Stocking Stuffer" Final Rules for Game Operation, issued 10/31/08
- 68(08), Virginia's Instant Game Lottery 1081; "Holiday Dough Doubler" Final Rules for Game Operation, issued 10/31/08
- 69(08), Virginia's Instant Game Lottery 1091; "Super Cash" Final Rules for Game Operation, issued 10/24/08 *nunc pro tunc* 10/14/08
- 70(08), Virginia's Instant Game Lottery 1095; "Money Mania" Final Rules for Game Operation, issued 11/06/08
- 71(08), Virginia's Instant Game Lottery 1096; "Tax Free \$100,000" Final Rules for Game Operation, issued 11/06/08
- 72(08), Virginia's Instant Game Lottery 1099; "Find The 9's" Final Rules for Game Operation, issued 11/06/08
- 73(08), Virginia's Instant Game Lottery 1100; "Spicy Hot Doubler" Final Rules for Game Operation, issued 11/06/08
- 74(08), Virginia's Instant Game Lottery 1090; "Stacks of Cash" Final Rules for Game Operation, issued 11/06/08
- 75(08), Virginia's Instant Game Lottery 1093; "Sizzlin' 7's" Final Rules for Game Operation, issued 11/06/08
- 76(08), Virginia's Instant Game Lottery 1098, "Double It!" Final Rules for Game Operation, issued 11/06/08
- Policies/Procedures:
- Clerk Activated Terminal Policy, issued 07/01/01, 11VAC5-40-10 et seq.
- Criteria for Lottery Advertising, issued 07/31/99, 11VAC5-20-60
- Lotto South Drawings, issued 09/04/01, 11VAC5-40-40
- Mail Claims Processing, issued 01/01/97, 11VAC5-30-330 through 11VAC5-30-740 and 11VAC5-40-310 through 11VAC5-40-690
- On-Line Game Drawings (#007, rev. 8), issued 09/07/01, 11VAC5-40-40
- Release of Payroll and Other Personal Data, issued 08/09/96, DPT Policy #6.05
- Regional Scratch Ticket Sales to Retailers, issued 05/01/00, 11VAC5-30-300
- Scratch Ticket Returns, issued 12/03/01, 11VAC5-30-320
- Virginia Lottery Retailer Manual, issued 2001, 11VAC5-30 and 11VAC5-40
- Lottery Prize Assignment Registration information, posted on the Virginia Lottery website 7/01/03
- Borrowing and Assignment Activity by Virginia Lottery Winners Following Enactment of House Bill 1564 (2003), issued 11/30/04
- Virginia Lottery Annual Report for 2008

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# Guidance Documents

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## MARINE RESOURCES COMMISSION

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the offices of the Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607. Copies may be obtained free of charge by contacting John Bull at the same address, telephone (757) 247-2269 or FAX (757) 247-2020.

### Habitat Documents:

Questions regarding interpretation or implementation of habitat documents may be directed to Robert W. Grabb, Chief, Habitat Management Division, Marine Resources Commission, Newport News, VA 23607, telephone (757) 247-2252 or FAX (757) 247-8062.

Wetlands Guidelines, revised December 1982, § 28.2-1301 D

Subaqueous Guidelines subtitled Guidelines for the Permitting of Activities which Encroach In, On or Over the Submerged Lands of the Commonwealth of Virginia, revised October 2005, § 28.2-1200 et seq.

Coastal Primary Sand Dune/Beaches Guidelines subtitled Guidelines for the Permitting of Activities which Encroach into Coastal Primary Sand Dunes/Beaches, revised June 1986, § 28.2-1401 C

Resolution by the Virginia Marine Resources Commission Citizen Board Interpreting Code § 28.2-1203 a 5 (iv) and Delegating Authority to Make the Determination Called for by Code § 28.2-1203 a 5 (iv).

Water Dependency definition subtitled criteria for determining whether structures or activities must be located in, on or over state-owned subaqueous beds of the Commonwealth, adopted July 2003.

Rent and Royalty Guidelines, subtitled Rent and Royalty Schedule for determining the appropriate rate to be assessed for projects that encroach in, on or over the subaqueous beds of the Commonwealth, revised November 2005.

Guidelines for the Establishment, Use and Operation of Tidal Wetland Mitigation Banks in Virginia.

Criteria for the Placement of Sandy Dredged Material along Beaches in the Commonwealth.

### Law-Enforcement Documents:

Questions regarding interpretation or implementation of law-enforcement documents may be directed to Colonel Rick Lauderman, Chief, Law Enforcement Division, Marine Resources Commission, Newport News, VA 23607, telephone (757) 247-2278 or FAX (757) 247-2020.

Guidelines on Repeat Offenders, revised July 1996, § 28.2-232

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Copies of the following documents may be viewed during regular workdays from 8:30 a.m. to 5 p.m. in the office of the Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219. Copies of the Medicaid memos, booklets, and brochures may be obtained at the specified charge by contacting the Freedom of Information Act (FOIA) staff at the same address, telephone (804) 371-6391 or FAX (804) 371-4981. Copies of the provider manuals and updates may be downloaded free of charge from the Internet at [www.dmas.virginia.gov](http://www.dmas.virginia.gov) or printed copies may be purchased by calling Commonwealth Mailing at (804) 780-0076 to obtain an order blank. The order blank includes the manual prices for both paper and compact disc (CD) copies. The paper copies of manuals are priced individually (as noted by each manual on this list), and CDs are \$18 per CD. Charges for paper copies are the cost of the individual manual, plus 5% sales tax, and \$5.00 per manual for shipping and handling. Charges for CDs are \$18 per CD, plus 5% sales tax and \$5.00 for shipping and handling regardless of the quantity of CDs ordered. Provider manual updates are also available on the Internet free of charge (at the web address above) and from Commonwealth Mailing for \$15 per update, plus 5% sales tax, and \$5.00 shipping and handling per manual update.

### DMAS Medicaid Memos, Booklets, and Brochures:

Questions regarding interpretation or implementation of policies contained in these documents should be directed to the FOIA staff, at the numbers specified above, who will determine the appropriate staff person to respond and then direct the caller to that appropriate individual.

Special 7/31/95 Medicaid Memo, Nursing Facility and Community-Based Care Enrollment, Reimbursement, and Provision of Community-Based Care Services, issued July 31, 1995, 12VAC30-60-360 and 12VAC30-120 Part I, no charge for copy.

Special 9/1/95 Medicaid Memo, Change in Coordination of Benefits Procedures, issued September 1, 1995, 12VAC30-80-170, no charge for copy.

Special 2/16/96 Medicaid Memo, Time Frames by Which Cases Remanded by the Department of Medical Assistance Services (DMAS) Hearing Officers Must Be Completed, issued February 16, 1996, 12VAC30-110, unavailable in electronic format.

Special 9/13/96 Medicaid Memo, Contents of Notices to Medicaid Recipients, issued September 13, 1996, 12VAC30-10-410, no charge for copy.

Brochures 8/1/01, You Are Being Enrolled in the Medicaid Client Medical Management Program, issued December 5, 1996, 12VAC30-130-800 et seq., no charge for copy.

Booklet 5/1/97, Virginia Medicaid Handbook, issued May 1, 1997, 12VAC30-10, revised annually, no charge for copy.

Special 5/21/97 Medicaid Memo, Certification of Coverage Required by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), issued May 21, 1997, Public Law 104-191, no charge for copy.

Special 7/14/97 Medicaid Memo, Reimbursement to Audiologists for Services Provided to Adults, issued July 14, 1997, 12VAC30-50-95 et seq., no charge for copy, not available electronically.

Special 1/16/98 Medicaid Memo, Placement of Individuals with Mental Retardation and Mental Illness in the Elderly and Disabled Waiver, issued January 16, 1998, 12VAC30-120-10 et seq., no charge for copy.

Letter 5/26/99, HCFA Report for the Elderly and Disabled Waiver, issued May 26, 1999, 12VAC30-120-10 through 12VAC30-120-70, no charge for copy.

Special 5/29/98 Medicaid Memo, Use of the Uniform Assessment Instrument for Preadmission Screening for the AIDS Waiver and Technology Assisted Waiver, issued May 29, 1998, 12VAC30-120-140 through 12VAC30-120-200 and 12VAC30-120-70 through 12VAC30-120-130, no charge for copy.

Special 7/13/98 Medicaid Memo, Billing for the Completion of the Assessment of Active Treatment Needs for Individuals With MI or MR Who Request Services Under the Elderly and Disabled Waiver and New Order Number for the Revised Assessment Document, issued July 13, 1998, 12VAC30-120, no charge for copy.

Special 11/15/00 Medicaid Memo, Hospital-Based Ambulance Services Changes, issued November 15, 2000, 12VAC30-50-300 and 12VAC30-50-530, no charge for copy.

Special 5/4/01 Medicaid Memo, Systems Specifications for Point of Services Claims Submission Information Alert, issued May 4, 2001, 12VAC30-80-40, no charge for copy.

Special 4/26/2002 Medicaid Memo Clarification of Medicaid Reimbursable Transportation Services, issued April 26, 2002, 12VAC30-50-510, no charge for copy.

Special 8/8/2002 Medicaid Memo, New Virginia Medicaid Management Information System (MMIS) and HIPAA Update, issued August 8, 2002, 42 CFR 433.10 et seq., no charge for copy.

Special 10/18/2002 Medicaid Memo, Implementation of the New Virginia Medicaid Management Information System (MMIS), issued October 18, 2002, 42 CFR 433.10 et seq., no charge for copy.

Special 11/8/2002 Medicaid Memo, Changes in the Distribution of Virginia Medicaid Provider Manuals, issued

November 8, 2002, 42 CFR 431.18, no charge for copy of memo.

Special Revisions to the Pharmacy Claim Form and Introduction of a Pharmacy Compound Claim Form (ID # 04-16-2003); 12VAC30-50; no charge for copy.

Special Implementation of the New Virginia Medicaid Management Information Systems (MMIS) (ID #'s 05-01-2003-01, 05-01-2003-02, 05-01-2003-03, 05-01-2003-04); 12VAC30-10; no charge for copy.

Special Telemedicine Services (ID # 06-10-2003-01); 12VAC30-50; no charge for copy.

Special Pharmacy Claims Processing Information in NCPDP Version 5.1 (ID # 06-10-2003-02); 12VAC30-80; no charge for copy.

Special Medicaid and FAMIS New ID Cards and Eligibility Verification (ID # 08-01-2003); 12VAC30-10 and 12VAC30-141; no charge for copy.

Special Escalation of HIPAA Transactions and Codes (ID # 08-08-2003); Public Law 104-191; no charge for copy.

Special Implementation of New Virginia Medicaid Management Information Systems (MMIS) (ID # 08-15-2003-01); 12VAC30-10; no charge for copy.

Special Changes to Residential Treatment Services Billing Process (ID # 09-01-2003); 12VAC30-50; no charge for copy.

Special Trading Partner Contingency Plan for HIPAA Transactions and Code Sets (ID # 09-16-2003-01); Public Law 104-191; no charge for copy.

Special Revised Effective Date for Changes to Residential Treatment Services Billing Process (ID # 10-01-2003); 12VAC30-50; no charge for copy.

Special VAMMIS Issues Resolution (ID # 10-08-2003); 12VAC30-10; no charge for copy.

Special Clarification of Billing for Residential Treatment Services for Children and Adolescents (ID # 02-27-2003); 12VAC30-50; no charge for copy.

Special Prior Authorization of Non-Emergency, Outpatient MRI, PET and CAT Scans (ID # 06-01-2003); 12VAC30-50; no charge for copy

Special Revised Effective Date for Prior Authorization of Non-Emergency, Outpatient MRI, PET and CAT Scans (ID # 07-01-2003); 12VAC30-50; no charge for copy.

Special Community Mental Health Services FAMIS Coverage (ID # 07-25-2003); 12VAC30-141; no charge for copy.

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## Guidance Documents

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Special Clarification of New Pre-Authorization Requirements for Outpatient Psychiatric Services (Revised) (ID # 08-15-2003); 12VAC30-50; no charge for copy.

Special Changes to Billing for EPSDT Services and Summary of Blood Lead Screening Requirements (ID # 09-12-2003); 12VAC30-50; no charge for copy.

Special 12/1/2003 Prescriber ID Numbers for Pharmacy Claims; 12VAC30-50; no charge for copy.

Special 11/25/2003 Introduction of Virginia Medicaid Preferred Drug List (PDL) Program for Pharmacy Services; 12VAC30-50; no charge for copy.

Special 11/20/2003 Mandatory Use of ASC X12 Formats for Electronic Transactions; 12VAC30-10; no charge for copy.

Special 10/28/2003 Changes in Billing for Medicare "Crossover" Claims; 12VAC30-80; no charge for copy.

Special 10/24/2003 Acknowledgement of BabyCare VAMMIS Issues; 12VAC30-50; no charge for copy.

HMO Project Managers Memos (various topics and dates); 12VAC30-120; no charge for copies.

Emergency room procedure codes policy (9/25/2003); 12VAC30-50 and 12VAC30-80; no charge for copy.

Special 1/23/2004 Medicaid Memo, Prospective Drug Review Program Changes for Pharmacy Claims and Other Pharmacy Program Changes, issued January 23, 2004, 12VAC30-10-130, no charge for memo copy.

Special 2/6/2004 Medicaid Memo, Request Required by Providers Receiving ASC X12 835 Transactions for the Continued Receipt of Paper Remittances Advices Past 30 Days, issued February 6, 2004, 12VAC30-10, no charge for memo copy.

Special 3/1/2004 Medicaid Memo, Phase II of the Virginia Medicaid Preferred Drug List (PDL) Program for Pharmacy Services - April 2004, issued March 1, 2004, 12VAC30-50, no charge for memo copy.

Special 3/5/2004 Medicaid Memo Correction, Correction to March 1, 2004, Medicaid Memo Titled: Phase II of the Virginia Medicaid Preferred Drug List (PDL) Program for Pharmacy Services - April 2004, issued March 5, 2004, 12VAC30-50, no charge for correction copy.

Special 3/18/2004 Medicaid Memo, Billing Information Correction for Submitting Paper UB-92 Medicare Part A and B Claims, issued March 18, 2004, 12VAC30-20, no charge for memo copy.

Special 3/22/2004 Medicaid Memo, Update of Medicaid, FAMIS, and FAMIS Plus ID Cards and Eligibility Verification Systems Information, issued March 22, 2004, 12VAC30-141, no charge for memo copy.

Special 4/1/2004 Medicaid Memo, Processing and Payment of Emergency Room Claims, issued April 1, 2004, 12VAC30-50, no charge for memo copy.

Special 4/13/2004 Medicaid Memo, Claim Repayments Due to ClaimCheck, issued April 13, 2004, 12VAC30-10, no charge for memo copy.

Special 4/15/2004 Medicaid Memo, Durable Medical Equipment (DME) Appendix B Information, issued April 15, 2004, 12VAC30-50, no charge for memo copy.

Special 5/17/2004 Medicaid Memo, Prospective Drug Review Program (ProDUR) Changes to Early Refill (ER) Edits and Updates on Home Infusion Billing, issued May 17, 2004, 12VAC30-10 and 12VAC30-130, no charge for memo copy.

Special 5/25/2004 Medicaid Memo, Billing Alert - Processing of Certain Community Mental Health Services Covered Under FAMIS, issued May 25, 2004, 12VAC30-141, no charge for memo copy.

Special 6/1/2004 Medicaid Memo, COX-2 Clinical Edits, Phase III of the Virginia Medicaid Preferred Drug List (PDL) Program and PDA Download for PDL Quick List - July 2004, issued June 1, 2004, 12VAC30-50, no charge for memo copy.

Special 7/1/2004 Medicaid Memo, Claims Edits and Extensions for Prior Authorization of Home and Community Based Waiver Services and Offline Billing for MR Waiver Claims, issued July 1, 2004, 12VAC30-120, no charge for memo copy.

Special 7/19/2004 Medicaid Memo, Sending Attachments to 837 Electronic Claims Transactions, issued July 19, 2004, 12VAC30-10, no charge for memo copy.

Special 7/26/2004 Medicaid Memo, Re-Implementation of the 180-Day Outstanding Check and Claim Void Process, issued July 26, 2004, 12VAC30-10, no charge for memo copy.

Special 8/1/2004 Medicaid Memo, Mandatory Generic Edits, ePocrates, Weight Loss Drugs - New Prior Approval Procedure and Over-the-Counter Drugs, issued August 1, 2004, 12VAC30-50, no charge for memo copy.

Special 8/15/2004 Medicaid Memo, Billing Information Update for Submitting Paper UB-92 Medicare Crossover Part A and B Claims, issued August 15, 2004, 12VAC30-20, no charge for memo copy.

Special 8/6/2004 Medicaid Memo, Rate Increase for Specific Home and Community-Based Waiver Services, issued August 6, 2004, 12VAC30-120, no charge for memo copy.

Special 8/16/2004 Medicaid Memo, Rate Increase for Obstetrical and Gynecological Services, issued August 16, 2004, 12VAC30-80, no charge for memo copy.

Special 8/20/2004 Medicaid Memo, Use of Electronic Signatures, issued August 20, 2004, 12VAC30-10, no charge for memo copy.

Special 8/30/2004 Letter, Change in Medicaid AP DRG Grouper Software - Effective October 1, 2004, issued August 30, 2004, 12VAC30-70, no charge for letter copy.

Special 8/31/2004 Medicaid Memo, Clarification of Day Treatment Services for Children and Adolescents, issued August 31, 2004, 12VAC30-50, no charge for memo copy.

Special 9/1/2004 Medicaid Memo, Threshold/Polypharmacy Program, issued September 1, 2004, 12VAC30-50, no charge for memo copy.

Special 9/3/2004 Medicaid Memo, Changes to the Review Process for Residential Treatment Services, issued September 3, 2004, 12VAC30-50, no charge for memo copy.

Special 10/1/2004 Medicaid Memo, Implementation of the New Provider Remittances for Professionals and Facilities, issued October 1, 2004, 12VAC30-70 and 12VAC30-90, no charge for memo copy.

Special 10/15/2004 Medicaid Memo, Maximum Allowable Cost (MAC) Program for Virginia Medicaid and Notification of COX-II Drug Class Changes to Preferred Drug List (PDL), issued October 15, 2004, 12VAC30-80, no charge for memo copy.

Special 11/5/2004 Medicaid Memo, Changes to the Review Process for Treatment Foster Care-Case Management Services - Effective December 15, 2004, issued November 5, 2004, 12VAC30-50, no charge for memo copy.

Special 11/5/2004 Medicaid Memo, Waiver Billing and Maintenance Issues, issued November 5, 2004, 12VAC30-120, no charge for memo copy.

Special 11/5/2004 Medicaid Memo, Clarification of Family Planning Waiver - Covered Services and Billing Procedures, issued November 5, 2004, 12VAC30-135, no charge for memo copy.

Special 12/1/2004 Medicaid Memo, Annual Review of Phase I of the Virginia Medicaid Preferred Drug List Program and PDL Quicklist, issued December 1, 2004, 12VAC30-50, no charge for memo copy.

Special 12/1/2004 Medicaid Memo, Medicaid Eligibility for Infants Born to Non-Medicaid-Eligible Alien Women Whose Deliveries Were Covered by Medicaid as an Emergency Medical Service, issued December 1, 2004, 12VAC30-50, no charge for memo copy.

Special 12/3/2004 Medicaid Memo, Long-Acting Narcotics Step Therapy & the Preferred Drug List, issued December 3, 2004, 12VAC30-50, no charge for memo copy.

Special 12/13/2004 Medicaid Memo, Enrollment of Licensed Marriage and Family Therapists, issued December 13, 2004, 12VAC30-50, no charge for memo copy.

Special 1/5/2005 Medicaid Memo, Clarification of Day Treatment Services for Children and Adolescents, issued January 5, 2005, 12VAC30-50, no charge for memo copy.

Special 1/10/2005 Medicaid Memo, Services Requiring Claims Submission Through the VaMMIS – Effective February 1, 2005, issued January 10, 2005, 12VAC30-50, no charge for memo copy.

Special 3/28/2005 Medicaid Memo, New Billing Requirements for Non-emergency, Outpatient MRI/CAT/PET Scans – Effective May 1, 2005, issued March 28, 2005, 12VAC30-50, no charge for memo copy.

Special 3/28/2005 Medicaid Memo, Patient Pay Recorded on Paper Claim Submissions for Waiver Services – Effective May 1, 2005, issued March 28, 2005, 12VAC30-50, no charge for memo copy.

Special 5/19/2005 Medicaid Memo, Change in Reimbursement Policy for School-Based Health Screenings of Children Enrolled in Medicaid Managed Care Organizations – Effective July 1, 2005, issued May 19, 2005, 12VAC30-50, no charge for memo copy.

Special 6/3/2005 Medicaid Memo, Termination of Erectile Dysfunction (ED) Drug Coverage for Individuals Convicted of a Sex Offense – Effective As Of May 27, 2005, issued June 3, 2005, 12VAC30-50, no charge for memo copy.

Special 6/10/2005 Medicaid Memo, Annual Review of Phases II and III of the Virginia Medicaid Preferred Drug List (PDL) Program, Review of New Drugs, Dispensing Fee for Generic Drugs, and PDL Quicklist – Effective July 1, 2005, issued June 10, 2005, 12VAC30-50, no charge for memo copy.

Special 6/10/2005 Medicaid Memo, Smiles For Children, Virginia's Dental Program for Medicaid, FAMIS, and FAMIS Plus Children – Effective July 1, 2005, issued June 10, 2005, 12VAC30-50, no charge for memo copy.

Special 6/14/2005 Medicaid Memo, Dental Program Coverage of Medical/Surgical Procedures for Medicaid, FAMIS, and FAMIS Plus Children – Effective July 1, 2005, issued June 14, 2005, 12VAC30-50, no charge for memo copy.

Special 6/14/2005 Medicaid Memo, Coverage of Orthodontics Billing Procedures for Medicaid, FAMIS, and FAMIS Plus Children – Effective July 1, 2005, issued June 14, 2005, 12VAC30-50, no charge for memo copy.

Special 6/28/2005 Medicaid Memo, Preferred Drug List (PDL) Changes Affecting Nursing Home Providers – Effective August 1, 2005, issued June 28, 2005, 12VAC30-50, no charge for memo copy.

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Special 6/28/2005 Medicaid Memo, Billing Changes to Date of Discharge for Hospice Services – Effective July 1, 2005, issued June 28, 2005, 12VAC30-50, no charge for memo copy.

Special 7/8/2005 Medicaid Memo, Coverage Changes to the FAMIS Program (FAMIS MOMS & FAMIS Select) – Effective August 1, 2005, issued July 8, 2005, 12VAC30-50, no charge for memo copy.

Special 7/14/2005 Medicaid Memo, Reimbursement for Dental Services under Smiles For Children – Effective July 1, 2005, issued July 14, 2005, 12VAC30-50, no charge for memo copy.

Special 8/1/2005 Medicaid Memo, Rate Increases & New Patient Pay Payroll Procedure for Consumer-Directed Services – Effective July 1, 2005, issued August 1, 2005, 12VAC30-50, no charge for memo copy.

Special 8/1/2005 Medicaid Memo, Correction to the Billing Instructions for the UB-92 Claim Form, issued August 1, 2005, 12VAC30-50, no charge for memo copy.

Special 8/9/2005 Medicaid Memo, Expansion of Managed Care Organization (MCO) Program in Northern Virginia, issued August 9, 2005, 12VAC30-50, no charge for memo copy.

Special 8/19/2005 Medicaid Memo, FAMIS MOMS Enrollees – How to Apply for Newborn Coverage, issued August 19, 2005, 12VAC30-50, no charge for memo copy.

Special 9/6/2005 Medicaid Memo, Changes to Orthotic Services Pre-authorization (PA) Process – Effective October 1, 2005, issued September 6, 2005, 12VAC30-50, no charge for memo copy.

Special 9/8/2005 Medicaid Memo, Medicaid Disaster Relief for Victims of Hurricane Katrina, sent to all providers and managed care organizations, issued September 8, 2005, 12VAC30-50, no charge for memo copy.

Special 9/8/2005 Medicaid Memo, Medicaid Disaster Relief for Victims of Hurricane Katrina, sent to all pharmacy providers, issued September 8, 2005, 12VAC30-50, no charge for memo copy.

Special 9/16/2005 Medicaid Memo, Clarification of BabyCare Claims Process & FAMIS MOMS Eligibility for BabyCare Services, issued September 16, 2005, 12VAC30-50, no charge for memo copy.

Special 11/7/2005 Medicaid Memo, Medicaid Reimbursement Rate Changes for Culpeper and King George Counties – Effective January 1, 2006, issued November 7, 2005, 12VAC30-50, no charge for memo copy.

Special 11/30/2005 Medicaid Memo, Managed Care Organization (MCO) Program Expands Into the Winchester

Region – Effective December 1, 2005, issued November 30, 2005, 12VAC30-50, no charge for memo copy.

Special 12/2/2005 Medicaid Memo, Implementation of ClaimCheck for all Physician and Laboratory Services – Effective January 9, 2006, issued December 2, 2005, 12VAC30-50, no charge for memo copy.

Special 12/5/2005 Medicaid Memo, Pending Cancellation of DMAS Disaster Relief Health Care Coverage for Victims of Hurricane Katrina, issued December 5, 2005, 12VAC30-50, no charge for memo copy.

Special 12/5/2005 Medicaid Memo, Modifications to the Virginia Medicaid Preferred Drug List (PDL) Program and PDL Quicklist & Medicare Part D Implementation – Effective January 1, 2005, issued December 5, 2005, 12VAC30-50, no charge for memo copy.

Special 12/20/2005 Medicaid Memo, Monitoring Kidney Functions & the Classification Stages of Chronic Kidney Disease (CKD), issued December 20, 2005, 12VAC30-50, no charge for memo copy.

Special 12/20/2005 Medicaid Memo, Managed Care Organization (MCO) Merger Between Anthem HealthKeepers Plus & UniCare Health Plan of Virginia – Effective January 1, 2006, issued December 20, 2005, 12VAC30-50, no charge for memo copy.

Special 12/20/2005 Medicaid Memo, Termination of Erectile Dysfunction Drug Coverage for Medicaid Enrollees – Effective January 1, 2006, issued December 20, 2005, 12VAC30-50, no charge for memo copy.

Special 12/20/2005 Medicaid Memo, Virginia Medicaid Healthy Returns<sup>SM</sup> Disease Management Program Expands – Effective January 13, 2006, issued December 20, 2005, 12VAC30-50, no charge for memo copy.

Special 12/27/2005 Medicaid Memo, New Federal Requirements Regarding the Compliance with Seclusion and Restraint Regulations – Effective Immediately, issued December 27, 2005, 12VAC30-50, no charge for memo copy.

Special 12/30/2005 Medicaid Memo, Upcoming Changes to the Processing of Medicare “Crossover” Claims, issued December 30, 2005, 12VAC30-50, no charge for memo copy.

Special 12/30/2005 Medicaid Memo, Discontinuation of Default Medicaid Prescriber ID Numbers – Effective February 1, 2006, issued December 30, 2005, 12VAC30-50, no charge for memo copy.

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Special 2/27/2006 Medicaid Memo, Implementation of the National Provider Identification Number: Atypical Anticipated Initial Implementation Date: January 1, 2007, issued February 27, 2006, 12VAC30-50, no charge for memo copy.

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Special 3/1/2006 Medicaid Memo, Discontinuation of Virginia Medicaid Interim Reimbursement for Medicare Part D Drugs for Dual Eligibles – March 8, 2006, issued March 1, 2006, 12VAC30-50, no charge for memo copy.

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Special 3/31/2006 Medicaid Memo, Rate Increase for Personal Care and Related Services and Adult Day Health Care – May 1, 2006, issued March 31, 2006, 12VAC30-50, no charge for memo copy.

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Special 4/26/2006 Medicaid Memo, Changes to the Preauthorization of Outpatient Psychiatric Services and Changes to the Mental Health Clinic Provider Manual, issued April 26, 2006, 12VAC30-50, no charge for memo copy.

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Special 5/3/2006 Medicaid Memo, Correction to March 31, 2006 Medicaid Memo Regarding Rate Increase for Personal Care and Related Services and Adult Day Health Care – May 1, 2006, issued May 3, 2006, 12VAC30-50, no charge for memo copy.

Special 5/5/2006 Medicaid Memo, Update to the Durable Medical Equipment and Supplies Provider Manual and New Prior Authorization Contractor Effective June 5, 2006, issued May 5, 2006, 12VAC30-50, no charge for memo copy.

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Special 5/22/2006 Medicaid Memo, Prior Authorization transition information – change in Hospital Service Transition Date to KePRO - June 12th; one-time change in PA number for certain types of requests; Clarification of Outpatient Psychiatric Service Limits, issued May 22, 2006, 12VAC30-50, no charge for memo copy.

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Special 6/1/2006 Medicaid Memo, Modifications to the Virginia Medicaid Preferred Drug List (PDL) Program and PDL Quicklist & Termination of Automatic PDL Prior Authorizations for Long-Acting Narcotics: Effective July 1, 2006, issued June 1, 2006, 12VAC30-50, no charge for memo copy.

Special 6/1/2006 Medicaid Memo, Update to the Technology Assisted Waiver Services (TAWS) Provider Manual, issued June 1, 2006, 12VAC30-50, no charge for memo copy.

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Special 6/2/2006 Medicaid Memo, Changes to the Preauthorization of Treatment Foster Care Case Management and Changes to the Psychiatric Services Manual, issued June 2, 2006, 12VAC30-50, no charge for memo copy.

Special 6/2/2006 Medicaid Memo, Update to the AIDS Waiver Case Management Services Provider Manual, issued June 2, 2006, 12VAC30-50, no charge for memo copy.

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Special 6/7/2006 Medicaid Memo, Program Updates for Virginia's Medicaid, FAMIS and FAMIS Plus Children Dental Program (Smiles For Children) – Spring 2006, issued June 7, 2006, 12VAC30-50, no charge for memo copy.

Special 6/9/2006 Medicaid Memo, Expansion of Medallion II & FAMIS Programs in Culpeper – Summer 2006, issued June 9, 2006, 12VAC30-50, no charge for memo copy.

Special 6/13/2006 Medicaid Memo, Update to the Physician Provider Manual, issued June 13, 2006, 12VAC30-50, no charge for memo copy.

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Special 6/26/2006 Medicaid Memo, Update Regarding Behavioral Therapeutic Consultation Provider Qualifications, issued June 26, 2006, 12VAC30-50, no charge for memo copy.

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Special 7/13/2006 Medicaid Memo, Rate Increase for Private Duty Nursing and Services that are Unique to the MR and DD Waivers – July 1, 2006, issued July 13, 2006, 12VAC30-50, no charge for memo copy.

Special 7/14/2006 Medicaid Memo, BabyCare Covered Service Changes and Mileage Rate Increase, issued July 14, 2006, 12VAC30-50, no charge for memo copy.

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Special 8/4/2006 Medicaid Memo, Updates and Clarification of the Prior Authorization Process for Community Based Care Services, issued August 4, 2006, 12VAC30-50, no charge for memo copy.

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Special 9/20/2006 Medicaid Memo, Updates and Clarification of the Inpatient Prior Authorization Process for Inpatient Acute, Psych, and Rehab Care Services, issued September 20, 2006, 12VAC30-50, no charge for memo copy.

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Special 10/17/2006 Medicaid Memo, General Billing Instructions for the New CMS-1500 (08-05) Form – Effective October 1, 2006, issued October 17, 2006, 12VAC30-50, no charge for memo copy.

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Special 12/22/2006 Medicaid Memo, Testing Electronic Transactions for the National Provider Identifier (NPI), issued December 22, 2006, 12VAC30-50, no charge for memo copy.

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Special 2/9/2007 Medicaid Memo, National Provider Identifier (NPI) Update: DMAS Dual Use Period – March 26

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- May 22, 2007, issued February 9, 2007, 12VAC30-50, no charge for memo copy.

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Special 4/19/2007 Medicaid Memo, Northern Virginia Rate Differential for MR, DD, and DS Waivers – Effective July 1, 2007, issued April 19, 2007, 12VAC30-50, no charge for memo copy.

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Special 4/23/2007 Medicaid Memo, Changes to the Prior Authorization Process for Psychiatric Residential Treatment, issued April 23, 2007, 12VAC30-50, no charge for memo copy.

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Special 5/8/2007 Medicaid Memo, National Provider Identifier (NPI) Update: DMAS Dual Use Period Extended Beyond May 23, 2007 & Paper Claim Form Deadline (June 1,

2007), issued May 8, 2007, 12VAC30-50, no charge for memo copy.

Special 5/31/2007 Medicaid Memo, Modifications to the Virginia Medicaid Preferred Drug List (PDL) Program, Enhanced Prospective Drug Utilization Review Programs, National Provider Identifier (NPI) Dual Use Extension, and Pharmacy Web-Based Prior Authorization Process, issued May 31, 2007, 12VAC30-50, no charge for memo copy.

Special 5/31/2007 Medicaid Memo, New National Drug Code (NDC) Billing Requirement for Drug-Related HCPCS J-Codes – Effective July 1, 2007, issued May 31, 2007, 12VAC30-50, no charge for memo copy.

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Special 6/5/2007 Medicaid Memo, Rate Increase for Personal Care and Related Services – Effective July 1, 2007, issued June 5, 2007, 12VAC30-50, no charge for memo copy.

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Special 7/5/2007 Medicaid Memo, Expansion of Managed Care Services in Lynchburg – Effective October 1, 2007, issued July 5, 2007, 12VAC30-50, no charge for memo copy.

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Special 8/30/2007 Medicaid Memo, Update to Second Edition of the Durable Medical Equipment and Supplies Provider Manual, issued August 30, 2007, 12VAC30-50, no charge for memo copy.

Special 9/5/2007 Medicaid Memo, Implementation of Tamper-Resistant Prescription Pad Requirements – Effective October 1, 2007, issued September 5, 2007, 12VAC30-50, no charge for memo copy.

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Special 10/2/2007 Medicaid Memo, Discontinuation of Legacy Automated Response System (ARS) Access, issued October 2, 2007, 12VAC30-50, no charge for memo copy.

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Special 12/4/2007 Medicaid Memo, Changes to Enhanced Prospective Drug Utilization Review Programs and Modifications to the Virginia Medicaid Preferred Drug List (PDL) Program Effective January 1, 2008, issued December 4, 2007, 12VAC30-50, no charge for memo copy.

Special 12/11/2007 Medicaid Memo, Children's Mental Health Program – Effective December 1, 2007, issued December 11, 2007, 12VAC30-50, no charge for memo copy.

Special 12/20/2007 Medicaid Memo, Prior Authorization – Outpatient Substance Abuse Services that will Transition to KePRO for Fee-for-Service Enrollees – Effective January 1, 2008, issued December 20, 2007, 12VAC30-50, no charge for memo copy.

Special 12/26/2007 Medicaid Memo, Plan First – The Medicaid Fee-for-Service Family Planning Waiver Program – Eligible Population, Enrollment, Covered Services, Service Limits and Billing Requirements as well as Upcoming Training Dates – Effective January 1, 2008, issued December 26, 2007, 12VAC30-50, no charge for memo copy.

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Special 3/1/2008 Medicaid Memo, Billing for Emergency and Non-Emergency Transportation Services – Effective 04/01/2008, issued March 1, 2008, 12VAC30-50, no charge for memo copy.

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Special 4/1/2008 Medicaid Memo, Using Your National Provider Identification/Atypical Provider Identification (NPI/API) through iEXCHANGE for Requests Submitted to KePRO – Effective 5/23/2008, issued April 1, 2008, 12VAC30-50, no charge for memo copy.

Special 4/2/2008 Medicaid Memo, New National Drug Code (NDC) Billing Requirement for Pharmacy Claims Submissions (UB04/837I) – Effective July 1, 2008, issued April 2, 2008, 12VAC30-50, no charge for memo copy.

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Special 4/9/2008 Medicaid Memo, Summary of New Federal Targeted Case Management Final Regulations – Effective March 3, 2008, issued April 9, 2008, 12VAC30-50, no charge for memo copy.

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Special 5/28/2008 Medicaid Memo, Physician Rate Changes – Effective July 1, 2008, issued May 28, 2008, 12VAC30-50, no charge for memo copy.

Special 5/28/2008 Medicaid Memo, New Remittance Advice (RA) Format – June 21, 2008 & NPI Reminder – May 23, 2008, issued May 28, 2008, 12VAC30-50, no charge for memo copy.

Special 5/29/2008 Medicaid Memo, Modifications to the Virginia Medicaid Preferred Drug List (PDL) Program, Effective July 1, 2008; Changes to the Enhanced Prospective Drug Utilization Review Program (Dose Optimization); and, Implementation of the Specialty Maximum Allowable Cost Program, issued May 29, 2008, 12VAC30-50, no charge for memo copy.

Special 5/30/2008 Medicaid Memo, New Prior Authorization Process for Level A (Children’s Group Home) and Level B (Therapeutic Group Home) Psychiatric Residential Treatment Facility Providers – Effective July 1, 2008, issued May 30, 2008, 12VAC30-50, no charge for memo copy.

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Special 6/18/2008 Medicaid Memo, Rate Increases for Congregate Residential and Agency-Directed Individual Supported Employment Services – Effective July 1, 2008, issued June 18, 2008, 12VAC30-50, no charge for memo copy.

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Special 7/3/2008 Medicaid Memo, Reimbursement for New Ambulatory Surgery Center Procedure Codes, issued July 3, 2008, 12VAC30-50, no charge for memo copy.

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Special 9/3/2008 Medicaid Memo, Phase II of Tamper-Resistant Prescription Pad (TRPP) Requirements – Effective October 1, 2008, issued September 3, 2008, 12VAC30-50, no charge for memo copy.

Special 9/17/2008 Medicaid Memo, Moratorium on Federal Case Management Regulations, issued September 17, 2008, 12VAC30-50, no charge for memo copy.

Special 10/6/2008 Medicaid Memo, Maternal and Infant Care Coordination (MICC) Prior Authorization Changes – Effective November 1, 2008, issued October 6, 2008, 12VAC30-50, no charge for memo copy.

Special 10/6/2008 Medicaid Memo, Requirement for Present on Admission (POA) Indicator for Inpatient Hospital Claims Submitted by Paper – November 1, 2008, issued October 6, 2008, 12VAC30-50, no charge for memo copy.

Special 10/15/2008 Medicaid Memo, Changes to the Prior Authorization Process for Psychiatric Residential Treatment – Level C, Children’s Group Home–Level A, Therapeutic Group Home–Level B, and Treatment Foster Care Case Management Services, issued October 15, 2008, 12VAC30-50, no charge for memo copy.

Special 10/20/2008 Medicaid Memo, Changes to the Billing Process for Multiple Outpatient CAT, MRI, PET Scans Performed on the Same Day and the Associated Prior Authorization – Effective October 27, 2008, issued October 20, 2008, 12VAC30-50, no charge for memo copy.

Special 11/12/2008 Medicaid Memo, Update to the Changes to the Prior Authorization Process for Psychiatric Residential Treatment–Level C, Children’s Group Home–Level A, Therapeutic Group Home–Level B and Treatment Foster Care Case Management Services, issued November 12, 2008, 12VAC30-50, no charge for memo copy.

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– Effective January 1, 2009, issued November 25, 2008, 12VAC30-50, no charge for memo copy.

Special 12/1/2008 Medicaid Memo, Modifications to the Virginia Medicaid Preferred Drug List (PDL) Program—Effective January 1, 2009; the US Food and Drug Administrations (FDA) Requirement to Phase-Out Chlorofluorocarbon-Containing (CFC) Propelled Albuterol Inhalers from the Market; and, Changes to the Enhanced Prospective Drug Utilization Review Program (Dose Optimization), issued December 1, 2008, 12VAC30-50, no charge for memo copy.

Special 12/5/2008 Medicaid Memo, Implementation of Correct Coding Initiative (CCI) and Revision of ClaimCheck Edits – Effective January 1, 2009, issued December 5, 2008, 12VAC30-50, no charge for memo copy.

### **DMAS Guidance Documentation:**

1/30/2008 Guidance Memorandum, Transportation Coverage for Adult Dental Services, issued January 30, 2008, no charge for memo copy.

2/6/2008 Guidance Memorandum, Early Periodic Screening Diagnosis and Treatment (EPSDT) Private Duty Nursing Services, issued February 6, 2008, no charge for memo copy.

7/2008 Fact Sheet, Estate Recovery Fact Sheet, issued July, 2008, no charge for copy.

### **DMAS Provider Manuals:**

AIDS Waiver Case Management Services Provider Manual, issued 1988/substantially revised November 1991/continuously revised, 12VAC30-120 Part III, \$24.

Assisted Living Services Provider Manual, second edition issued November 1, 2000/continuously revised, 12VAC30-120-450 through 12VAC30-120-480, \$24.

BabyCare Provider Manual, second edition issued June 24, 1999/continuously revised, 12VAC30-50; \$24.

Children’s Mental Health Program Provider Manual, issued December 11, 2007/continuously revised, 12VAC30-135-1000 through 12VAC30-135-1940; \$24.

Community Mental Health Rehabilitative Services Provider Manual, first edition issued August 1, 2000/continuously revised, 12VAC30-50; \$28.

Dental Provider Manual, second edition issued July 15, 2000/continuously revised, 12VAC30-50-95 et seq., \$24.

Durable Medical Supplies and Equipment Provider Manual, second edition issued February 1, 2000/continuously revised, 12VAC30-50-95 et seq., \$28.

Elderly Case Management Services Provider Manual, second edition issued September 8, 2000/continuously revised, 12VAC30-50-460, \$20.

Elderly or Disabled with Consumer Direction Waiver Services Provider Manual, first edition issued June 20, 2003/continuously revised, 12VAC30-50; \$36.

Freestanding Renal Dialysis Clinic Provider Manual, second edition issued May 21, 1999/continuously revised, 12VAC30-50-95 et seq., \$24.

Home Health Provider Manual, second edition issued June 1, 1999/continuously revised, 12VAC30-50-95 et seq., \$24.

Hospice Provider Manual, second edition issued April 1, 1999/continuously revised, 12VAC30-50-95 et seq., \$24.

Hospital Provider Manual, second edition issued November 1, 2000/continuously revised, 12VAC30-50-95 et seq. and 12VAC30-70 Part V, \$32.

Independent Laboratory Provider Manual, second edition issued June 15, 1999/continuously revised, 12VAC30-50-95 et seq., \$20.

Mental Health Clinic Provider Manual, second edition issued April 14, 2000/continuously revised, 12VAC30-50; \$24.

Mental Retardation Community Services Provider Manual, first edition issued May 1, 2001/continuously revised, 12VAC30-50; \$32.

Nursing Home Provider Manual, second edition issued April 15, 2000/continuously revised, 12VAC30-90 Part II, \$32.

Pre-Admission Screening Provider Manual, first edition issued June 20, 2003/continuously revised, 12VAC30-130 Part III, \$24.

Personal/Respite Care Provider Manual, first edition issued February 1, 1994, 12VAC30-120; \$24.

Pharmacy Provider Manual, second edition issued April 1, 1999/continuously revised, 12VAC30-50-95 et seq., \$24.

Physician Provider Manual, second edition issued February 15, 2000/continuously revised, 12VAC30-50-95 et seq., \$36.

Podiatry Provider Manual, second edition issued May 21, 1999/continuously revised, 12VAC30-50-95 et seq., \$24.

Prosthetic Device Provider Manual, second edition issued January 4, 1999/continuously revised, 12VAC30-50-95 et seq., \$24.

Psychiatric Services Provider Manual, second edition issued April 28, 2000/continuously revised, 12VAC30-50; \$28.

Rehabilitation Provider Manual, second edition issued February 1, 2000/continuously revised, 12VAC30-50-95 et seq., \$28.

School Division Provider Manual, second edition issued June 21, 1999/continuously revised, 12VAC30-50-95 et seq., \$24.

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## Guidance Documents

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State and Local Hospitalization Program Provider Manual, second edition issued December 1, 1998/continuously revised, 12VAC30-50-100 et seq., \$24.

Technology Assisted Waiver and Private Duty Nursing Services Provider Manual, first edition issued November 1, 2000/continuously revised, 12VAC30-120 Part II, \$24.

Transportation Provider Manual, second edition issued February 1, 1999/continuously revised, 12VAC30-50-95 et seq., \$20.

Vision Provider Manual, second edition issued July 15, 1999/continuously revised, 12VAC30-50-95 et seq., \$24.

### BOARD OF MEDICINE

Copies of the following documents may be viewed during regular workdays from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's web page at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [medbd@dhp.virginia.gov](mailto:medbd@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to William L. Harp, M.D., Executive Director of the Board, at the address above or by telephone at (804) 367-4600. Copies are free of charge.

#### Guidance Documents:

85-1, Bylaws of the Board of Medicine, revised April 4, 2008

85-2, Assistant Attorney General opinion of October 25, 1986 on who can do a school physical examination

85-3, Board motion on process for an applicant requesting an Informal Conference, adopted June 22, 2006 85-4, Listing of approved schools for physician assistant licensure and prescriptive authority, revised February 19, 2008

85-5, Guidance of questions concerning medical records, revised June 22, 2006

85-6, Guidance on competency assessments for three paid claims, revised October 31, 2007

85-7, Guidance on light-based hair removal in physician practices, adopted February 21, 2008

85-11, Sanctioning Reference Points Instruction Manual, adopted by Board, January 2004

85-13, Board motion, Guidelines on Performing Procedures on the Newly Deceased for Training Purposes, January 22, 2004

85-15, Board motion, Guidelines Concerning the Ethical Practice of Surgery and Invasive Procedures, January 22, 2004

85-16, Questions and Answers on Continuing Competency Requirements for the Virginia Board of Medicine, revised December 3, 2007

85-17, Rules for the placement and use of equipment necessary for recording or broadcasting a hearing, revised December 2000

85-18, Practitioners' Help Section, - Definitions and explanations for terminology used in Practitioner Profile System and Frequently Asked Questions, revised April 18, 2006

85-19, Practitioner Information System - Glossary of Terms, revised April 18, 2006

85-20, Official Opinion of the Attorney General, December 1992 on employment of surgeon by a nonstock, nonprofit corporation

85-21, Official Opinion of the Attorney General, May 1995 on employment of physician by a for profit corporation

85-23, Board motion, Policy on the Use of Confidential Consent Agreements, October 9, 2003 85-24, Board motion, Adoption of FSMB Model Policy for the Use of Controlled Substances for the Treatment of Pain, June 24, 2004

85-25, Board motion, Process for Delegation of Informal Fact-finding to an agency subordinate, October 14, 2004

85-26, Board motion, Compliance with Law for Licensed Midwives, adopted June 21, 2007

85-27, Board motion, Role of Licensed Midwives in Newborn Hearing Screening, Documentation, and Reporting, adopted June 21, 2007

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

Copies of the following documents may be obtained by contacting Wendy Brown, Office of Planning and Development, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 225-2252, FAX (804) 371-0092 or email [wendy.brown@co.dmhmrsas.virginia.gov](mailto:wendy.brown@co.dmhmrsas.virginia.gov).

Questions regarding interpretation or implementation of these documents may be directed to the staff persons listed with each document. Any charge for obtaining copies is listed with each document.

Admission and Discharge Protocols for Persons with Mental Retardation Served in Mental Retardation Facilities, issued March 26, 2003, §§ 37.2-837 and 37.2-505, no charge, contact Cynthia Smith (804) 786-0946 or email [cynthia.smith@co.dmhmrsas.virginia.gov](mailto:cynthia.smith@co.dmhmrsas.virginia.gov).

Buprenorphine Products for the Pharmacologic Management of Opioid Addiction, Office of Substance Abuse Services Bulletin No. 2004-01, issued July 14, 2004, 21 CFR Part 291,

42 CFR Part 8, § 54.1-3400 et seq. of the Code of Virginia, 12VAC 35-105-790, 18VAC110-20, no charge, contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmsas.virginia.gov](mailto:margaret.lane@co.dmhmsas.virginia.gov).

Buprenorphine Products for the Pharmacologic Management of Opioid Addiction, Office of Substance Abuse Services Bulletin No. 2007-02, update June 8, 2007, 21 CFR Part 291, 42 CFR Part 8, § 54.1-3400 et seq. of the Code of Virginia, 12VAC35-105-790, 18VAC110-20, no charge, contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmsas.virginia.gov](mailto:margaret.lane@co.dmhmsas.virginia.gov).

Clarification of use of Parental Prior Notice Form when Completing Parent Approval for Transition Planning Conference, Infant & Toddler Connection of Virginia, issued September 18, 2007, no charge, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmsas.virginia.gov](mailto:maryann.discenza@co.dmhmsas.virginia.gov).

Comprehensive State Plan 2008-2014, issued December 6, 2007, § 37.2-315, no charge, contact Charline Davidson at (804) 786-7357 or email [charline.davidson@co.dmhmsas.virginia.gov](mailto:charline.davidson@co.dmhmsas.virginia.gov).

Criminal History Background Checks for Direct Consumer Care Personnel in Adult Substance Abuse Treatment Programs, Office of Substance Abuse Bulletin No. 2005-01, issued March 28, 2005, §§ 37.2-416 and 37.2-506 of the Code of Virginia, no charge, contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmsas.virginia.gov](mailto:margaret.lane@co.dmhmsas.virginia.gov).

CSB Procurement Procedures Manual, revised 2002, §§ 37.2-508 and 37.2-608, no charge, contact Joy Lazarus at (804) 786-4512 or email [joy.lazarus@co.dmhmsas.virginia.gov](mailto:joy.lazarus@co.dmhmsas.virginia.gov).

Determining the Status of Infant/Toddler Development in Relation to the Three Offices of Special Education Programs (OSEP) Outcomes, issued February 1, 2008, no charge, contact contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmsas.virginia.gov](mailto:maryann.discenza@co.dmhmsas.virginia.gov).

Discharge Protocols for Community Services Boards and State Mental Health Facilities, issued November 5, 2001, §§ 37.2-837 and 37.2-505, no charge, contact Russell Payne at (804) 786-1395 or email [russell.payne@co.dmhmsas.virginia.gov](mailto:russell.payne@co.dmhmsas.virginia.gov).

Early Childhood Transition From Part C Early Intervention to Part B Special Education and Other Services for Young Children with Disabilities, Technical Assistance Document, Infant & Toddler Connection of Virginia, issued August 2003, no charge, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmsas.virginia.gov](mailto:maryann.discenza@co.dmhmsas.virginia.gov).

Expanded Newborn Screening Services, Memo to Local System Managers, issued July 10, 2006, no charge, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmsas.virginia.gov](mailto:maryann.discenza@co.dmhmsas.virginia.gov).

Federal Requirements for Transition Referral, The Policy Pages, Responses to Questions as Received by the Infant & Toddler Connection of Virginia, issued July 2001, no charge, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmsas.virginia.gov](mailto:maryann.discenza@co.dmhmsas.virginia.gov).

Financial Management Standards/Accounts Receivable and Reimbursement Procedures, Volume III, issued May 27, 2003, § 37.2-504, no charge, contact John F. Jackson at (804) 786-3942 or email [john.jackson@co.dmhmsas.virginia.gov](mailto:john.jackson@co.dmhmsas.virginia.gov).

Financial Management Standards Guide for Community Services Boards, revised July 2002, no charge, contact Ken Gunn at (804) 786-1555 or email [ken.gunn@co.dmhmsas.virginia.gov](mailto:ken.gunn@co.dmhmsas.virginia.gov).

FY 2009 Community Services Performance Contract; Central Office, State Facility, and Community Services Board Partnership Agreement; and Community Services Performance Contract General Requirements Document, issued May 6, 2008, § 37.2-508, no charge, also available on the Department's website at [www.dmhmsas.virginia.gov](http://www.dmhmsas.virginia.gov) or contact Paul R. Gilding at (804) 786-4982 or by email at [paul.gilding@co.dmhmsas.virginia.gov](mailto:paul.gilding@co.dmhmsas.virginia.gov).

Functional Outcomes/Indicators, issued by the Part C Early Intervention Office, January 10, 2008, no charge, contact Mary Ann Discenza at (804) 371-6592 or email [maryann.discenza@co.dmhmsas.virginia.gov](mailto:maryann.discenza@co.dmhmsas.virginia.gov)

Guidance on Contents of Local Interagency Agreements and Contracts, Infant & Toddler Connection of Virginia, issued August 2003, no charge, contact Mary Ann Discenza at (804) 371-6592 or email [maryann.discenza@co.dmhmsas.virginia.gov](mailto:maryann.discenza@co.dmhmsas.virginia.gov).

Guidelines for the Management of Individuals Found Not Guilty by Reason of Insanity, revised May 28, 2003, Chapter 11.1 of Title 19.2 of the Code of Virginia, §30, contact Kathleen Sadler at (804) 786-8044 or email [kathleen.sadler@co.dmhmsas.virginia.gov](mailto:kathleen.sadler@co.dmhmsas.virginia.gov).

Human Rights Regulations-Restrictions on the Use of Telephones and Visitation Privileges, Office of Substance Abuse Services Guidance Bulletin No. 2003-02, issued April 2, 2003, 12VAC35-115, no charge, contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmsas.virginia.gov](mailto:margaret.lane@co.dmhmsas.virginia.gov).

Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places, Infant & Toddler Connection of Virginia, issued October 2003, no charge, contact Mary Ann Discenza at (804) 371-6592 or email [maryann.discenza@co.dmhmsas.virginia.gov](mailto:maryann.discenza@co.dmhmsas.virginia.gov).

Indicator Ratings, Virginia's System of Determination of Child Progress, issued January 10, 2008, no charge, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmsas.virginia.gov](mailto:maryann.discenza@co.dmhmsas.virginia.gov).

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## Guidance Documents

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Documenting Use of Virginia's Part C Hearing and Vision Screening, Infant & Toddler Connection of Virginia, Policy Pages, issued June 2005, no charge, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmrsas.virginia.gov](mailto:maryann.discenza@co.dmhmrsas.virginia.gov).

List of Standardized Measures of Intellectual Functioning, effective November 10, 2008 § 19.2-264.3:1.2, no charge, contact James Morris, Ph.D. at (804) 786-2615 or (804) 786-9044 or email [james.morris@co.dmhmrsas.virginia.gov](mailto:james.morris@co.dmhmrsas.virginia.gov).

Medicaid Documentation to Support Reimbursement for Integrated Treatment of Co-Occurring Mental Health and Substance Use Disorders in Community Mental Health Rehabilitation Services, Office of Substance Abuse Services Guidance Bulletin No. 2007-1, issued April 16, 2007, no charge, contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmrsas.virginia.gov](mailto:margaret.lane@co.dmhmrsas.virginia.gov).

Newborn Screen & Development, Facts about genetic diseases new since March 2006 (Excluding Cystic Fibrosis), issued June 2006, no charge, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmrsas.virginia.gov](mailto:maryann.discenza@co.dmhmrsas.virginia.gov).

Managed Withdrawal Training Manual, Office of Substance Abuse Services Guidance Bulletin No. 2003-01, issued March 31, 2003, 12VAC35-105-1080, no charge, contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmrsas.virginia.gov](mailto:margaret.lane@co.dmhmrsas.virginia.gov).

Office of Human Rights, Protocols, Procedures and Practices Manual, revised effective January 2002, §§ 37.2-400 and 37.2-204, no charge, contact Margaret Walsh at (804) 786-3988 or email [margaret.walsh@co.dmhmrsas.virginia.gov](mailto:margaret.walsh@co.dmhmrsas.virginia.gov).

Office of Licensing: Protocols, latest revision June 4, 2007, §§ 37.2-505 and 37.2-411, no charge, contact Leslie Anderson at (804) 786-1747 or email [leslie.anderson@co.dmhmrsas.virginia.gov](mailto:leslie.anderson@co.dmhmrsas.virginia.gov).

Part C Evaluation and Assessment Questions and Answers, Infant & Toddler Connection of Virginia, issued August 2002, no charge, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmrsas.virginia.gov](mailto:maryann.discenza@co.dmhmrsas.virginia.gov).

Policies and Procedures for the Implementation of Part C of the Individuals with Disabilities Education Act (IDEA), last revision date August 2002, 34 CFR Part 303; §§ 2.2-5300 through 2.2-5308 and 2.2-2664 no charge, contact Mary Ann Discenza at (804) 371-6592 or email [maryann.discenza@co.dmhmrsas.virginia.gov](mailto:maryann.discenza@co.dmhmrsas.virginia.gov).

Policy Clarification and Technical Assistance on the Implementation of Requirements for Vision and Hearing Components of the Part C Evaluation and Assessment, Infant & Toddler Connection of Virginia, revised October 2003 contact Mary Ann Discenza at (804) 371-6592 or email [maryann.discenza@co.dmhmrsas.virginia.gov](mailto:maryann.discenza@co.dmhmrsas.virginia.gov).

Prevention Services and Personnel Supported by the Substance Abuse Prevention and Treatment Block Grant Prevention Set-Aside, Office of Substance Abuse Services Guidance Bulletin No. 2003-03, issued August 1, 2003, 45 CFR 96.125, no charge, contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmrsas.virginia.gov](mailto:margaret.lane@co.dmhmrsas.virginia.gov).

Required Activities for Prevention Services Units Funded Wholly or in Part by the Substance Abuse Prevention and Treatment Block Grant Prevention Set-Aside, Office of Substance Abuse Services Guidance Bulletin No. 2003-04, issued August 1, 2003, contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmrsas.virginia.gov](mailto:margaret.lane@co.dmhmrsas.virginia.gov).

Requirements for Federally Mandated Independent Peer Review, Office of Substance Abuse Services Guidance Bulletin No. 2002-01, issued October 7, 2002, 45 CFR 96.136, no charge, contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmrsas.virginia.gov](mailto:margaret.lane@co.dmhmrsas.virginia.gov).

Special treatment needs of Individuals with Co-Occurring Substance Abuse Disorders and Traumatic Brain Injuries, Office of Substance Abuse Services Guidance Bulletin No. 2005-02, issued March 28, 2005, 12VAC35-105-150, no charge, contact contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmrsas.virginia.gov](mailto:margaret.lane@co.dmhmrsas.virginia.gov).

Substance Abuse Residential Purchase of Services (SARPOS), Office of Substance Abuse Services Guidance Bulletin No. 2007-03, issued July 26, 2007, no charge, contact Margaret Anne Lane at (804) 225-4649 or email [margaret.lane@co.dmhmrsas.virginia.gov](mailto:margaret.lane@co.dmhmrsas.virginia.gov).

Clarification of federal requirements for screening and identification, The Policy Pages, Responses to Questions as Received by the Infant & Toddler Connection of Virginia, issued July 2001, no charge, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmrsas.virginia.gov](mailto:maryann.discenza@co.dmhmrsas.virginia.gov).

Virginia's System of Determination of Child Outcomes Frequently Asked Questions, Infant & Toddler Connection of Virginia, issued July 7, 2008, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmrsas.virginia.gov](mailto:maryann.discenza@co.dmhmrsas.virginia.gov).

Virginia's System for Determination of Child Progress, Implementation Instructions, issued January 14, 2008, no charge, contact Mary Ann Discenza (804) 371-6592 or email [maryann.discenza@co.dmhmrsas.virginia.gov](mailto:maryann.discenza@co.dmhmrsas.virginia.gov).

### DEPARTMENT OF MINES, MINERALS AND ENERGY

This list meets the requirements of §§ 2.2-4008 and 2.2-4101 of the Code of Virginia. Questions regarding this list of guidance documents may be directed to David Spears, Regulatory Coordinator, Department of Mines, Minerals and Energy, 202 North Ninth Street, 8th Floor, Richmond, VA

23219, telephone (804) 692-3212, FAX (804) 692-3237, or [david.spears@dmme.virginia.gov](mailto:david.spears@dmme.virginia.gov).

All DMME guidance documents are available electronically for no charge on the Virginia Regulatory Town Hall, <http://www.townhall.virginia.gov>.

For paper copies, unless otherwise noted, the first 20 pages of any guidance document or group of documents are free of charge, and subsequent pages cost \$.25 per page. For TTY contacts to the department regarding all guidance documents on this list, call the Virginia Relay Center at 1-800-828-1120.

## **General DMME Documents**

DMME guidance documents of a general nature may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy's Customer Assistance Center, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. Copies may be obtained by contacting Debbie Whitt or Cindy Ashley at the same address, telephone (276) 523-8233, (276) 523-8235 or FAX (276) 523-8141.

Questions regarding interpretation or implementation of these documents may be directed to Mike Abbott, Public Relations Manager, Department of Mines, Minerals and Energy, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (276) 523-8146 or FAX (276) 523-8148.

## **Division of Mines (DM)**

### **Board of Coal Mining Examiners**

Guidance documents pertaining to DMME's Board of Coal Mine Examiners may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. by contacting Becky Moore at the Department of Mines, Minerals and Energy, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (276) 523-8227, (276) 523-8235 or FAX (276) 523-8141.

Questions regarding interpretation or implementation of these documents may be directed to Frank A. Linkous, Chairman, Board of Coal Mining Examiners, Department of Mines, Minerals and Energy, Division of Mines, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (276) 523-8226 or FAX (276) 523-8239.

### **Division of Mines Study and Instruction Material**

Study and instruction materials relating to coal mine safety are available on diskette, free of charge, at the Department of Mines, Minerals and Energy, Division of Mines, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219.

Questions regarding the interpretation or implementation of this material may be directed to Carroll Green, Inspector

Supervisor, Division of Mines, at the same address, telephone (276) 523-8232 or FAX (276) 523-8239; or Rebecca Moore, Office Services Specialist, Division of Mines, at the same address, telephone (276) 523-8227, same FAX number.

### **Division of Mines Notices and Memoranda to Operators**

Division of Mines Notices and Memoranda to Operators may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mines, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219.

Questions regarding interpretation or implementation of these documents may be directed to Frank A. Linkous, Chief, Division of Mines, at the same address, telephone (276) 523-8226, or FAX (276) 523-8239.

### **Division of Mines Procedures**

Division of Mines procedures may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mines, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. These procedures are used by agency staff to implement the Coal Mine Safety Act, § 45.1-161.7 et seq.

Questions regarding interpretation or implementation of these procedures may be directed to Frank A. Linkous, Chief, Division of Mines, at the same address, telephone (276) 523-8226, or FAX (276) 523-8239.

### **Division of Mines Forms**

Division of Mines forms may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mines, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. These forms are used by agency staff to implement the Coal Mine Safety Act, § 45.1-161.7 et seq.

Questions regarding interpretation or implementation of these forms may be directed to John Thomas, same address, telephone (276) 523-8228 or FAX (276) 523-8239.

### **Guidelines for Application of Regulatory Standards**

Guidelines for Application of Regulatory Standards may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mines, 3405 Mountain Empire Road, P. O. Drawer 900, Big Stone Gap, VA 24219. These documents are used by agency staff to implement the Coal Mine Safety Act, § 45.1-161.7 et seq.

Questions regarding interpretation or implementation of these documents may be directed to John Thomas, same address, telephone (276) 523-8228 or FAX (276) 523-8239.

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# Guidance Documents

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## **Division of Mined Land Reclamation (DMLR)**

### **Division of Mined Land Reclamation Memoranda**

Division of Mined Land Reclamation memoranda may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Customer Assistance Center, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. Inquiries may be directed to Debbie Whitt or Cindy Ashley, telephone (276) 523-8233, (276) 523-8235 or FAX (276) 523-8141.

Questions regarding interpretation or implementation of these documents may be directed to Gavin M. Bledsoe, Hearings and Legal Services Officer, Department of Mines, Minerals and Energy, Division of Mined Land Reclamation, same address, telephone (276) 523-8157 or FAX (276) 523-8163.

### **Division of Mined Land Reclamation Procedures**

Division of Mined Land Reclamation procedures may be viewed or copied during regular work hours from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Customer Assistance Center, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. Inquiries may be directed to Debbie Whitt or Cindy Ashley, telephone (276) 523-8233, (276) 523-8235 or FAX (276) 523-8141.

Questions regarding interpretation or implementation of these documents may be directed to Gavin M. Bledsoe, Hearings and Legal Services Officer, Department of Mines, Minerals and Energy, Division of Mined Land Reclamation, same address, (276) 523-8157 or FAX (276) 523-8163.

### **Division of Mined Land Reclamation -- Other Documents**

Other documents issued by the Division of Mined Land Reclamation may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Customer Assistance Center, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. Inquiries may be directed to Debbie Whitt or Cindy Ashley, telephone (276) 523-8233, (276) 523-8235 or FAX (276) 523-8141.

### **Division of Mined Land Reclamation Forms**

Division of Mined Land Reclamation forms may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Customer Assistance Center, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. Inquiries may be directed to Lola Varner or Cindy Ashley, telephone (276) 523-8233, (276) 523-8235 or FAX (276) 523-8141. These forms are used by agency staff to implement 4VAC25-130.

Questions regarding interpretation or implementation of these documents may be directed to Gavin M. Bledsoe, Hearings and Legal Services Officer, Department of Mines, Minerals and Energy, Division of Mined Land Reclamation, same address, telephone (276) 523-8157 or FAX (276) 523-8163.

## **Division of Mineral Mining (DMM)**

### **Division of Mineral Mining Documents and Communication Memoranda**

Division of Mineral Mining documents and communication memoranda may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mineral Mining, 900 Natural Resources Drive, P.O. Box 3727, Charlottesville, VA 22903 (Fontaine Research Park). Copies may be obtained by contacting Anne Grassler at the same address, telephone (434) 951-6311 or FAX (434) 951-6325.

Questions regarding interpretation or implementation of these documents may be directed to Conrad Spangler, same address, telephone (434) 951-6312 or FAX (434) 951-6325.

### **Division of Mineral Mining Procedures**

Division of Mineral Mining procedures may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mineral Mining, 900 Natural Resources Drive, P.O. Box 3727, Charlottesville, VA 22903 (Fontaine Research Park). Copies may be obtained by contacting Anne Grassler at the same address, telephone (434) 951-6311 or FAX (434) 951-6325. These procedures are used by agency staff to implement 4VAC25-31, 4VAC25-35 and 4VAC25-40.

Questions regarding interpretation or implementation of these procedures may be directed to Conrad Spangler, same address, telephone (434) 951-6312 or FAX (434) 951-6325.

### **Division of Mineral Mining Forms**

Division of Mineral Mining forms may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mineral Mining, 900 Natural Resources Drive, P.O. Box 3727, Charlottesville, VA 22903 (Fontaine Research Park). Copies may be obtained by contacting Anne Grassler at the same address, telephone (434) 951-6311 or FAX (434) 951-6325. These forms are used by agency staff to implement 4VAC25-31, 4VAC25-35 and 4VAC25-40.

Questions regarding interpretation or implementation of these forms may be directed to Conrad Spangler, same address, telephone (434) 951-6312 or FAX (434) 951-6325.

### **Division of Gas and Oil (DGO)**

#### **Division of Gas and Oil Memoranda to Operators and Bulletins**

Division of Gas and Oil memoranda to operators and bulletins may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Division of Gas and Oil, 230 Charwood Drive, P.O. Box 1416, Abingdon, VA 24212. Copies may be

obtained by contacting Diane Davis at the same address, telephone (276) 676-5423 or FAX (276) 676-5459.

Questions regarding interpretation or implementation of these documents may be directed to David Asbury, Director, Division of Gas and Oil, same address and telephone.

### **Division of Gas and Oil Forms**

Division of Gas and Oil forms may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Division of Gas and Oil, 230 Charwood Drive, P.O. Box 1416, Abingdon, VA 24212. Copies may be obtained by contacting Diane Davis at the same address, telephone (276) 676-5423 or FAX (276) 676-5459.

Questions regarding interpretation or implementation of these forms may be directed to David Asbury, Director, Division of Gas and Oil, same address and telephone.

### **Guidance Documents:**

[DM Chapter 14.2, Article 1, § 45.1-161.8, Definitions, Accidents](#)

[DM Chapter 14.2, Article 1, § 45.1-161.8, Definitions, Operators](#)

[DM Chapter 14.2, Article 1, § 45.1-161.8, Surface Coal Mine and Underground Coal Mine](#)

[DM Chapter 14.2, Article 1, §§ 45.1-161.28 through 30, Operator/Independent Contractor \(Examinations and Record Keeping\)](#)

[DM Chapter 14.2, Article 2, § 45.1-161.23, Technical Specialist](#)

[DM Chapter 14.2, Article 3, § 45.1-161.30.A, Performance of Certain Tasks by Uncertified Persons, Penalty](#)

[DM Chapter 14.2, Article 3, § 45.1-161.37.A, General Coal Miner Certification](#)

[DM Chapter 14.2, Article 3, § 45.1-161.38.A, First Class Mine Foreman Certification](#)

[DM Chapter 14.2, Article 7, § 45.1-161.77.A, Reports of Explosions and Mine Fires](#)

[DM Chapter 14.2, Article 7, § 45.1-161.78.A, Operator's Reports of Accidents; Investigations; Reports by Department](#)

[DM Chapter 14.2, Article 8, § 45.1-161.83, Review of Inspection Reports and Records](#)

[DM Chapter 14.2, Article 8, § 45.1-161.84.A, Advance Notice of Inspections; Confidentiality of Trade Secrets](#)

[DM Chapter 14.2, Article 8, § 45.1-161.85.A, Scheduling of Inspections](#)

[DM Chapter 14.3, Article 5, § 45.1-161.129, Blasting Practices](#)

[DM Chapter 14.3, Article 11, § 45.1-161.189.E, Electricity](#)

[DM Chapter 14.3, Article 11, § 45.1-161.193, Electricity](#)

[DM Chapter 14.3, Article 11, § 45.1-161.195 B.C.D., Inspection of Electric Equipment and Wiring; Checking and Testing Methane Monitors](#)

[DM Chapter 14.3, Article 11, § 45.1-161.196, Repairs to Circuits and Electric Equipment](#)

[DM Chapter 14.3, Article 12, § 45.1-161.197, First Aid Equipment](#)

[DM Chapter 14.3, Article 12, § 45.1-161.199, Certified Emergency Medical Services Personnel](#)

[DM Chapter 14.3, Article 13, § 45.1-161.202.B, Emergency Response Plans; List of Next of Kin](#)

[DM Chapter 14.3, Article 13, § 45.1-161.205.F, Storage and Use of Flammable Fluids and Materials](#)

[DM Chapter 14.3, Article 13, § 45.1-161.206, Diesel Powered Equipment](#)

[DM Chapter 14.3, Article 13, § 45.1-161.207.B, Welding and Cutting](#)

[DM Chapter 14.3, Article 14, § 45.1-161.209, On-Shift Examinations](#)

[DM Chapter 14.3, Article 14, § 45.1-161.210.J, Weekly Examinations](#)

[DM Chapter 14.3, Article 14, § 45.1-161.221.D, Coursing of Air](#)

[DM Chapter 14.3, Article 16, § 45.1-161.251.A, Employment of Inexperienced Underground Miners](#)

[DM Chapter 14.3, Article 2, § 45.1-161.109.A., Roof, Rib and Face Control](#)

[DM Chapter 14.3, Article 2, § 45.1-161.115.D, Supplies of Materials for Supports](#)

[DM Chapter 14.3, Article 4, § 45.1-161.124.A, Shop and Other Equipment](#)

[DM Chapter 14.3, Article 6, § 45.1-161.139, Inspection of Underground Equipment](#)

[DM Chapter 14.3, Article 6, § 45.1-161.141.E, Self Propelled Equipment](#)

[DM Chapter 14.3, Article 6, § 45.1-161.143.A.B, Transportation of Material](#)

[DM Chapter 14.3, Article 6, § 45.1-161.147, Operation of Equipment](#)

[DM Chapter 14.3, Article 6, § 45.1-161.149, Availability of Mantrips](#)

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## Guidance Documents

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[DM Chapter 14.3, Article 7, § 45.1-161.159.A.C, Hoisting Engineer](#)

[DM Chapter 14.3, Article 8, § 45.1-161.162.A, Mine Openings and Escapeways](#)

[DM Chapter 14.3, Article 8, § 45.1-161.165, Maintenance of Mine Openings](#)

[DM Chapter 14.3, Title 15, § 45.1-161.238.D, Storage and Use of Flammable Fluids and Materials](#)

[DM Chapter 14.4, Article 12, § 45.1-161.288 and 290, Inspection of Electric Equipment and Wiring; Checking and Testing Methane Monitors](#)

[DM Chapter 14.4, Article 2, § 45.1-161.256-257, Safety Examinations](#)

[DM Chapter 14.4, Article 2, § 45.1-161.258, Areas with Safety or Health Hazards](#)

[DM Chapter 14.4, Article 4, § 45.1-161.262, First Aid Equipment](#)

[DM Chapter 14.4, Article 5, § 45.1-161.267.L, Storage and Use of Flammable Fluids and Materials](#)

[DM Procedure No. 1.03.01, Emergency Response Team](#)

[DM Procedure No. 1.03.02, Rescue and Recovery Plan](#)

[DM Procedure No. 1.04.05, Spot Inspection](#)

[DM Procedure No. 1.04.07, Independent Contractors](#)

[DM Procedure No. 1.04.09, Administrative Review of Notices of Violation](#)

[DM Procedure No. 1.04.10, Impoundment Inspections](#)

[DM Procedure No. 1.05.01, Investigation of Accidents and Incidents](#)

[DM Procedure No. 1.05.02, Inundation of Water and Gas](#)

[DM Procedure No. 1.05.03, Methane Ignition](#)

[DM Procedure No. 1.05.04, Serious Personal Injury](#)

[DM Procedure No. 1.05.06, Unlicensed Mine Sites](#)

[DM Procedure No. 1.05.09, Investigation Documents File](#)

[DM Procedure No. 1.06.01, Plan Approvals](#)

[DM Procedure No. 1.06.02, Map Submittals](#)

[DM Procedure No. 1.07.01, Technical Instruction](#)

[DM Procedure No. 1.07.03, Training and Accident Reduction](#)

[DM Procedure No. 1.09.02, Recertification Requirements](#)

[DM -RAS-1-S, Surface Mine, Auger, Highwall Miner Risk Assessment](#)

[DM -RV-1-S, Report of Violation Form](#)

[DMLR Procedure No. 3.6.01, Certification of Pollution Control Equipment](#)

[DMME-IR-1, Request for Information Under FOIA](#)

[Responding to Requests for Information](#)

[DA Procedure No. 14.0.0 - Bond Administration to Include Coal Surface Mining Reclamation Fund Procedures/Tax Collection](#)

[DM Division of Mines Personnel with Assigned Area and Telephone Numbers](#)

[DM 08-02 Seventeenth Annual Virginia Coal Mine Safety Awards](#)

[DM Chapter 14.2, Article 5, § 45.1-161.57.A, License Required for Operation of Coal Mines](#)

[DM Chapter 14.2, Article 5, § 45.1-161.63.B.C, Notices to Department; Resumption of Mining Following Discontinuance](#)

[DM Chapter 14.2, Article 9, § 45.1-161.90.A, Notices of Violation](#)

[DM Chapter 14.3, Article 11, § 45.1-161.195.A, Inspection of Electric Equipment and Wiring; Checking and Testing Methane Monitors](#)

[DM Chapter 14.3, Article 14, § 45.1-161.222, Actions for Excessive Methane](#)

[DM Fatal Mine Accident Investigations](#)

[DM Inspection Coordination](#)

[DM LIC-01, License to Operate a Mine](#)

[DM Memorandum of Agreement \(Small Mine Assistance Trng\)](#)

[DM Memorandum of Agreement DM/DMLR \(BLASTING\)](#)

[DM Memorandum of Understanding Between the Virginia Department of Mines, Minerals and Energy Divisions of Mined Land Reclamation and Mines and the U.S. Department of Labor Mine Safety and Health Administration District 5 Norton, Virginia](#)

[DM Mine Emergency Directory](#)

[DM Operator Memorandum 05-08 Surface Mine Maps](#)

[DM Operator Memorandum 06-03A Emergency Response Plans \(memo\)](#)

[DM Operator Memorandum 06-03B Generic Emergency Response Plan](#)

[DM Operator Memorandum 06-03C Self Contained Self Rescuer Outby Storage Plan](#)

[DM Operator Memorandum 06-03D Mine Emergency Evacuation and Firefighting Program of Instruction](#)

[DM Operator Memorandum 06-03E Mine Emergency Scenarios template](#)

[DM Operator Memorandum 06-03F Mine Emergency Addendum to Existing Training Plan](#)

[DM Operator Memorandum 06-06 Coalfield Employment Enhancement Tax Credit Production Labor Report](#)

[DM Operator Memorandum 06-07 Alternative Seal Designs](#)

[DM Operator Memorandum DM-05-05 Accident and Fatality Reports](#)

[DM Operator Memorandum DM-08-01 Mine Incident Response, Rescue, and Recovery Plan](#)

[DM/DMLR Memorandum of Agreement, Refuse Piles, Water and Silt Retaining Dams](#)

[DM/DMLR Memorandum of Understanding, Reclamation Activities at Previously Licensed Coal Mine Sites](#)

[DM-07-04 Map Submittal](#)

[DMLR Procedure No. 1.2.01, Threatening, Abusing or Impeding a Division Employee](#)

[State Minerals Management and Subaqueous Plans](#)

[\[DMM-U-1\] DMM-U-1 Application for a Uranium Exploration Permit](#)

[\[DMM-U-5\] DMM-U-5 Uranium Exploration Hole Report of Plugging Completion](#)

[\[DMM-U-6\] DMM-U-6 Exploration Hole Plat Certification Legend](#)

[\[DMM-U-7\] DMM-U-7 Uranium Exploration Drill Hole Completion Report](#)

[\[DMM-U-B\] DMM-U-B Uranium Exploration Surety Bond](#)

## **Board of Mines, Minerals and Energy**

### **Guidance Documents:**

[DGO Landfarming Guidance Document](#)

[DGO-11-S, Incident Report](#)

[DGO-CO, Closure Order](#)

[DGO-CO-E, Expiration of Closure](#)

[DGO-COL, Lifting of Closure](#)

[DGO-COM, Modification of Closure](#)

[DGO-CO-V, Vacation of Closure](#)

[DGO-NOV, Notice of Violation](#)

[DGO-NOV-C, Cancellation of Violation](#)

[DGO-NOV-E, Extension of Violation](#)

[DGO-NOV-M, Modification of Violation](#)

[DGO-NOV-V, Vacation of Violation](#)

[DGO-ROWB, Release of Well Operator's Bond](#)

[DM Operator Memorandum DM 99-05, Reciprocity Agreement With West Virginia](#)

[DM Procedure No. 1.05.08, Blasting Complaints](#)

[DM Procedure No. 1.06.03, Mining Near Gas Wells](#)

[DM Procedure No. 1.09.03, Revocation of Certification](#)

[DM Procedure No. 1.09.04, Certification Requiring On Site Observation](#)

[DMLR Guide to Water Replacement and Subsidence Repair](#)

[DMLR Memoranda to Operators No. 11-82, Archaeological Sites or Historic Places](#)

[DMLR Memoranda to Operators No. 11-94, Public Notice and Comment Periods](#)

[DMLR Memoranda to Operators No. 13-86, Application Processing Time Limit](#)

[DMLR Memoranda to Operators No. 3-83, Certificates of Deposit](#)

[DMLR Memoranda to Operators No. 3-90, Standardized Reporting Form \(Quarterly Acid-Base Monitoring\)](#)

[DMLR Memoranda to Operators No. 3-99, Groundwater Monitoring Frequency](#)

[DMLR Memoranda to Operators No. 4-85, Notice of Effluent Non-Compliance Reports](#)

[DMLR Memoranda to Operators No. 4-98, Remining Incentives](#)

[DMLR Memoranda to Operators No. 5-84, Reclamation Fees](#)

[DMLR Memoranda to Operators No. 5-93, Contractor Information in Public Notices](#)

[DMLR Memoranda to Operators No. 5-95, Highwall Settlement Guidelines](#)

[DMLR Memoranda to Operators No. 6-88, Waiver to Mine Within 300 Feet](#)

[DMLR Memoranda to Operators No. 7-94, NPDES Monitoring and Reporting Requirements](#)

[DMLR Memoranda to Operators No. 8-82, Air Pollution Control Plan](#)

[DMLR Memoranda to Operators No. 8-85, NPDES Enforcement Policy](#)

[DMLR Memoranda to Operators No. 8-92, NPDES Permits/StormWater Discharge](#)

[DMLR Memoranda to Operators No. 9-89, Mining Operations Near Facilities](#)

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# Guidance Documents

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[DMLR Memoranda to Operators No. 9-93, Company Structure Master File](#)

[DMLR Procedure No. 2.2.06, Applications With Violations](#)

[DMLR Procedure No. 2.2.07, Relinquishments](#)

[DMLR Procedure No. 2.2.08, Corrections on Applications](#)

[DMLR Procedure No. 2.2.09, Name Changes on Applications](#)

[DMLR Procedure No. 2.2.10, Mining Under State Boundaries](#)

[DMLR Procedure No. 2.3.02, Permittee--Official Changes](#)

[DMLR Procedure No. 2.3.04, Temporary Cessation](#)

[DMLR Procedure No. 2.3.05, Midterm Permit Evaluation](#)

[DMLR Procedure No. 2.3.10, Permit Transfers, Assignment, or Sale of Rights](#)

[DMLR Procedure No. 3.3.01, Permanent Program \(Chapter 19\) Enforcement and Inspection Procedures](#)

[DMLR Procedure No. 3.3.03, Approving Regrading](#)

[DMLR Procedure No. 3.3.04, Water Rights and Replacement](#)

[DMLR Procedure No. 3.3.08, Alternative Enforcement Action](#)

[DMLR Procedure No. 3.3.09, Performance Bond Forfeiture](#)

[DMLR Procedure No. 3.3.10, Show Cause Order and Permt Suspension/Revocation](#)

[DMLR Procedure No. 3.3.12, Coal Surface Mining Reclamation Fund \(Pool Bond Fund\) Tax Reporting/Payment](#)

[DMLR Procedure No. 3.3.13, Third Party Disturbances of Reclaimed Sites](#)

[DMLR Procedure No. 3.3.14, Certificate of Liability Insurance](#)

[DMLR Procedure No. 3.3.15, Temporary Structures](#)

[DMM Board of Mineral Mining Examiners Certification Requirements \(Summary Sheets\)](#)

[DMM Communication Memorandum No. 01-93, Reclamation Schedule](#)

[DMM Communication Memorandum No. 10-00, Employee Exposure to Noise Limits](#)

[DMM General Mineral Miner Training Course Guide](#)

[DMM-104c, Accident Report](#)

[DMM-148, DMM Application Checklist](#)

[DGO Complaint Procedure by Landowners with Suspected Water Loss](#)

[DGO Safety MOU between DMME and DOLI](#)

[DGO-CI-S, Complaint Investigation](#)

[DGO-GO-AP, Application for Payment](#)

[DGO-GO-PA, Approval of Payment](#)

[DGO-IR-S, Inspection Report](#)

[DGO-P, Permit for Gas and Oil Operations](#)

[DM Memorandum of Agreement between DMME's DM and West Virginia's DM Certification Reciprocity](#)

[DM Surface General Coal Miner Certification for Surface Mines and Auger Mines Training Manual](#)

[DM Underground General Coal Miner Certification for Underground Mines and Surface Area of Underground Mines](#)

[DM Chapter 14.2, Article 5, Section 45.1-161.62.A&C, Licensing of Mines-Annual Reports](#)

[DM Chapter 14.2, Article 5, Section 45.1-161.64.A, Licensing of Mines, Mine maps are required](#)

[DM Chapter 14.3, Article 5, Section 45.1-161.128.B, Explosives and Blasting](#)

[DM Chapter 14.3, Article 5, Section 45.1-161.158.F, Hoisting](#)

[DM Chief Electrician \(Surface\) Certification Requirements](#)

[DM Diesel Engine Mechanic Instructor Manual](#)

[DM Electrical Maintenance Foreman \(Surface\) Certification Requirements](#)

[DM Gas Detection Packet](#)

[DM Mine Inspector Certification Requirements](#)

[DM Procedure No 1.04.12 - DM/DMLR Inspection of "RZ" Mines](#)

[DM Procedure No. 1.04.11, Surface Mine Inspection - Ground Control Plans](#)

[DM Procedure No. 1.04.13 - Substance Abuse](#)

[DM Qualified Gas Detection Certification Requirements](#)

[DM Surface Blaster Certification Requirements](#)

[DM-07-03 Implementation of SB 1091 Changes to Coal Mine Safety Law](#)

[DMLR- Biosolids Use Guidelines](#)

[DMLR Civil Penalty Assessment Manual](#)

[DMLR- Coal Combustion By-Products Guidelines](#)

[DMLR- Electronic Permitting Guide](#)

[DMLR General Instructions for Electronic Application Preparation](#)

[DMLR- Government Financed Construction Guidelines](#)

[DMLR Guidance Memo - 9-04 - Requirements for Permit Transfer](#)

[DMLR Guidance Memo 22-08 Forestry Reclamation Approach](#)

[DMLR Guidance Memorandum 16-07 Permitting and Bonding of Shared Facilities](#)

[DMLR Guidance Memorandum 17-07 Impoundments - Underground Mining](#)

[DMLR Guidance Memorandum 18-07 Completed Areas and DGO Permitted Operations](#)

[DMLR Guidance Memorandum 20-07 Permit Applications - Submittal of Corrections, Description of Attachments, and File Path Lengths](#)

[DMLR Guidance Memorandum No. 10-05 Requirements for Haulroad Construction and Design](#)

[DMLR Guidance Memorandum No. 11-05 Ground Control Plan](#)

[DMLR Guidance Memorandum No. 12-05, Permit Signs and Markers](#)

[DMLR Guidance Memorandum No. 14-05 Watersheds with Adopted TMDLs](#)

[DMLR Guidance Memorandum No. 15-07 Potential Problem Discharges during Reclamation and Bond Release](#)

[DMLR Guidance Memorandum No. 23-08, Revisions: Insignificant vs. Significant; Acreage Amendments; and Incidental Boundary](#)

[DMLR Guidance Memorandum No. 24-08, Clarification of "Depth to Water" for Ground Water Monitoring Wells](#)

[DMLR Guidance Memorandum No. 25-08, NPDES Permit and Anniversary Fees](#)

[DMLR Guidance Memorandum No. 3-01, Permit Application/Priority Reviews](#)

[DMLR Guidance Memorandum No. 4-02, Approximate Original Contour Guidelines](#)

[DMLR Guidance Memorandum No. 6-03, Permit Fees](#)

[DMLR Procedure No. 1.1.01, Training Events](#)

[DMLR Procedure No. 1.2.03, Work Hours and Reporting](#)

[DMLR Procedure No. 1.2.04, Mailing Administrative Decisions](#)

[DMLR Procedure No. 2.1.04, Exemption for Extraction of Coal When it is Incidental to Extraction of Other Minerals](#)

[DMLR Procedure No. 2.1.06, Exemptions for Government Financed Projects](#)

[DMLR Procedure No. 2.2.01, Permit Review Quality and Completeness Check](#)

[DMLR Procedure No. 2.2.02, Confidentiality of Permit Application Information](#)

[DMLR Procedure No. 2.2.03, Proof of Application Filing](#)

[DMLR Procedure No. 2.2.04, Application Processing Time Limit](#)

[DMLR Procedure No. 2.2.05, Applicant Violator System \(AVS\) and Ownership/Control](#)

[DMLR Procedure No. 2.2.05A, AVS - O/C Investigations](#)

[DMLR Procedure No. 2.2.12, Terms of Issuance \(TOI\) Terms of Approval \(TOA\)](#)

[DMLR Procedure No. 2.3.03, Anniversary Fees/Reports](#)

[DMLR Procedure No. 2.3.06, Permit Renewals](#)

[DMLR Procedure No. 2.3.07, Completion Letters](#)

[DMLR Procedure No. 2.3.11 Ground Control Plans](#)

[DMLR Procedure No. 3.1.05, Photographic Documentation](#)

[DMLR Procedure No. 3.1.06, Citizen Complaint Investigation](#)

[DMLR Procedure No. 3.3.05, NPDES Permits](#)

[DMLR Procedure No. 3.3.06, Coal Exploration](#)

[DMLR Procedure No. 3.3.11, Operations on Federal Lands \(USFS -- Federal Land Management Agency\)](#)

[DMLR Procedure No. 3.3.16, Sediment Pond Effluent limits](#)

[DMLR Procedure No. 3.3.17 Tree Planting](#)

[DMLR Procedure No. 3.4.01, Suspension and Revocation of DMLR Blaster Endorsement Certification](#)

[DMLR Procedure No. 3.5.01, Bond Forfeiture Reclamation](#)

[DMLR Procedure No. 4.1.01, Reclamation Project-- Eligibility](#)

[DMLR Procedure No. 4.1.04, AML Enhancement Projects](#)

[DMLR Procedure No. 4.1.05, AML Contract Provisions, Ground Control Plan](#)

[DMLR Procedure No.2.1.03, Unpermitted/Exempted Sites](#)

[DMLR State Reclamation Plan](#)

[DMLR Virginia Coal Surface Mining and Reclamation Permanent Regulatory Program, A Guide to Bond Reduction/Release](#)

[DMM - 101, Permit/License Application](#)

[DMM - 103, Notice of Application to Mine](#)

[DMM - 109, Revised map legend form](#)

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## Guidance Documents

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[DMM - 112, Relinquishment of Mining Permit Form](#)

[DMM - 161, Permit Transfer Acceptance Form](#)

[DMM - Mineral Mine Operator's Manual](#)

[DMM 165 Contractor Annual Report Worksheet](#)

[DMM 166 Contractor Identification Form](#)

[DMM Abandoned Mineral Mining Inventory Protocol](#)

[DMM Acknowledgement of Certificate of Deposit as Bond](#)

[DMM By-Laws of Orphaned Land Advisory Committee](#)

[DMM Certification Requirements for Blaster](#)

[DMM Certification Requirements for Foreman](#)

[DMM Communication Memoranda Nos. 01-08, 02-08, and 03-08 DMM e-Forms Center Enhancements](#)

[DMM Communication Memorandum 02-93](#)

[DMM Communication Memorandum No. 01-05, Electronic Blast Detonator Systems](#)

[DMM Communication Memorandum No. 01-98](#)

[DMM Communication Memorandum No. 01-99](#)

[DMM Communication Memorandum No. 02-99](#)

[DMM Communication Memorandum No. 03-99](#)

[DMM Communication Memorandum No. 04-08 Standardized Formatting of Paper Documents](#)

[DMM Communication Memorandum No. 10-00](#)

[DMM Contractor Memorandum Regarding Annual Reports](#)

[DMM Education and Training Plan for Mineral Mining](#)

[DMM Excavation Activity Evaluation Chart](#)

[DMM Informational Brochure for Public Hearings](#)

[DMM Internal Communication and Directive Regarding Broken or Damaged Windows on Mobile Equipment and Haulroad Dust Control Measures](#)

[DMM Mineral Mine Electrician Certification](#)

[DMM Mineral Mine Emergency, Rescue and Recovery Plan](#)

[DMM Mineral Mine Operators and Mineral Mine Contractors Memorandum](#)

[DMM Operator Memorandum, Waste Materials Brought Onto Mine Sites](#)

[DMM Operators Memorandum - Mine Safety Maps](#)

[DMM Operator's Memorandum 03-01-90](#)

[DMM Operators Memorandum: Transferability of Mineral Mining Permits](#)

[DMM Procedure 5.1, Training and Certification of Mineral Mining Industry Personnel](#)

[DMM Procedure No. 2.1, Operator Assistance](#)

[DMM Procedure No. 2.10, Closure Orders](#)

[DMM Procedure No. 2.11, Recommending Bond Forfeitures](#)

[DMM Procedure No. 2.12, Safety/Health/Reclamation Complaints](#)

[DMM Procedure No. 2.13, Blasting Complaint Investigations](#)

[DMM Procedure No. 2.14, Accident/Fire Investigations](#)

[DMM Procedure No. 2.15, Unlicensed Mine Sites](#)

[DMM Procedure No. 2.4, Inspections](#)

[DMM Procedure No. 2.5, Inspection Frequency; Safety](#)

[DMM Procedure No. 2.6, Inspection Frequency; Reclamation](#)

[DMM Procedure No. 2.7, Inspection Reports](#)

[DMM Procedure No. 2.8, Special Orders/Notices of Violation](#)

[DMM Procedure No. 2.9, Notice of Non-Compliance](#)

[DMM Procedure No. 3.1, General Procedures for Reclaiming Orphaned Land Sites](#)

[DMM Procedure No. 4.1, Relinquishments and Repermitting](#)

[DMM Procedure No. 4.10, Field Approval](#)

[DMM Procedure No. 4.11, Initial Site Inspection](#)

[DMM Procedure No. 4.12, Mineral Mining Quarrying Schedule \(Tonnage Report\)](#)

[DMM Procedure No. 4.13, Permit Application Review](#)

[DMM Procedure No. 4.14, Hearing Procedure](#)

[DMM Procedure No. 4.15, Termination of License Requirement](#)

[DMM Procedure No. 4.18, Contractor Information](#)

[DMM Procedure No. 4.19, Confidential Files](#)

[DMM Procedure No. 4.2, Permit Renewal and Progress Reports](#)

[DMM Procedure No. 4.20, Permit Transfers](#)

[DMM Procedure No. 4.3, Additional Bond Required at Anniversary Time](#)

[DMM Procedure No. 4.4, Bond Reduction and Release](#)

[DMM Procedure No. 4.5, Completion Material/Permit Close-Out](#)

[DMM Procedure No. 4.6, Amendments](#)

[DMM Procedure No. 4.7, Change in Operating Officials](#)

[DMM Procedure No. 4.8, Temporary Cessation of Surface Mines](#)

[DMM Procedure No. 4.9, Exemption for Extraction of Coal Which is Incidental to the Extraction of Other Minerals](#)

[DMM Procedure No. 5.2, Certification of Mineral Mining Industry Personnel by the Board of Mineral Mining Examiners](#)

[DMM Procedure No. 5.6, Accident Reports and Posting](#)

[DMM Procedure No. 5.7, Education and Training Plan and Service](#)

[DMM Risk Assessment](#)

[DMM Surface Blaster Certification Student Guide](#)

[DMM Surface Foreman's Certification Study Guide](#)

[DMM Waivered Locality Performance Evaluation](#)

[DMM-102, Initial Site Investigation](#)

[DMM-104 Inspection Report](#)

[DMM-104a, Inspection Report Continuation Sheet](#)

[DMM-104b, Notice/Order Form](#)

[DMM-104b-s Violation Form](#)

[DMM-104d, Bond Release Inspection](#)

[DMM-104e, Blasting Complaint Investigation](#)

[DMM-104f, Complaint Investigation](#)

[DMM-104f-s, Complaint Investigation](#)

[DMM-104s Inspection Report \(Computer\)](#)

[DMM-104s-s, Inspection Form](#)

[DMM-106 Renewal--Special Order Notice](#)

[DMM-106a Renewal--Special Order Attachment--Bond Information](#)

[DMM-106b Renewal--Special Order Attachment](#)

[DMM-106c, Renewal--Special Order Attachment](#)

[DMM-106e Renewal--Special Order Notice--License Renewal Fee](#)

[DMM-106f, Renewal Notice](#)

[DMM-106g Renewal--Special Order Notice](#)

[DMM-106h Renewal--Minerals Reclamation Fund](#)

[DMM-106i Renewal--Bond/No License](#)

[DMM-106j, Renewal--Restricted Permit/No License](#)

[DMM-106k Renewal--Special Order Notice](#)

[DMM-106m Renewal--Materials Reclamation Fund](#)

[DMM-106n Renewal--Special Order Notice](#)

[DMM-106p Renewal--Restricted/No License](#)

[DMM-107 Surety Bond Form](#)

[DMM-110, Notice of Non-Compliance](#)

[DMM-111, Release of Bond](#)

[DMM-115, Permit/License for Mineral Mining](#)

[DMM-135, Reclamation Construction Inspection Report](#)

[DMM-146, Operators memo/ Ann. Tonnage Report](#)

[DMM-153, Red Tag Closure Order](#)

[DMM-157, License Renewal and Transfer Application](#)

[DMM-157, License Renewal/Transfer Application](#)

[DMM-162s, Contractor Contact Report](#)

[DMM-163, Permit Renewal Checklist](#)

[DMM-164, Certification of No Changes in Permit Map](#)

[DMM-167, Surety Bond Rider](#)

[DMM-168, General Permit for Sand and Gravel Operations](#)

[DMM-169 Certificate of Deposit Example](#)

[\[1179\] DM Comm of Va Coal Mine Electrical Certification/Qualification Program- Memo of Agreement](#)

[\[1895\] DMLR Guidance Memorandum, No. 7-03, Bond Reduction/Release Applications and Completion Reports](#)

[\[300\] DMLR Memoranda to Operators No. 4-84, Permit Renewals](#)

[\[302\] DMLR Memoranda to Operators No. 2-85, Confidential Information](#)

[\[308\] DMLR Memoranda to Operators No. 3-89, Filing Application -- Public Participation Process](#)

[\[310\] DMLR Memoranda to Operators No. 1-90, Baseline Hydrologic Data Requirements \(PHC Assessment\)](#)

[\[312\] DMLR Memoranda to Operators No. 2-91, Cost Bond - Long Term Facilities](#)

[\[314\] DMLR Memoranda to Operators No. 3-92, Updating Ownership and Control Info](#)

[\[315\] DMLR Memoranda to Operators No. 7-92, Public Notices](#)

[\[317\] DMLR Memoranda to Operators No. 9-92, DMLR Blasters Endorsement Certification](#)

[\[3179\] DM-07-05 Examination Fees](#)

[\[322\] DMLR Memoranda to Operators No. 12-94, Application \(Corrections\) Submittal; Anniversary Fees](#)

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## Guidance Documents

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[\[323\] DMLR Memoranda to Operators No. 2-95, Coal Combustion By-Products Guidelines](#)

[\[325\] DMLR Memoranda to Operators No. 6-95, Biosolids Use Guidelines](#)

[\[327\] DMLR Memoranda to Operators No. 3-98, Permit Streamline Procedures](#)

[\[3293\] DMLR Guidance Memorandum 19-07 Acreage Amendments, Anniversary Reports, and Temporary Cessations](#)

[\[336\] DMLR Memoranda to Operators No. 9-98, Permit Streamline Procedures - Forms](#)

[\[342\] DMLR Procedure No. 1.2.02, Hazardous/Toxic Waste Reporting](#)

[\[360\] DMLR Procedure No. 2.3.01, Permanent Program--Revision Applications](#)

[\[368\] DMLR Procedure No. 2.3.09, Bond Release](#)

[\[3691\] DMLR Guidance Memorandum No. 21-07, Submittal of Electronic Engineers Signatures and Seals for Maps, Drawings and Plans](#)

[\[3696\] DMLR Procedure No. 2.3.12, Inspections of DM designated "RZ" sites](#)

[\[3697\] DMLR Procedure No. 2.3.13, Performance Bond Review and Approval](#)

[\[3698\] DMLR Procedure No. 2.4.01, Checks Returned for Non-Payment](#)

[\[3699\] DMLR Procedure No. 3.1.01, Daily Reports](#)

[\[3700\] DMLR Procedure No. 3.1.03, Monthly/Quarterly Reports](#)

[\[3701\] DMLR Procedure No. 3.1.04, Radio Contact](#)

[\[3703\] DMLR Procedure No. 3.3.02, Numbering & Encoding Reports- Enforcement Action](#)

[\[3704\] DMLR Procedure No. 3.7.01, CSMCRA/Clean Water Act Violations- Settlement Agreements](#)

[\[3705\] DMLR Procedure No. 4.1.03, AMLIS Data Entry](#)

[\[376\] DMLR Procedure No. 3.3.07, Certification of Ponds, Roads, Fills and Stream Channel Diversions](#)

[\[389\] DMLR Procedure No. 4.1.02, Realty Procedures](#)

[\[390\] DMLR Virginia Coal Surface Mining and Reclamation Permanent Regulatory Program, Administrative Hearings Procedures](#)

[\[393\] DM Procedure No. 1.04.02, 5-Day Spot Inspection](#)

[\[397\] DM Procedure No. 1.04.01, Inspection of Coal Mines](#)

[\[398\] DM Procedure No. 1.04.04, Regular Inspections](#)

[\[401\] DM Procedure No. 1.04.06, Risk Assessment](#)

[\[403\] DM Procedure No. 1.04.08, Smoking Articles Inspection](#)

[\[409\] DM Procedure No. 1.05.05, Unintentional Roof Falls](#)

[\[411\] DM Procedure No. 1.05.07, Safety Complaints](#)

[\[413\] DM Procedure No. 1.05.10, Safety Issues Involving Coal Mines and Gas Well Activities](#)

[\[418\] DM Procedure No. 1.07.02, Small Mine Safety Service](#)

[\[420\] DM Procedure No. 1.08.02, Licensing Through Initial Reclamation of Mine Sites](#)

[\[421\] DM Procedure No. 1.08.04, Other Requests for Assistance](#)

[\[426\] DM Procedure No. 1.09.01, Certification of Miners](#)

[\[427\] DM Procedure No. 1.08.01, Licensing](#)

[\[428\] DM Procedure No. 1.08.03, Requests Through the Freedom of Information Act](#)

[\[430\] DM Procedure No. 1.04.03, Reopening Inspection](#)

[\[490\] DM Advanced First Aid Certification Requirements](#)

[\[491\] DM Advanced First Aid Instructor Requirements](#)

[\[495\] DM Board of Coal Mining Examiners Instructor Certification Requirements](#)

[\[497\] DM Chief Electrician \(Surface and Underground\) Certification Requirements](#)

[\[499\] DM Dock Foreman Certification Requirements](#)

[\[501\] DM Electrical Maintenance Foreman \(Surface and Underground\) Certification Requirements](#)

[\[502\] DM First Class Mine Foreman Certification Requirements](#)

[\[503\] DM First Class Shaft or Slope Foreman Certification Requirements](#)

[\[504\] DM General Coal Miner Certification Requirements](#)

[\[505\] DM Hoisting Engineer Certification Requirements](#)

[\[507\] DM Preparation Plant Foreman Certification Requirements](#)

[\[509\] DM Surface Electrical Repairman Certification Requirements](#)

[\[510\] DM Surface Facilities Foreman for Shops, Labs, and Warehouses Certification Requirements](#)

[\[511\] DM Surface Foreman Certification Requirements](#)

[\[512\] DM Top Person Certification Requirements](#)

[\[513\] DM Underground Diesel Engine Mechanic Certification Requirements](#)

[\[514\] DM Underground Diesel Engine Mechanic Instructor Certification Requirements](#)

[\[515\] DM Underground Electrical Repairman Certification Requirements](#)

[\[516\] DM Underground Shot Firer Certification Requirements](#)

[\[518\] DM Automatic Elevator Operator Certification Requirements](#)

[\[560\] DMLR Abandoned Mined Land Water Project Review Manual](#)

[\[635\] DMLR--A Citizen's Guide to Coal Mine Complaint Resolution](#)

## DEPARTMENT OF MINORITY BUSINESS ENTERPRISE

Copies of the following documents may be viewed during regular work days from 8 a.m. to 5 p.m. in the office of the Virginia Department of Minority Business Enterprise, 1111 East Main Street, Suite 300, Richmond, VA 23219. If you have questions regarding interpretation or implementation of these documents or to obtain copies free of charge, please contact Paula Gentius, Executive Policy Advisor, at the same address, or via telephone at (804) 786-1616 or electronic mail at [paula.gentius@dmbe.virginia.gov](mailto:paula.gentius@dmbe.virginia.gov). The Internet address for accessing the documents found below is <http://www.dmb.e.virginia.gov>.

### Guidance Documents:

[Chapter 21: Regulations to Govern the SWaM Certification Program](#)

[Statement of Legal Authority](#)

[SWaM Certification Program Updates](#)

[\[SWaM Changes July 20\] Changes to the SWaM Certification Process](#)

## MOTOR VEHICLE DEALER BOARD

Copies of the following documents may be viewed during regular workdays from 8:30 a.m. until 4:30 p.m. in the Motor Vehicle Dealer Board's (MVDB) Office, 2201 W. Broad Street, Suite 104, Richmond, VA 23220. Copies may be obtained free of charge by contacting Alice Weedon at the same address, telephone (804) 367-1100, ext. 3001 or toll free at (877) 270-0203, ext. 3001, email [dboard@mvb.virginia.gov](mailto:dboard@mvb.virginia.gov) or FAX (804) 367-1053.

Questions regarding interpretation or implementation of these documents may be directed to Bruce Gould, Executive

Director, Motor Vehicle Dealer Board, at the same address and telephone numbers noted above.

### Guidance Documents: Dealer Practices

PR010-97, Variance for Hours of Operation, May 1997, § 46.2-1533

PR021-07 Guidelines For Maintaining Records And Storing Records Off-Site

PR030-97, Temporary Supplemental Licenses for Used Car Sales, December 1997, § 46.2-1516; and Temporary Supplemental Licenses for Used Car Sales (Rev.1), August 2000

PR050-97, Wholesale Sales Agreement, December 1997, § 46.2-1530

"Dealers Who Are Not Maintaining Hours," MVDB Meeting Summary from July 1998

"Procedures For Violations of Minimum Hours And Established Place of Business," MVDB Meeting Summary from July 1998

Resolution on Educational and Warning Letters, January 10, 2005, Board Meeting

Resolution on Action on Adjudicated Cases That Do Not Involve the Transaction Recovery Fund, May 8, 2006, Board meeting

Guidelines For Maintaining Records And Storing Records Off-Site, October 2007

### Guidance Documents: Dealer Licensing

LI010-97, Certificate of Qualification, December 1997, §§ 46.2-1511 and 46.2-1512

"Guidelines for Review of Applicants Who Have a Criminal History" (March 17, 1998) LI020-01, Dual Licensing Process, July 2001

"Process for Determining Sanctions" (July 1999)

"Salesperson and Dealer-Operator Test," MVDB Meeting Summaries from March 1996, May 1996 and September 1996

"Review of the Dealer's Buyer's Order," MVDB Meeting Summary from January 1996, § 46.2-1530

"Delegation of Authority to the Executive Director and Office Manager," Meeting Summaries from March 1996, September 1996, September 1997 and July 1999

"Bonding Requirements," Memorandum from the executive director to the members of the Board dated October 27, 2000

Temporary Agent Licensing Guidelines, effective July 1, 2007

Salespersons Must Be Employees dated March 2008

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# Guidance Documents

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## **Guidance Documents: Dealer Advertising**

AV010-00, Deviations from Standard Practices, June 2000

"Delegation of Authority to the Executive Director and Office Staff for Enforcing Regulations and Determining Civil Penalties," MVDB Meeting Summaries, January 1996, and November 1998.

## **Guidance Documents: Administration**

AD010-95, Board Meetings (Parliamentary Guidelines), May 1997

AD020-95, Board Meetings (Public Comment), May 1997

AD030-96, Board Meetings (Meeting Documentation), Rev. December 2002

AD040-95, Board Meetings (Vice-Chair), May 1997

AD050-96, Board Meetings (Meeting Dates and Times), December 2001

AD060-95, Executive Director (Office Supplies), May 1997

AD070-95, Executive Director (Board Guidance), May 1997

AD075-99, MVDB 800 Toll Free Customer Service Line, May 1999

AD080-00, MVDB American Express Purchase Policy, September 2000

AD090-00, MVDB Annual Loss Analysis Policy, September 2000

AD0100-00, MVDB Internet Privacy Policy, October 2000

AD0-105-01, MVDB Purchasing Policy

AD110-02, MVDB, Internal Database System Data Manipulation, Storage, Mainframe and Record Deletion Policy

AD111-02, MVDB Freedom of Information Act Compliance

AD120-02, MVDB Minority, Women & Small Business Source Procurement Policy

## **Guidance Documents: Internal Process**

MVDB-01, Qualifications, October 1999

MVDB-02, Initial Salesperson Licensing, October 1999

MVDB-03, Monthly Renewals, November 1999

MVDB-04, Dealer Licensing, October 1999

MVDB-05, Nonprofit Organization Consignment Processing, April 2000

MVDB-06, Permanent and Temporary Supplemental Licensing, May 2000

MVDB-07, Field Inspections, June 2000

MVDB-08, Plate and Decal Inventory, August 2000

## **DEPARTMENT OF MOTOR VEHICLES**

Copies of the following documents may be viewed during regular business hours, Monday through Friday, 8:30 a.m. until 5 p.m. in Legislative Services, Room 724, at the Department of Motor Vehicles, 2300 West Broad Street, Richmond, VA 23220. Copies totaling under 10 pages may be obtained for no charge. Copies totaling 10 pages or more may be obtained at a cost of \$.50 a page. Requests for copies of these documents may be made by contacting Michie Longley at the same address, telephone (804) 367-0910, FAX (804) 367-6631 or email michie.longley@dmv.virginia.gov.

### **Guidance Documents:**

AD-508, State Vehicles Assigned or Owned by DMV Policy, revised November 28, 2006, revised November 11, 2008

AD-508.1, How to Request for Occasional Use Policy, revised November 28, 2006

AD-508.2, How to Request Permanently Assigned Vehicle Policy, revised November 7, 2008

AD-508.3, Returning Mini-Pool Vehicle to DMV, revised November 28, 2006

AD-508.4, Reporting Accident/Loss Involving State Vehicle, revised November 11, 2008

CSMA 22, Special Identification Cards for State and Local Government Agencies and Organizations, revised May 20, 2007

DL 140, Vehicle Inspection Study Guide - Tractor Trailer, May 21, 2007

DL 141, Vehicle Inspection Study Guide - Straight Truck/School Bus, May 21, 2007

DL 142, Vehicle Inspection Study Guide - Coach/Transit Bus, May 21, 2007

DL 143, Vehicle Inspection Study Guide - Combination Vehicles, May 21, 2007

DMV 2, Virginia Motorcycle Operator Manual, December 1, 2008

DOIM-HQ, Dissemination of Information/Materials on DMV Property, issued March 1, 1993

DMV 7, Virginia webCAT - Virginia's Electronic Motor Carrier Solution, July 1, 2008

DMV 16, Parents in the Driver's Seat, July 1, 2008

DMV 32, Preferred Services Flyer, July 1, 2008

DMV 33, Self-Service Center brochure, April 2006

DMV 34, Virginia's Motorcycle Skills Test, July 1, 2007

- DMV 34A, Virginia's Motorcycle Skills Test (for smaller testing area), July 1, 2007
- DMV 39, Virginia Driver's Manual - Rules of the Road, November 2008
- DMV 39S, Manual del Conductor de Virginia - Reglas de la Carretera, Noviembre de 2008
- DMV 52, Saving lives through organ and tissue donation/Zero Fraud, September, 2008
- DMV 52B, Saving lives through organ and tissue donation/8-year Driver's License Validity Period, July 1, 2008
- DMV 60, Virginia Commercial Driver's Manual, July 1, 2008
- DMV 72, Automobile Liability Insurance Reporting Requirements/Reporting Guide for Insurance Companies, May 2003
- DMV 105, DMV Guide for family members and friends of the recently deceased, September 2003
- DMV 109, Virginia's Size, Weight, and Equipment Requirements for Trucks, Trailers, and Towed Vehicles, July 1, 2008
- DMV 110, Snap Dragon Coloring Book, July 2002 (Online Only)
- DMV 114, A Different Kind of Crash Course, The Virginia DI Program, July 1, 2008, § 46.2-489 et seq.
- DMV 114S, Un Curso Intensivo Diferente Crash Course, 1 de Julio de 2008
- DMV 115, Moving Violations and Point Assessments, The Virginia DI Program, July 1, 2008, §§ 46.2-491 through 46.2-494
- DMV 115S, Infracciones de la Circulacion y Calculo de Puntos, 1 de Julio de 2008
- DMV 132, Virginia Fuels Tax Act Guidelines, dated August 2000, § 58.1-2200 et. al
- DMV 134, Virginia Motor Vehicle Rental Regulations, October 2004, §§ 58.1-2400 - 2426, 24VAC20 -100 through 100-540
- DMV 137, Renew Your Vehicle Registration the Quick, Easy, No-Fee Way /Zero Fraud, April 1, 2008
- DMV 140, Welcome to Virginia, October 1, 2008
- DMV 140S, Bienvenido a Virginia, 1 de Julio de 2008
- DMV 141, Acceptable Documents for Obtaining a Driver's License or Photo Identification Card, effective July 1, 2007
- DMV 141S, Documentos aceptables para obtener una licencia de conductor o una tarjeta de identificación con foto, 2 Julio de 2008
- DMV 142, Basic Steps to your Driver's License, July 1, 2008
- DMV 142S, Pasos basicos para obtener su licencia de conducir o tarjeta de identificación con foto, 1 de Julio de 2008
- DMV 143, Re-Establishing your Virginia Residency or Qualifying for a Virginia Address Requirement Exception, July 2002, § 46.2-323.1
- DMV 166, Are You Covered? To protect our citizens, Virginia law requires insurance coverage for all motor vehicles, July 2003
- DMV 168, Virginia is Tough on drunk and drugged drivers, April 28, 2008
- DMV 168S, Virginia es muy estricta con conductors borrachos y drogados, 12 de Septiembre de 2007
- DMV 172, Child's Identification Card, March, 2006
- DMV 172S, Tarjeta de identificación de niños, Mazo de 2006
- DMV 173, What Can I do Online? August 2007
- DMV 177, Acceptable Documents for an Individual Titling a Vehicle in Virginia, January 1, 2008
- DMV 177S Documentos aceptables – Para obtener el titulo de un vehiculo en Virginia, 2 de Julio de 2008
- DMV 178, Clean Special Fuel, July 1, 2008
- DMV 181, Voter Registration Application Instructions, Large Print, August 14, 2006
- DMV 200, Failure to Show for CDL Skills Test Appointment, May 23, 2007
- DMV 201, DMV Fees, July 1, 2008
- DMV 202, Overweight Penalties, June 1, 2007
- DMV 206, A Guide for Armed Forces, July 1, 2008
- DMV 212, Experience and Knowledge – The Keys to Safe Motorcycle Riding, December 1, 2008
- DMV 217, Important Testing Information, July 17, 2008
- DMV 217S, Importante Información sobre los Exámenes para Obtener la Licencia de Manejar, 17 de Julio de 2008
- Driver Licensing Guide, updated on a regular basis, as necessary
- DTS 30, Curriculum Requirements for Class A Driver Training Instruction Courses, January 9, 2008
- Financial Responsibility Insurance Filing Via Internet, issued January 1999
- Instructions to Contracted Hearings Officers, revised September 1997, § 46.2-1566
- FR 3 Insurance Verification Annual Report October, 2008
- HP 405, Escort Driver's Manual, June 1, 2006

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# Guidance Documents

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IRP 5, Virginia International Registration Plan, October 2004

MCTS 247, Motor Carrier Guidelines, revised February 16, 2005, §§ 58.1-2700 et. al, 46.2-703, 46.2-2000 et. al, and 46.2-2100 et. al

MED 12, Disabled Parking Privileges Information, revised July 2007, §§ 46.2-731, 46.2-732, 46.2-739 and 46.2-1241

MED 31, Conditions of Variance for CDL Drivers to Haul Hazardous Materials, revised June 2007, §§ 10.1-1402 (11), 10.1-1405, 10.1-1450 and 46.2-341.9:1

MED 44, Driver Licensing Information for Biopic Telescopic Lens Wearers, revised June 2007, § 46.2-312

MED 80, Medical Fitness for Safe Driving, July 2007

RDT 131, International Fuels Tax Agreement Guidebook, July 26, 2005, § 58.1-2700 et seq.

RDT 382, IFTA Fuels Tax Rates, September 18, 2008

TSS 2, Virginia Alcohol-Related Motor Vehicle Statistics, July 23, 2008

TSS 3, Virginia Motor Vehicles Statistics, July 23, 2008

TSS 10A, Guidelines for Submission of Highway Safety Grant Applications, January 30, 2006

US 531, Information Use Agreement, April 4, 2008

US 531D, Information Use Agreement Addendum, October 21, 2004

US 531C, DMV Information – Use Criteria, November 8, 2004

US 531A/AR, Information Use Application, revised July 1, 2007, § 46.2-208

US 531E/ER, Application for Extranet Transaction Access, revised January 1, 2008, § 46.2-208

Vehicle Licensing Guide, updated on a regular basis, as necessary

VSA 86, To Secure Virginia Title and Transfer or Buy License Plates, January 24, 2006

**In addition to the above documents, the following documents are continuously updated:**

Bulletins Relating to Motor Carrier Issues and Requirements, updated throughout the year

Notices Relating to Fuels Tax Issues and Requirements, updated throughout the year

Procedures for the Transportation Safety Grants Program, updated throughout the year

**The following is continuously updated throughout the year on a daily basis:**

DMV Website - contents as of December 2008 include:

## ONLINE TRANSACTIONS

- Address Change
- Administrative Hearing Request
- Compliance Summary Request
- Disabled Parking Placard Renewal
- Driver's License Renewal
- Driver's License Replacement
- Hauling Permits
- ID Card Renewal
- ID Card Replacement
- Insurance Verification
- Organ Donor Status Change
- Original Electronic Title Print
- Overweight Citation Payment
- PIN Administration
- Plate Purchase
- Prospective Purchaser Inquiry (PPI)
- Record at a Glance
- Record Request
- Registration Card Replacement
- Report a Vehicle Sold or Traded
- Souvenir Plate Orders
- Title Replacement
- Trip Permit Purchase
- Vehicle Registration Renewal
- What Have I Done Online

## Citizen Services

- Legal Presence
- Disability Services
- Driver Services
- Family of Deceased
- Fees
- Fuels Tax Refund
- Hauling Permits
- ID Services
- Local Vehicle Registration Program (LVR)
- Medical Information
- Record Services
- Vehicle Services

## Information for Businesses

- Business Opportunities
- Commercial Driver Improvement Clinic Program
- Dealer Services
- Electronic Lien Program
- Fuels Tax
- Governmental Access to DMV Records
- Insurance Industry Services
- Motor Carrier Services
- Non-Governmental Access to DMV Records
- Online Dealer
- Online Fleet
- Online Salvage Pools
- Rental Tax
- Salvage and Nonrepairable Vehicles

Size and Weight Enforcement  
Voluntary Driving Record Monitoring Program  
Webcat

## General DMV Information

A message from the Commissioner  
Business Opportunities  
Commonwealth Transportation Fund (CTF) Revenues  
Contact Us  
DMV Legislation  
DMV News  
Employment Opportunities  
Freedom of Information Act (FOIA)  
Insurance Consumer Information  
Office Locations  
Outside of VA?  
Personal Property Tax Relief (PPTR)  
Privacy and Security  
Recognition and Awards  
Resources  
Safety  
Selective Service Registration  
Vehicle Consumer Information  
Voter Registration  
Website Survey

## DMV Forms and Publications

DMV Forms Online

## Moving ?

New to Virginia?  
Leaving Virginia?  
Moving Within Virginia  
Temporarily Outside of Virginia?

Copies of Motor Carrier Services bulletins relating to motor carrier issues and requirements totaling under 10 pages may be obtained for no charge. Copies of these documents totaling 10 pages or more may be obtained at a cost of \$.50 a page. Requests for copies of these documents may be made by contacting Department of Motor Vehicles, Motor Carrier Services, 2300 West Broad Street, Richmond, VA 23220-0001, telephone (804) 367-0040, FAX (804) 367-1746 or email [mcsonline@dmv.virginia.gov](mailto:mcsonline@dmv.virginia.gov).

The DMV website contents documents may be viewed and downloaded at no charge by visiting [www.dmv.virginia.gov](http://www.dmv.virginia.gov). These Site Contents documents provide general information to the public about DMV, its administrative processes and procedures and the services it offers. For more information about the DMV website, please contact Charles Sheldon, Department of Motor Vehicles, Web Services, Room 411, 2300 West Broad Street, Richmond, VA 23220, telephone (804) 367-2869, FAX (804) 367-1578 or email [charles.sheldon@dmv.virginia.gov](mailto:charles.sheldon@dmv.virginia.gov).

## VIRGINIA MUSEUM OF FINE ARTS

Copies of the following documents may be viewed on regular work days from 8 a.m. until 4:30 p.m. at the Virginia Museum of Fine Arts Administrative Annex, 201 N. Boulevard, Richmond, VA 23220. Copies may be obtained free of charge by contacting Trudy Norfleet at the same address, telephone (804) 340-1506, or email [trudy.norfleet@vmfa.museum](mailto:trudy.norfleet@vmfa.museum).

Questions regarding interpretation or implementation of these documents may be directed to Kenton Towner, Director of Risk Management and Protective Services, Virginia Museum of Fine Arts, 201 N. Boulevard, Richmond, VA 23220, telephone (804) 340-1488, or email [kenton.towner@vmfa.museum](mailto:kenton.towner@vmfa.museum).

### Guidance Documents:

Guided Group Tour Policy 4-98, revised 2003

Smoking Policy 3-00, revised 2002

Gallery Guidelines Policy 7-00, revised 2004

Lost and Found Property Policy 2-01, revised 2004

Virginia Museum of Fine Arts Calendar, Bi-monthly

Adult and Teacher Programs, Quarterly

Adult and Teen Studio Programs, Quarterly

Guidelines for Wedding Receptions at the Virginia Museum of Fine Arts May 2004

Guidelines for Special Visits to the Virginia Museum of Fine Arts, March 2005

Virginia Museum of Fine Arts Parking Deck Information and Guidance, April 2007, 8VAC103-20

## BOARD OF NURSING

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov> or the Regulatory Townhall at <http://www.townhall.virginia.gov> or requested by email at [nursebd@dhp.virginia.gov](mailto:nursebd@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Jay Douglas, R.N., Executive Director of the Board, at the address above or by telephone at (804) 367-4515. Copies are free of charge.

### Guidance Documents:

90-1, Policy statement on Registered Nurses or Licensed Practical Nurses as first assistants in surgery, adopted 1976 and 1994, revised by Board motion, November 18, 2003

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## Guidance Documents

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- 90-2, Guidelines for agency to use regarding transmittal of third-party orders, accepted by the Boards of Nursing and Medicine, December 1982
- 90-3, Board motion to accept the National Certification Examination for Therapeutic Massage (NCETM) for certification as a massage therapist in Virginia or the National Exam for State Licensing after national certification has been obtained, revised November 18, 2008
- 90-4, Opinion on how licensure as a nurse relates to service on a volunteer rescue squad, revised by Board motion, November 18, 2003
- 90-5, Board opinion of the administration of neuromuscular blocking agents by nurses, adopted November 1990, revised by Board motion, November 18, 2003
- 90-6, Guidance statement by board regarding peripherally inserted central catheters, revised July 15, 2008
- 90-7, Sanctioning Reference Points Instruction Manual, adopted by Board, May 2006
- 90-8, Board opinion on delegation of collection of specimens for gonorrhea and chlamydia, adopted January 1993, revised November 18, 2003
- 90-9, Board Guidelines for Prescription Drug Administration Training Program for Child Day Care, revised September 18, 2007
- 90-10, Board guidelines for processing applications for licensure by examination, endorsement and reinstatement, accepted 1985, revised by Board motion May 20, 2008
- 90-11, Board guidance on Continuing Competency and Protocol Requirements Violations for Nurse Practitioners, adopted by Board of Nursing May 15, 2007 and Board of Medicine June 21, 2007
- 90-12, Delegation of authority to Board of Nursing registered nurse discipline staff, revised July 17, 2007
- 90-13, Authority granted to Special Conference Committees to approve or deny applicants, adopted on March 26, 1995
- 90-14, Disposal of narcotics in the home following death of a patient, internal memo of November 25, 1996
- 90-15, Insertion of Prostaglandin E2 Gel by Registered Nurses, revised by Board motion, November 18, 2003
- 90-16, Evaluation form for adult immunization protocols, developed by staff, August 1996
- 90-17, Opinion of cutting of corns and warts with a scalpel by Licensed RN/LPN, adopted December 16, 1996, revised November 18, 2003
- 90-18, Guidance regarding prescriptive authority in Virginia, prepared by Elizabeth Russell, revised June 2008.
- 90-19, Board interpretative statement on bolusing epidural anesthesia by Registered Nurses, adopted September 23, 1997, amended September 22, 1998, revised by Board motion, November 18, 2003
- 90-21, Preparation of medications, letter from Executive Director, Corinne Dorsey, October 2, 1990
- 90-22, Execution of a Do Not Resuscitate Order, letter from Executive Director, Nancy Durrett, February 19, 1998
- 90-23, Decision-making Model for Determining RN/LPN Scope of Practice, adopted by the Board September 24, 1996
- 90-24, Board guidance on distance learning in RN and PN Education Programs, adopted May 20, 2008
- 90-25, Transcribing a physician order to a prescription, letter from Executive Director, Nancy Durrett, May 27, 1998
- 90-26, Board opinion on reinstatement applications for individuals with revoked certificates based on a finding of abuse, neglect or misappropriation of resident property, adopted July 23, 1996, revised by Board motion, November 18, 2003
- 90-27, Board opinion on reinstatement requests by individuals with lapsed certificates who have findings of abuse, neglect or misappropriation of resident property, adopted May 20, 1998, revised by Board motion, November 18, 2003
- 90-29, Definition of the term "administer" for patient in private residence and for students on a school field trip, adopted by the Board of Pharmacy on June 11, 1998, with concurrence of the Board of Nursing on July 21, 1998
- 90-30, Ability of registered nurses to take orders from physician assistants, letter from Executive Director, Nancy K. Durrett, September 3, 1998
- 90-31, Drug orders conveyed by pharmacists, letter from Executive Director, Nancy K. Durrett, September 8, 1998
- 90-32, Board opinion on adverse findings of neglect by certified nurse aides, adopted September 23, 1998, revised by Board motion, November 18, 2003
- 90-34, Board motion on review and challenge of NCLEX, adopted July 20, 1999
- 90-36, Guidelines for the training of employees of school boards in the administration of insulin and glucagon, adopted August 1999
- 90-37, Board motion on requesting strategies for improvement for nursing education programs having less than 80% passing rate on the licensure examination for at least two years, adopted March 24, 1998.
- 90-38, Board motion on disposition of cases against nurses practicing with expired licenses, adopted May 11, 1999, revised by Board motion, March 21, 2007

90-40, Board opinion that the surveillance activities required by the OSHA Respiratory Standards are within the scope of practice of the registered nurse, adopted November 15, 2000

90-41, Board motion adopting article on patient abandonment by Dr. Shelley Conroy in the Spring 2001 Nursing Notes, adopted March 20, 2001

90-42, Board opinion on the delegation of circulating duties in the operating room to unlicensed persons, adopted July 17, 2001

90-43, Board opinion on attachment of scalp leads for internal fetal monitoring adopted October 22, 1983, revised by Board motion on November 18, 2003

90-44, Board opinion on reinstatement authority to a Special Conference Committee, adopted November 1, 1992

90-46, Board opinion on administration of over-the counter drugs by certified nurse aides, adopted March 19, 2002

90-52, Board opinion on delegation of the removal of venous and arterial sheaths by registered nurses to unlicensed personnel, adopted May 1, 2002

90-53, Board opinion on treatment by women's health nurse practitioners of male clients for sexually transmitted diseases, adopted by the Board of Nursing on May 18, 2004 and by the Board of Medicine on June 24, 2004

90-54, Board motion on process for delegation of informal fact-finding to an agency subordinate, adopted September 21, 2004

90-55, Joint statement of the Department of Health and the Department of Health Professions on Impact of Criminal Convictions on Nursing Licensure or Certification and Employment in Virginia, revised September, 2006

90-56, Protocol requirements for licensed nurse practitioners, adopted by the Board of Medicine on October 18, 2007 and the Board of Nursing on November 14, 2007

90-57, By-Laws of the Board of Nursing, revised September 16, 2008

## BOARD OF OPTOMETRY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [optbd@dhp.virginia.gov](mailto:optbd@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Elizabeth Carter, Ph.D., Executive Director of the Board, at the address above or by telephone at (804) 367-4508. Copies are free of charge.

## Guidance Documents:

105-1, Consent Order for Richard D. Ayuso, O.D.; September 26, 1990, Practice in mercantile establishment; advertising

105-2, Order by the Board for Eustace F. Bourne, O.D.; January 5, 1990, Practice in mercantile establishment; advertising

105-3, Consent Order for Paul T. Edwards, O.D.; December 19, 1994, Practice in mercantile establishment

105-4, Consent Order for Louis A. Espejo, O.D.; October 24, 1995, Practice in mercantile establishment

105-5, Consent Order for Nava Ezra, O.D.; August 21, 1996, Practice in mercantile establishment; indirect control and supervision over practice by sublessor

105-6, Consent Order for Solomon Holsveig, O.D.; May 15, 1997, Practice in mercantile establishment

105-7, Consent Order for Barry M. Lebowitz, O.D.; May 9, 1995, Practice in mercantile establishment; indirect control and supervision over practice by non-optometrist

105-8, Consent Order for Marcia K. Leverett, O.D.; May 9, 1995, Practice in mercantile establishment; indirect control and supervision over practice by non-optometrist; advertising

105-9, Consent Order for Blake A. Mitvick, O.D.; January 26, 1996, Practice in mercantile establishment

105-10, Consent Order for Gilbert J. Nelson, O.D.; February 17, 1995, Practice in mercantile establishment

105-11, Consent Order for Jane Atkinson Trump, O.D.; October 18, 1995, Practice in mercantile establishment

105-12, Consent Order for David A. Tufts, O.D.; February 2, 1997, Practice in mercantile establishment

105-13, Consent Order for Michael E. Zalar, O.D.; November 4, 1995, Practice in mercantile establishment

105-14, Matrix of disciplinary sanctions, January 1993 to November 29, 1999

105-15, Newsletter, January 1995, Prescription release and expiration dates; recordkeeping.

105-16, Newsletter, July 1996, Recordkeeping

105-17, Board minutes, February 7, 1997, Advertising guidelines

105-18, Board motion on response to violations of continuing education requirement, June 8, 2005

105-19, Consent Order for Jack David Cadenhead, O.D.; July 12, 1996, Mercantile practice

105-20, Consent Order for Lynne A. Chintala, O.D.; November 13, 1997, Mercantile practice

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## Guidance Documents

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105-21, Consent Order for Robert Fornilli, O.D.; March 12, 1998, Mercantile practice

105-22, Consent Order for Christopher A. McGlone, O.D.; October 1, 1998, Mercantile practice

105-23, Consent Order for Mary Vaughan-Camp, O.D.; March 12, 1998, Mercantile practice

105-24, Consent Order for Thomas Hwa-Hong, O.D.; July 26, 1999, Mercantile practice

105-25, Current Procedural Terminology (CPT) Codes for Optometry, revised May 18, 2007

105-26, Board motion on Delegation of informal fact-finding to an agency subordinate, October 12, 2004

105-27, Board motion on Prescribing for Self and Family, January 21, 2005

105-28, Instruction manual on use of sanction reference points, adopted December 6, 2007

### BOARD OF PHARMACY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [pharmbd@dhp.virginia.gov](mailto:pharmbd@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Elizabeth Scott Russell, Executive Director of the Board, at the address above or by telephone at (804) 367-4456. Copies are free of charge.

#### Guidance Documents:

110-1, List of categories of facility licenses and a brief description of each, revised May 2007

110-2, Instructions for applicants for Pharmacist Licensure, revised June 2008

110-3, Guidance on alternative delivery of prescriptions, pharmacy to physician type of delivery, December 2005

110-4, Continuing Education Guide for Pharmacists, December 2005

110-5, Instructions and forms for reporting of thefts or losses of drugs, December 2005

110-6, Destruction of Schedule II through V Drugs, June 2006

110-7, Practitioner/patient relationship and the prescribing of drugs for family or self, February 2006

110-8, Information on prescriptive authority in Virginia, revised June 2008

110-9, Recommendations for confidential consent agreements or pre-hearing consent orders, revised December 12, 2007

110-10, Board guidance on dispensing of drugs from mobile vans, revised April 2006

110-11, Board guidance on stat-drug boxes in assisted living facilities, effective June 5, 2006

110-12, Board guidance on compliance packaging labeling, effective March 29, 2007

110-13, Consent Order for the Board of Pharmacy v. CVS/pharmacy, case decision holding the corporate owner responsible for violations of pharmacy laws and regulations, October 9, 1997

110-14, Consent Order for the Board of Pharmacy v. Eckerd Corporation, case decision holding the corporate owner responsible for violations of pharmacy laws and regulations, August 19, 1997

110-15, Guidance on substituting albuterol HFA inhalers for albuterol CFC inhalers, adopted March 29, 2007

110-16, Guidance for pharmacies on returning drugs to stock from "will-call," September 15, 2004

110-17, Instructions for graduates of foreign schools of pharmacy, revised June 5, 2006

110-18, Interpretation of "administer" to include preparation for administration, June 11, 1998

110-20, Guidance for pharmacies providing prescriptions blanks to prescribers, December 8, 1998

110-21, Sanction Reference Points Manual, adopted September 12, 2007

110-22, Guidance for waivers for free clinics related to restricted access, February 2, 2001

110-23, Repackaging medications into unit dose or compliance packaging for long term care facilities when one pharmacy dispenses and a second pharmacy repackages, June 15, 1999

110-24, Guidance for setting NAPLEX passing score, October 5, 1999

110-25, Guidance for life of a prescription after a prescriber no longer in practice, September 3, 2008

110-26, Inspection Violations - suggested sanctions, June 5, 2006

110-27, Pharmacist-In-Charge responsibilities, revised May 2007

110-28, Guidance for free clinic pharmacy permit applicants, August 2006

110-29, Guidance Document for physician dispensing, July 2004

110-30, Methods prescribed or approved for animal euthanasia and competency certification requirements, Directive from the State Veterinarian, revised June 2007

110-31, Approved capture drugs and drug administering equipment, Directive from the State Veterinarian, revised June 2007

110-32, Use of a drop-box for the collection of prescriptions, adopted December 12, 2007

110-33, Use of Pharmacy Interns as Pharmacy Technicians - Interpretation of § 54.1-3321 (C), Board motion, January 14, 2004

110-34, Guidance on Entities that do not Need to Register as a Non-resident Wholesale Distributor, March 29, 2007

110-35, Requirements for Prescription Blanks, Board motion, April 13, 2004, revised April 25, 2007

110-36, Compliance with USP Chapter 797 on Sterile Compounding, Board motion, revised June 4, 2008

110-37, Guidance for conducting informal fact-finding by an agency subordinate, Board motion, December 10, 2004

110-38, Requirement for Non-resident Pharmacies to Submit Most Recent Inspection Form, Board motion, June 5, 2006

110-39, Guidelines for Requests for NAPLEX and Virginia Drug Law Examination Accommodations, Board motion, September 13, 2005

110-40, Issuing a New Pharmacy Permit Prior to the Opening Date, revised February 1, 2008

## BOARD OF PHYSICAL THERAPY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [ptboard@dhp.virginia.gov](mailto:ptboard@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Lisa Russell Hahn, Executive Director of the Board, at the address above or by telephone at (804) 367-4674. Copies are free of charge.

### Guidance Documents:

112-1, By-Laws of the Board of Physical Therapy, revised January 27, 2006

112-2, Board guidance on the use of confidential consent agreements, October 24, 2003

112-3, Board guidance for conduct of an informal conference by an agency subordinate, October 29, 2004

112-4, Board guidance on requirement for licensure for instructors in a physical therapy program, adopted July 11, 2003, readopted January 19, 2007

112-5, Board guidance on acceptance of TOEFL iBT as equivalent to TOEFL and TSE examinations, adopted October 28, 2005, readopted January 19, 2007

112-6, Board guidance on licensure of kinesiotherapists as physical therapists, adopted July 11, 2003, readopted January 19, 2007

112-7, Board guidance on physical therapists and Individualized Educational Plans in public schools, November 15, 2002

112-8, Board guidance on review of non-routine applications from non-approved schools, adopted March 7, 2003, readopted January 19, 2007

112-9, Board guidance on use of dry needling in physical therapy, revised February 15, 2008

112-10, Board guidance on credits for continuing competency requirements, adopted July 12, 2002 and May 7, 2004, readopted January 19, 2007

112-11, Board guidance on functional capacity evaluations, adopted August 20, 2004, readopted January 19, 2007

112-12, Board guidance on physical therapy services in home health, readopted January 19, 2007

112-13, Board guidance on requirements of applicant who has failed the examination for three times, excerpts from Board minutes of January 28, 2005, readopted January 19, 2007

112-14, Board guidance on electromyography (EMG) and sharp debridement in the practice of physical therapy, adopted October 26, 2007

## DEPARTMENT OF PLANNING AND BUDGET

Copies of the following documents may be viewed at the Virginia Department of Planning and Budget during normal business hours. The Virginia Department of Planning and Budget is located in the Patrick Henry Building at 1111 E. Broad St., Room 5040 (Fifth Floor) in Richmond, VA 23219 (corner of 11th & Broad Streets).

Copies of guidance documents may also be obtained at no cost from Melanie Kielb West, Associate Director and Counsel for Regulatory Affairs, at (804) 786-8812 or by email at [melanie.west@dpb.virginia.gov](mailto:melanie.west@dpb.virginia.gov)

### Guidance Documents:

[Fast-track Rulemaking Process: Letter/Fee Increases](#)

[Nonstate Agency Budget Request Instructions and Form](#)

[Small Business Impact Legislation 2005 - Implementation on Town Hall website](#)

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# Guidance Documents

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[Town Hall Agency User Manual](#)

[\[2008-1\] PPG Guidance](#)

## DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the Policy, Planning and Public Records Section of the Department of Professional and Occupational Regulation, Perimeter Center, 9960 Mayland Drive, Suite 400, Richmond, VA 23233. Copies may be obtained by contacting Dawn Waters at the same address, telephone (804) 367-8583, FAX (804) 527-4293 or email [recordsmgt@dpor.virginia.gov](mailto:recordsmgt@dpor.virginia.gov) or documents are available electronically at no charge on the Town Hall. Questions regarding interpretation or implementation of these documents may be directed to Dawn Waters, Policy, Planning and Public Records Director, Department of Professional and Occupational Regulation, 9960 Mayland Drive, Suite 400, Richmond, VA 23233, telephone (804) 367-8583, FAX (804) 527-4293, or email [dawn.waters@dpor.virginia.gov](mailto:dawn.waters@dpor.virginia.gov).

### Guidance Documents:

[Guidelines for the Evaluation of the Need to Regulation Professions and Occupations](#)

### Auctioneers Board

### Guidance Documents:

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)

[\[Policy #100-09\] Gifts and Honoraria](#)

[\[Policy #100-11\] Internet Web Site](#)

[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)

[\[Policy #100-14\] Public Service Hours](#)

[\[Policy #100-18\] Alternative Dispute Resolution](#)

[\[Policy #200-18\] Equal Employment Opportunity](#)

[\[Policy #300-01\] Regulant Name & Address Change](#)

[\[Policy #600-01\] Examination Fees](#)

[\[Policy #600-02\] Examination Site Conduct](#)

[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects

### Guidance Documents:

[APELSCIDLA Board Sanction Guidelines After 7/1/99](#)

[APELSCIDLA Board Sanction Guidelines Before 7/1/99](#)

[APELSCIDLA Resource Guide](#)

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

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[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## Virginia Board for Asbestos, Lead and Home Inspectors

### Guidance Documents:

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

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[\[Policy #100-11\] Internet Web Site](#)

[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)

[\[Policy #100-14\] Public Service Hours](#)

[\[Policy #100-18\] Alternative Dispute Resolution](#)

[\[Policy #200-18\] Equal Employment Opportunity](#)

[\[Policy #300-01\] Regulant Name & Address Change](#)

[\[Policy #600-01\] Examination Fees](#)

[\[Policy #600-02\] Examination Site Conduct](#)

[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## **Board for Barbers and Cosmetology**

### **Guidance Documents:**

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)

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[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)

[\[Policy #100-14\] Public Service Hours](#)

[\[Policy #100-18\] Alternative Dispute Resolution](#)

[\[Policy #200-18\] Equal Employment Opportunity](#)

[\[Policy #300-01\] Regulant Name & Address Change](#)

[\[Policy #600-01\] Examination Fees](#)

[\[Policy #600-02\] Examination Site Conduct](#)

[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## **Board for Branch Pilots**

### **Guidance Documents:**

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)

[\[Policy #100-09\] Gifts and Honoraria](#)

[\[Policy #100-11\] Internet Web Site](#)

[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)

[\[Policy #100-14\] Public Service Hours](#)

[\[Policy #100-18\] Alternative Dispute Resolution](#)

[\[Policy #200-18\] Equal Employment Opportunity](#)

[\[Policy #300-01\] Regulant Name & Address Change](#)

[\[Policy #600-01\] Examination Fees](#)

[\[Policy #600-02\] Examination Site Conduct](#)

[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## **Cemetery Board**

### **Guidance Documents:**

[New Board Member Training Manual](#)

[Sample General Price List](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)

[\[Policy #100-09\] Gifts and Honoraria](#)

[\[Policy #100-11\] Internet Web Site](#)

[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)

[\[Policy #100-14\] Public Service Hours](#)

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# Guidance Documents

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[\[Policy #100-18\] Alternative Dispute Resolution](#)  
[\[Policy #200-18\] Equal Employment Opportunity](#)  
[\[Policy #300-01\] Regulant Name & Address Change](#)  
[\[Policy #600-01\] Examination Fees](#)  
[\[Policy #600-02\] Examination Site Conduct](#)  
[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)  
[\[Policy #700-04\] Revenue Refunds](#)  
[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## **Common Interest Community Board**

### **Guidance Documents:**

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)  
[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)  
[\[Policy #100-04\] Release of Information](#)  
[\[Policy #100-05\] License Suspensions](#)  
[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)  
[\[Policy #100-09\] Gifts and Honoraria](#)  
[\[Policy #100-11\] Internet Web Site](#)  
[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)  
[\[Policy #100-14\] Public Service Hours](#)  
[\[Policy #100-18\] Alternative Dispute Resolution](#)  
[\[Policy #200-18\] Equal Employment Opportunity](#)  
[\[Policy #300-01\] Regulant Name & Address Change](#)  
[\[Policy #600-01\] Examination Fees](#)  
[\[Policy #600-02\] Examination Site Conduct](#)  
[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)  
[\[Policy #700-04\] Revenue Refunds](#)  
[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## **Board for Contractors**

### **Guidance Documents:**

[Board for Contractors Policies & Interpretations](#)  
[New Board Member Training Manual](#)  
[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)  
[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)  
[\[Policy #100-05\] License Suspensions](#)  
[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)  
[\[Policy #100-09\] Gifts and Honoraria](#)  
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[\[Policy #600-01\] Examination Fees](#)  
[\[Policy #600-02\] Examination Site Conduct](#)  
[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)  
[\[Policy #700-04\] Revenue Refunds](#)  
[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## **Fair Housing Board**

### **Guidance Documents:**

[New Board Member Training Manual](#)  
[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)  
[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)  
[\[Policy #100-04\] Release of Information](#)  
[\[Policy #100-05\] License Suspensions](#)  
[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)  
[\[Policy #100-09\] Gifts and Honoraria](#)  
[\[Policy #100-11\] Internet Web Site](#)  
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[\[Policy #200-18\] Equal Employment Opportunity](#)  
[\[Policy #300-01\] Regulant Name & Address Change](#)  
[\[Policy #600-01\] Examination Fees](#)  
[\[Policy #600-02\] Examination Site Conduct](#)  
[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)  
[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## **Board for Geology**

### **Guidance Documents:**

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)

[\[Policy #100-09\] Gifts and Honoraria](#)

[\[Policy #100-11\] Internet Web Site](#)

[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)

[\[Policy #100-14\] Public Service Hours](#)

[\[Policy #100-18\] Alternative Dispute Resolution](#)

[\[Policy #200-18\] Equal Employment Opportunity](#)

[\[Policy #300-01\] Regulant Name & Address Change](#)

[\[Policy #600-01\] Examination Fees](#)

[\[Policy #600-02\] Examination Site Conduct](#)

[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## **Board for Hearing Aid Specialists**

### **Guidance Documents:**

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)

[\[Policy #100-09\] Gifts and Honoraria](#)

[\[Policy #100-11\] Internet Web Site](#)

[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)

[\[Policy #100-14\] Public Service Hours](#)

[\[Policy #100-18\] Alternative Dispute Resolution](#)

[\[Policy #200-18\] Equal Employment Opportunity](#)

[\[Policy #300-01\] Regulant Name & Address Change](#)

[\[Policy #600-01\] Examination Fees](#)

[\[Policy #600-02\] Examination Site Conduct](#)

[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## **Board for Opticians**

### **Guidance Documents:**

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)

[\[Policy #100-09\] Gifts and Honoraria](#)

[\[Policy #100-11\] Internet Web Site](#)

[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)

[\[Policy #100-14\] Public Service Hours](#)

[\[Policy #100-18\] Alternative Dispute Resolution](#)

[\[Policy #200-18\] Equal Employment Opportunity](#)

[\[Policy #300-01\] Regulant Name & Address Change](#)

[\[Policy #600-01\] Examination Fees](#)

[\[Policy #600-02\] Examination Site Conduct](#)

[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulators](#)

## **Board for Professional Soil Scientists and Wetland Professionals**

### **Guidance Documents:**

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

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# Guidance Documents

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[\[Policy #100-04\] Release of Information](#)  
[\[Policy #100-05\] License Suspensions](#)  
[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)  
[\[Policy #100-09\] Gifts and Honoraria](#)  
[\[Policy #100-11\] Internet Web Site](#)  
[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)  
[\[Policy #100-14\] Public Service Hours](#)  
[\[Policy #100-18\] Alternative Dispute Resolution](#)  
[\[Policy #200-18\] Equal Employment Opportunity](#)  
[\[Policy #300-01\] Regulant Name & Address Change](#)  
[\[Policy #600-01\] Examination Fees](#)  
[\[Policy #600-02\] Examination Site Conduct](#)  
[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)  
[\[Policy #700-04\] Revenue Refunds](#)  
[\[Policy #800-02\] Filing of Complaints Against Regulants](#)

## **Department of Professional and Occupational Regulation**

### **Guidance Documents:**

[New Board Member Training Manual](#)  
[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)  
[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)  
[\[Policy #100-04\] Release of Information](#)  
[\[Policy #100-05\] License Suspensions](#)  
[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)  
[\[Policy #100-09\] Gifts and Honoraria](#)  
[\[Policy #100-11\] Internet Web Site](#)  
[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)  
[\[Policy #100-14\] Public Service Hours](#)  
[\[Policy #100-18\] Alternative Dispute Resolution](#)  
[\[Policy #200-18\] Equal Employment Opportunity](#)  
[\[Policy #300-01\] Regulant Name & Address Change](#)  
[\[Policy #600-01\] Examination Fees](#)  
[\[Policy #600-02\] Examination Site Conduct](#)  
[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)  
[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulants](#)

## **Real Estate Appraiser Board**

### **Guidance Documents:**

[New Board Member Training Manual](#)  
[Real Estate Appraisers Experience Hours](#)  
[Signing Any Appraisal Report](#)  
[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)  
[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)  
[\[Policy #100-04\] Release of Information](#)  
[\[Policy #100-05\] License Suspensions](#)  
[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)  
[\[Policy #100-09\] Gifts and Honoraria](#)  
[\[Policy #100-11\] Internet Web Site](#)  
[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)  
[\[Policy #100-14\] Public Service Hours](#)  
[\[Policy #100-18\] Alternative Dispute Resolution](#)  
[\[Policy #200-18\] Equal Employment Opportunity](#)  
[\[Policy #300-01\] Regulant Name & Address Change](#)  
[\[Policy #600-01\] Examination Fees](#)  
[\[Policy #600-02\] Examination Site Conduct](#)  
[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)  
[\[Policy #700-04\] Revenue Refunds](#)  
[\[Policy #800-02\] Filing of Complaints Against Regulants](#)

## **Real Estate Board**

### **Guidance Documents:**

[Continuing & Post License Education Course Reporting Requirements](#)  
[Instructor Qualifications](#)  
[New Board Member Training Manual](#)  
[Proof of Financial Responsibility for Board-Approved Education Providers](#)  
[Real Estate Advisory Council's Report Regarding Post-Licensure Education](#)  
[Real Estate Pre-License Instructor Guidance Document](#)  
[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)

[\[Policy #100-09\] Gifts and Honoraria](#)

[\[Policy #100-11\] Internet Web Site](#)

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[\[Policy #600-01\] Examination Fees](#)

[\[Policy #600-02\] Examination Site Conduct](#)

[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulants](#)

## **Board for Waste Management Facility Operators**

### **Guidance Documents:**

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)

[\[Policy #100-09\] Gifts and Honoraria](#)

[\[Policy #100-11\] Internet Web Site](#)

[\[Policy #100-13\] Establishing and Revising Procedures and Forms](#)

[\[Policy #100-14\] Public Service Hours](#)

[\[Policy #100-18\] Alternative Dispute Resolution](#)

[\[Policy #200-18\] Equal Employment Opportunity](#)

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[\[Policy #600-02\] Examination Site Conduct](#)

[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulants](#)

## **Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals**

### **Guidance Documents:**

[New Board Member Training Manual](#)

[\[Policy #100-01\] Establishing and Revising Policies and Related Procedures](#)

[\[Policy #100-02\] Compliance with Americans with Disabilities Act](#)

[\[Policy #100-04\] Release of Information](#)

[\[Policy #100-05\] License Suspensions](#)

[\[Policy #100-06\] Subpoenas/Service of Process/Notices](#)

[\[Policy #100-09\] Gifts and Honoraria](#)

[\[Policy #100-11\] Internet Web Site](#)

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[\[Policy #700-03\] Accounts Receivable & Debt Collection](#)

[\[Policy #700-04\] Revenue Refunds](#)

[\[Policy #800-02\] Filing of Complaints Against Regulants](#)

## **BOARD OF PSYCHOLOGY**

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [psy@dhp.virginia.gov](mailto:psy@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Evelyn Brown, Executive Director of the Board, at the address above or by telephone at (804) 367-4697. Copies are free of charge.

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# Guidance Documents

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## Guidance Documents:

### 125-2, Assistant Attorney General Opinions

125-2.1, Interpretation of statutes pertaining to release of health care records, April 7, 1997

### 125-3, Minutes of the Board

125-3.1, Residency requirements applied to both exempt and non-exempt work settings, May 21, 1992

125-3.2, Clarification that a residency cannot begin until approved by the board, November 19, 1992

125-3.3, Clarification that applicants are required to file registrations of residency and applications for licensure concurrently, and receive approval before starting the residency. Clarification that applications are not considered complete until all requirements have been met, January 12, 1993

125-3.4, Determination that the Chair of the Examination Committee would have the authority to make decisions on special accommodation requests, January 18, 1994

125-3.5, Authorization for the Executive Director to conduct a preliminary review of discipline cases and make a recommendation to the Chair of the Discipline Committee or his designee for appropriate disposition, March 23, 1999

125-3.6, Policy that all forms within the applicant's control be received prior to the examination deadline in order for applicants to be deemed eligible for the examination, June 8, 1999

125-3.7, Table outlining reporting requirements for health care practitioners, April 2000

125-3.8, Flowchart and narrative explanation for guidance on conduct of an informal conference by an agency subordinate, October 12, 2004

125-3.9, Policy on the use of confidential consent agreements in lieu of disciplinary action by the Board, January 13, 2003

### 125-4, Newsletters of the Board

125-4.1, Guidance from the Assistant Attorney General on how to provide services while under supervision for sex offender treatment provider certification, Summer 1998

125-4.2, Guidance regarding mandatory reporting of impaired practitioners who may present a danger to the public. Summary of Virginia statutes regarding maintenance and release of client records, Fall 2000

### 125-5, Board motions

125-5.1, Board guidance on possible disciplinary action for non-compliance with continuing education requirements, July 2006

## DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION

The list of guidance documents submitted by the Virginia Department of Rail and Public Transportation (DRPT) is subdivided by the work unit that issued or has custody of the document.

### Transit and Congestion Management

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of Corey Hill, Chief of Public Transportation, Virginia Department of Rail and Public Transportation, 1313 East Main Street, Suite 300, Richmond, VA 23219. Copies may be obtained for a fee (varies depending on document) by contacting Corey Hill at the same address, telephone (804) 786-4443 or FAX (804) 255-3752 or for free online at [www.drpt.virginia.gov](http://www.drpt.virginia.gov).

Questions regarding interpretation or implementation of these documents may be directed to Corey Hill at the same address and phone number.

### Guidance Documents:

"DRPT Public Transportation and Commuter Assistance Grant Program Application Guidance" - includes guidance on applying for funds from the following state and federal programs:

#### State Aid Grant Programs

Operating Assistance

Capital Assistance

Demonstration Assistance

Technical Assistance

Public Transportation Intern Program

TDM /Commuter Assistance

Transportation Efficiency Improvement Fund (TEIF) Projects

Senior Transportation Program

#### Federal Aid Grant Programs

FTA Section 5303 - Metropolitan Planning

FTA Section 5304 - Statewide Planning

FTA Section 5307 - Small Urban Areas Program

FTA Section 5310 - Transportation for Elderly Persons and Persons with Disabilities

FTA Section 5311 - Rural Areas

FTA Section 5316 - Jobs Access and Reverse Commute Program (JARC)

FTA Section 5317 - New Freedom Program

## Rail Transportation

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of Kevin Page, Chief of Rail Transportation, Virginia Department of Rail and Public Transportation, 1313 East Main Street, Suite 300, Richmond, VA 23219. Copies may be obtained for a fee (varies depending on document) by contacting Kevin Page, at the same address, telephone (804) 786-3963 or FAX (804) 255-3752 or for free online at [www.drpt.virginia.gov](http://www.drpt.virginia.gov).

Questions regarding interpretation or implementation of these documents may be directed to Kevin Page at the same address and phone number.

### Guidance Documents:

Railroad Industrial Access Program Application Procedures

Rail Preservation FY2009 Program Application Procedures

Rail Enhancement Fund Application Procedures

## DEPARTMENT OF REHABILITATIVE SERVICES

Guidance documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. at the department's central office located at 8004 Franklin Farms Drive, Richmond, VA 23229.

For questions about interpretation or implementation, or to request a free copy, please contact the resource person named in the list below by calling (804) 662-7000 (toll free 1-800-552-5019). TTY users call (804) 662-9040 (toll free 1-800-464-9950).

### Vocational Rehabilitation Program, including Supported Employment Guidance Documents:

State Plan for the State Vocational Rehabilitation Services Program, effective October 1, 2008 through September 30, 2009, Elizabeth Smith. Also available on DRS website at <http://www.vadrs.org/publications.htm>.

Your Path To Work Through Vocational Rehabilitation: A Guide to the Virginia DRS Vocational Rehabilitation Program (customer handbook), revised November, 1999, Aileen Colorado. Also available on DRS website at <http://www.vadrs.org/yourpath.htm>

Virginia Department of Rehabilitative Services flyer, revised October, 2004, Aileen Colorado. Also available on DRS website at <http://www.vadrs.org/downloads/drsflyer.pdf>.

DRS Business Services Packet, revised 2001, Aileen Colorado. Also available on DRS website at <http://www.vadrs.org/downloads/DFBappkit.pdf>

Virginia Guide to Supported Employment and Job Coach Training Services manual, revised January 2004, Scott Fraley.

Also available on DRS website at <http://www.vadrs.org/essp/se.htm>.

Long Term Employment Support Services Guide, revised August, 2007, Jack Hayek or Judy Hill. Also available on DRS website at <http://www.vadrs.org/essp/downloads/LTESSguidelines081707.doc>.

New Counselor Skills and Competencies Checklist, revised August 2008, Susan Green.

Best Practices Manual for Vocational Evaluation, issued 1995, Dale Batten.

Self Employment Enterprise Handbook, issued 1999, Lawrence Roberts. Also available on DRS website at <http://www.vadrs.org/vocrehab.htm>.

Transition Flyer: Do You See These Things in Your Future, issued 2004, Erica Lovelace.

Virginia DRS Transition Services Guide, issued 2007, Erica Lovelace. Also available on DRS website at <http://www.vadrs.org/transitionservices.htm>

### The following vocational rehabilitation program guidance documents are updated monthly:

Field Rehabilitation Services Policy and Procedures Manual, first 10 pages front and back are free and \$0.15 each additional page (number of pages varies by policy), Liz Smith. Also available on DRS website at <http://www.vadrs.org/FRS/FRSmanuals/frsmanual.asp>

Training and Facilities Manual, Erica Lovelace for colleges, Carrie Worrell for ESOs, Kenna Bayer for Occupational Training and Driver Training vendors, Patricia Goodall for Life Skills Services vendors, and Theresa Preda for ESOs that provide Independent Living Services.

Services Reference Manual, Robert Johnson.

### Independent Living Services Program Guidance Documents, Theresa Preda:

State Plan for Independent Living, effective October 1, 2005 through September 30, 2008. Also available on DRS website at <http://www.vadrs.org/cbs/downloads/VASPIL2008to2010.doc>

Virginia DRS Centers for Independent Living General Policies and Procedures Manual, revised January 2002.

Personal Assistance Services Program Guidance Documents, Bill Rhodenhiser. Also available on DRS website at <http://www.vadrs.org/formscabinet/Formscabinet.asp?pass=et1&t1=PAS&pg=:>

Personal Assistance Services brochure, revised September 19, 2006.

Consumer and Personal Assistant Handbook, revised September 19, 2006.

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## Guidance Documents

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Brain Injury Services Program Guidance Documents, Patricia Goodall. Also available on DRS website at <http://www.vadrs.org/formscabinet/Formscabinet.asp?pass=et1&t1=BI/SCIS&pg=>

Brain Injury Direct Services (BIDS) Fund: BIDS Application Form; BIDS Eligibility Criteria, both revised October, 2007.

Life Skills Services: Application for Vendorship; Application for Vendorship Cover Letter, Purchase of Services Agreement for the Provision of Life Skills Services, all revised May 2007.

Registry Operations: At a Glance, revised November, 2005; Program Highlights, revised November 2005. Virginia Central Registry for Brain Injury and Spinal Cord Injury - Hospital Reporting Form, revised 2007; Virginia Central Registry for Brain Injury and Spinal Cord Injury - Self Report Form, revised January 2004.

Disability Services Boards Member Handbook, revised 2007, Richard Kriner. Also available on DRS website at <http://www.vadrs.org/cbs/dsc/dsb.htm>

Rehabilitation Services Incentive Fund Guidelines and Application, revised January, 2008, Richard Kriner. Also available on DRS website at <http://www.vadrs.org/cbs/dsc/rsif.htm>

Human Research Procedures Manual, issued October 2005 DiVette Brisco. Also available on DRS website at <http://www.vadrs.org/hrc/downloads/ProceduresManual.doc>

### Woodrow Wilson Rehabilitation Center

Guidance documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. at Woodrow Wilson Rehabilitation Center located in Fishersville, Virginia 22939-0010. For questions about interpretation or implementation, or to request a free copy, please contact the resource person named in the list below by calling toll-free 1 (800) 345-9972 or (540) 332-7000. TTY users call toll free 1 (800) 811-7893 or locally (540) 332-7239.

**General Admissions Criteria**, Amy Blalock. Available online: <http://wwrc.virginia.gov/Admissions.htm#criteria>

Admissions Criteria for Short Term Rehabilitation Unit, revised November 2005, Marjorie Adcock.

### Vocational Services Guidance Documents:

PERT Manual, revised November 2007, Rusty Eddins/Ginger Sharrar

PERT Internal Procedures Manual, revised October 2007, Rusty Eddins.

PERT Training and Reference Manual, 2008, Rusty Eddins/Ginger Sharrar.

### Student Life Guidance Documents:

Student Handbook, revised April 2007, Ellen Murnane. Available only online at: [http://www.vadrs.org/formscabinet/.%5Cdocuments%5CPublic%5CWWRC%20Student%20Handbook\\_WWRC-02.pdf](http://www.vadrs.org/formscabinet/.%5Cdocuments%5CPublic%5CWWRC%20Student%20Handbook_WWRC-02.pdf)

### Other WWRC Guidance Documents:

WWRC Services listing/fee schedule, Greta Hedberg, Also available on Website at <http://wwrc.virginia.gov/feeschedule.htm>.

Psychology Services: Behavioral and Mental Health Services Procedures and Fees; Vendor Application for Licensed Behavioral Health Services Provider, both revised October 2006.

WWRC Policies and Procedures Manual, revised monthly as needed, Executive Staff, See Russ Neyman.

Unified Case Management Operations Manual, revised March 2006, Tom Blosser.

WWRC Master Plan, Russ Neyman

## VIRGINIA RETIREMENT SYSTEM

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Kathy Dimond, at the same address, telephone (888) 827-3847, FAX (804) 786-1541 or email [kdimond@varetire.org](mailto:kdimond@varetire.org). The documents may be downloaded from the Virginia Retirement System website ([www.varetire.org](http://www.varetire.org))

Questions regarding interpretation of benefit plan provisions or implementation of procedures outlined in these documents may be directed to Patti Atkins-Smith, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone 1-888-827-3847, FAX 1-804-786-1541 or email [psmith@varetire.org](mailto:psmith@varetire.org).

### Guidance Documents:

Applying for Disability Retirement – revised July 2008, Code of Virginia, Title 51.1, Chapters 1, 2, 3, 5

Applying for Service Retirement – revised July 2008, Code of Virginia, Title 51.1, Chapters 1, 3

Choosing Your Retirement Plan – Guidelines and Provider Information for employees of colleges and universities who are eligible to select the Optional Retirement Plan for Higher Education, revised September 2008, Code of Virginia, Title 51.1, Chapter 2, [www.varetire.org](http://www.varetire.org)

Choosing Your Retirement Plan – Guidelines for Employees Eligible to Select the Optional Retirement Plan for School

Superintendents, revised February 2006, Code of Virginia, § 51.1-126.6, [www.varetire.org](http://www.varetire.org)

Choosing Your Retirement Plan – Guidelines for Political Appointees eligible to select the Optional Retirement Plan for Political Appointees, revised June 2005, Code of Virginia, § 51.1-126.5, [www.varetire.org](http://www.varetire.org)

Composite Copy of the Deferred Compensation Plan of the Commonwealth of Virginia Plan Document – revised June 2004, Code of Virginia, Title 51.1, Chapter 6, [www.vadcp.com](http://www.vadcp.com)

Composite Copy of the Master Trust for the Deferred Compensation Plan of the Commonwealth of Virginia – revised October 2004, Code of Virginia, Title 51.1, Chapter 6, [www.vadcp.com](http://www.vadcp.com)

Composite Copy of the Optional Retirement Plan of the Commonwealth of Virginia for Employees of Institutions of Higher Education – revised June 2008, Code of Virginia, Title 51.1, Chapter 2, [www.varetire.org](http://www.varetire.org)

Comprehensive Annual Financial Report, December 2008 – published annually, Code of Virginia, Title 51.1, Chapters 1-7

Employer Manual – revised July 2007, Code of Virginia, Title 51.1, [www.varetire.org](http://www.varetire.org)

Employer Update – published monthly, Code of Virginia, Title 51.1, Chapters 1-7

Handbook for Members – State Police Officers' Retirement System, summary plan description - published October 2005, Code of Virginia, Title 51.1, Chapters 1-7, 10, 11, 13, 14

Handbook for Members – Virginia Law Officers' Retirement System, summary plan description - revised July 2008, Code of Virginia, Title 51.1, Chapters 1-7, 10, 11, 13, 14

Handbook for Members – Virginia Retirement System (Benefits for Eligible Political Subdivision Employees in Hazardous Duty Positions), summary plan description - published July 2007, Code of Virginia, Title 51.1, Chapters 1-7, 10, 11, 13, 14

Handbook for Members – Virginia Retirement System, summary plan description revised October 2007, Code of Virginia, Title 51.1, Chapters 1-7, 10, 11, 13, 14

Handbook for Participants in The Commonwealth of Virginia Optional Retirement Plan for Higher Education – published September 2004, Code of Virginia, Title 51.1, Chapter 2, [www.varetire.org](http://www.varetire.org)

Handbook for Participants in The Commonwealth of Virginia Optional Retirement Plan for Political Appointees – published July 2005, Code of Virginia, § 51.1-126.5, [www.varetire.org](http://www.varetire.org)

Handbook for Participants in The Commonwealth of Virginia Optional Retirement Plan For School Superintendents –

revised July 2005, Code of Virginia, § 51.1-126.6, [www.varetire.org](http://www.varetire.org).

Making the Future Secure After the Loss of a Loved One – revised 2008, Code of Virginia, Title 51.1, Chapters 1, 2, 3, 5, [www.varetire.org](http://www.varetire.org)

Master Trust For The Optional Retirement Plan of the Commonwealth of Virginia for Employees of Institutions of Higher Education – published July 2002, Code of Virginia, Title 51.1, Chapter 2, [www.varetire.org](http://www.varetire.org).

Member Benefit Profile – last published September 2008, Code of Virginia, Title 51.1, Chapters 1-7, 10

Member Bulletin – published semi-annually, Code of Virginia, Title 51.1, Chapters 1-7

myVRS Users Guide – published 2008, Code of Virginia, Title 51.1, Chapters 1 -7, [www.varetire.org](http://www.varetire.org)

myVRS Fact Sheet for Members – published 2008, Code of Virginia, Title 51.1, Chapters 1 -7, [www.varetire.org](http://www.varetire.org)

About the myVRS Retirement Planner – published 2008, Code of Virginia, Title 51.1, Chapters 1 -7, [www.varetire.org](http://www.varetire.org)

myVRS Retirement Planner Tips – published 2008, Code of Virginia, Title 51.1, Chapters 1 -7, [www.varetire.org](http://www.varetire.org)

Optional Retirement Plan of the Commonwealth of Virginia For Employees of Institutions of Higher Education Investment Policy Statement – revised July 2004, Code of Virginia, Title 51.1, Chapter 2, [www.varetire.org](http://www.varetire.org)

Optional Retirement Plan for Political Appointees - Plan Features and Highlights – revised July 2005, Code of Virginia, Title 51.1, Chapter 2, [www.varetire.org](http://www.varetire.org)

Optional Retirement Plan for School Superintendents Plan Features and Highlights – revised December 2004, Code of Virginia, § 51.1-126.6, [www.varetire.org](http://www.varetire.org).

Pre-Retirement Planning Guide – revised July 2008, Code of Virginia, Title 51.1, Chapters 1, 2, 3, 5, [www.varetire.org](http://www.varetire.org)

Retiree Handbook – revised July 2006, Code of Virginia, Title 51.1, Chapters 1-7

Retiree News – published semi-annually, Code of Virginia, Title 51.1, Chapters 1-7

VRS Guide to Retirement Benefits and Divorce – published July 2007, Code of Virginia, Title 51.1, Chapter 1

Virginia Retirement System, 2008 Edition – published July 2008, Code of Virginia

Virginia Sickness and Disability Program Handbook – revised January 2008, Code of Virginia, Title 51.1, Chapter 11

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# Guidance Documents

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## RICHARD BLAND COLLEGE

Copies of the following documents may be viewed during the hours of 8 a.m. to 5 p.m., Monday through Friday, in either the Library or the Office of the Provost at Richard Bland College. Copies may be obtained free of charge by contacting Ms. Karen Peffer, Office of the Provost, Richard Bland College, 11301 Johnson Road, Petersburg, VA 23805, telephone (804) 862-6242. Electronic versions of the following documents are accessible for viewing at, and may be printed from, the URLs listed below.

ADA Manual and Policies: Center for Student Affairs:  
[www.rbc.edu/PDFS/ADA\\_MANUAL.pdf](http://www.rbc.edu/PDFS/ADA_MANUAL.pdf)

Adjunct Faculty Policies and Procedures Manual, 2008: Administration:  
[www.rbc.edu/Faculty/Adjunct\\_Faculty\\_Handbook.pdf](http://www.rbc.edu/Faculty/Adjunct_Faculty_Handbook.pdf)

Catalogue (current) : Administration, Admissions Office:  
[www.rbc.edu/PDFS/RBC\\_Catalog0810.pdf](http://www.rbc.edu/PDFS/RBC_Catalog0810.pdf)

Council on Academic Integrity Constitution: Center for Student Affairs:  
[www.rbc.edu/HonorCode/PDF\\_Documents/constitution.pdf](http://www.rbc.edu/HonorCode/PDF_Documents/constitution.pdf)

Faculty Handbook : Administration, Division Secretaries:  
[www.rbc.edu/Faculty/fac-handbook.pdf](http://www.rbc.edu/Faculty/fac-handbook.pdf)

Student Conduct Policy: Center for Student Affairs:  
[www.rbc.edu/PDFS/Student\\_Conduct\\_Policy.pdf](http://www.rbc.edu/PDFS/Student_Conduct_Policy.pdf)

Student Handbook: Center for Student Affairs:  
[www.rbc.edu/PDFS/Stud\\_Hdbk\\_08\\_09.pdf](http://www.rbc.edu/PDFS/Stud_Hdbk_08_09.pdf)

Library Policies: Library:  
[www.rbc.edu/library/Generalinfo/circulation\\_policy.htm](http://www.rbc.edu/library/Generalinfo/circulation_policy.htm) and  
[www.rbc.edu/library/Generalinfo/conduct\\_policy.htm](http://www.rbc.edu/library/Generalinfo/conduct_policy.htm)

Questions regarding interpretation or implementation of these guidance documents may be directed to Dr. Virginia Cherry, Library Director, telephone (804) 862-6208, [vcerry@rbc.edu](mailto:vcerry@rbc.edu).

## DEPARTMENT OF SOCIAL SERVICES

To obtain copies or to arrange viewing of the following documents, contact the Freedom of Information Act (FOIA) Coordinator at the offices of the Department of Social Services, Office of Public Affairs, 7 North 8th Street, Richmond, VA 23219-1849.

If there are costs for any of the listed documents, they are indicated below. Where documents are available free of charge, it is for a single copy of the document. There may be charges for multiple copies.

Copies of the following documents may be viewed during regular business hours, 8:30 a.m. until 5 p.m. on normal work days, at the above address. Some of the listed documents are available for viewing in Department of Social Services' regional and district offices located throughout the

Commonwealth. Other documents may be viewed in local departments of social services serving that locality; there is a local agency serving every city and county in the state.

Questions concerning interpretation or implementation of these documents may be directed to Richard Martin, Manager, Office of Legislative & Regulatory Affairs, Department of Social Services, 7 North 8th Street, Richmond, VA 23219-1849, telephone (804) 726-7902 or email [richard.martin@dss.virginia.gov](mailto:richard.martin@dss.virginia.gov).

You may obtain the most up-to-date information on many of the Department of Social Services' guidance documents on the department's Internet homepage (<http://www.dss.virginia.gov>).

The Department of Social Services provides administrative support to the Office of Interdepartmental Regulation of Children's Residential Facilities and to the Family and Children's Trust Fund. You may contact the above individual concerning these guidance documents.

### Guidance Documents:

#### Appeals and Fair Hearings

Administrative Disqualification Hearings, Virginia Department of Social Services, October 1, 2002, free

Benefits & Services Appeals, Virginia Department of Social Services, October 1, 2002, free

Virginia Department of Social Services Appeals and Fair Hearings Unit Child Protective Services Section, November 2005, free,  
[http://www.dss.virginia.gov/appeals/cps\\_factsheet.pdf](http://www.dss.virginia.gov/appeals/cps_factsheet.pdf)

Child Support Enforcement Appeals, Virginia Department of Social Services, October 1, 2002, free

Electronic Benefits Transfer (EBT) Appeals, July 14, 2003

#### Audit Services

Fraud Reduction and Elimination Effort (FREE) Policy Manual, Revised December 2005

#### Division of Benefit Programs

Volume IX, Energy Assistance Policy Manual, revised June 2008, 22VAC40-680, \$22.90 (can also be accessed via the Internet at [http://www.dss.virginia.gov/files/division/bp/ea/manual/ea\\_manual.pdf](http://www.dss.virginia.gov/files/division/bp/ea/manual/ea_manual.pdf))

Energy Assistance Program Quick Reference Guides (crisis, fuel and cooling), revised (cooling June 2008, crisis September 2008, fuel September 2008), 22VAC40-680, \$3.10

Volume V, Food Stamp Certification Policy Manual, revised October 2008, § 63.2-801, \$81 (may also be accessed via the Internet at <http://www.dss.virginia.gov/benefit/fs/manual.cgi>)

Food Stamp Program Quick Reference Guide, revised October 2008, § 63.2-801, \$3.60 (46 pages)

Electronic Benefits Transfer (EBT) Policies and Procedures Guide, revised September 17, 2008 (120 pages)

Volume XIII, Medicaid Policy Manual, revised July 2008, § 32.1-323 et seq., \$78.75 (may also be accessed via the Internet at [http://www.dss.virginia.gov/benefit/me\\_famis/manual.cgi](http://www.dss.virginia.gov/benefit/me_famis/manual.cgi))

Volume II - Part IV- GR Policy Manual, January 2007, may be accessed at <http://www.dss.virginia.gov/benefit/gr/manual.cgi>.

Volume II - Part V - State/Local Hospitalization Policy Manual, February 2007, may be accessed at <http://www.dss.virginia.gov/benefit/slh/index.html>.

Temporary Assistance for Needy Families (TANF) Policy Manual (VIEW included), revised October 2008, § 63.2-600, \$54.60 (may also be accessed via the Internet at <http://www.dss.virginia.gov/benefit/tanf/manual.cgi>)

## Child Care and Development

Child Care Services Policy (Volume VII, Sect. II, Chapter D, Social Services Policy Manual) revised October 2007, [http://www.dss.virginia.gov/family/cc/policy\\_manual.cgi](http://www.dss.virginia.gov/family/cc/policy_manual.cgi)

## Division of Child Support Enforcement

Division of Child Support Enforcement Program Manual, October 1, 2006, 22VAC40-880, initial CD-ROM at \$35 annually which includes updates every 90 days

## Commissioner's Office

Commissioner's Memoranda to Local Departments of Social Services, free, 2007, <http://www.dss.state.va.us/division/co/memos.cgi>

## Division of Community and Volunteer Services

Neighborhood Assistance Program Donor Fact Sheet, revised July 2008 § 63.2-2000 et seq., free

Neighborhood Assistance Program Project Fact Sheet, revised July 2008, § 63.2-2000 et seq., free

Neighborhood Assistance Program Contribution Notification Forms, A, B, C, D, and E, revised July 2008, § 63.2-2005 et seq., free, <http://www.dss.virginia.gov/community/nap/forms.cgi>

Family & Children's Trust Fund - Small Grant Awards Policy Statement, revised November 1997, § 63.2-2103, free

Virginia AmeriCorps Policy & Procedures Manual, revised November 2007

Virginia Refugee Resettlement Program Manual, free, <http://www.dss.virginia.gov/family/ons/policy.cgi>

Statewide Human Services Information & Referral Manual, June 2002, § 63.2-222, free, [http://www.dss.virginia.gov/community/i\\_and\\_r/manual.cgi](http://www.dss.virginia.gov/community/i_and_r/manual.cgi)

## Division of Family Services

Title IV-E Eligibility Manual, revised October 2005, free

FS- Volume II - Auxiliary Grants Policy Manual - Part III, June 2008, [http://www.dss.virginia.gov/family/as/auxgrant\\_manual.cgi](http://www.dss.virginia.gov/family/as/auxgrant_manual.cgi)

Assisted living Facility Assessment Manual, revised October 2007, 22VAC40-745, free [www.dss.virginia.gov/family/as/aps.cgi](http://www.dss.virginia.gov/family/as/aps.cgi)

Child Protective Services (CPS) Policy (Vol. VII, Sec. III, Chapter A, Social Services Policy Manual) revised July 2008, free, <http://www.dss.virginia.gov/family/cpa/manual.cgi>

Foster Care Policy (Vol. VII, Sect. III, Chapter B, Social Services Policy Manual) revised March 2007, <http://www.dss.virginia.gov/family/fc/manual.cgi>

Generic Policy (Vol. VII, Sec. 1, Social Services Policy Manual) Chapters A, B, C, H, and F of this section covers policy on Intake and Case Management, Confidentiality, Appeals, and Standards for Agency-Approved Providers.

Adoption Policy (Vol. VII, Sec. III, Chapter C, Social Services Policy Manual), revised July 2008, free, <http://www.dss.virginia.gov/family/ap/manual.cgi>

Adoption Policy (Vol. VII, Sec. III, Chapter D, Social Services Policy Manual), revised July 2008, free, <http://www.dss.virginia.gov/family/ap/manual.cgi>

User's Manual: Virginia Uniform Assessment Instrument (UAI), revised July 2005, 22VAC40-745, free

User's Manual: Virginia Uniform Assessment Instrument (UAI) for Private Pay Residents of Adult Care Residences, revised July 2005, 22VAC40-71-170 et seq. and 22VAC40-745, free

Virginia's Guide to the Interstate Compact on the Placement of Children, updated November 2002, §§ 63.2-100, 63.2-1000 and 63.2-1100-1105, free

Virginia's Guide to Intercountry Placement: Virginia's Preadoptive Requirements, updated November 2002, § 63.2-1104, free

Request to Place Virginia Youth Out-of-Commonwealth, updated November 2002, §§ 16.1-286 A, 22.1-218.1, 63.2-100, 63.2-1000, and 63.2-1100 through 63.2-1105, free

The Virginia Department of Social Services Reasonable Candidacy Manual, July 2007, free, [www.dss.virginia.gov/family/fc/candidacy](http://www.dss.virginia.gov/family/fc/candidacy)

Foster Care Broadcast 4147, Foster Parent Contingency Fund Policy, March 2007

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## Guidance Documents

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Foster Care Broadcast 4171, Implementation HB2504, National Background Checks, March 2007

Foster Care Broadcast 4188, FY 2008 Foster Parent and Adoption Subsidy Rate Increase, April 2007

Foster Care Broadcast 4339, Custody Relinquishment, June 2007

Foster Care Broadcast 4551, National Criminal Background Checks, October 2007

Foster Care Independent Living Broadcast 4437, Educational and Vocational Training

Foster Care Broadcast 4378, Reasonable Candidacy, July 2007

Foster Care Broadcast 4472, OASIS Accuracy, September 2007

Adult Services Broadcast 4317, Actions Needed to Ensure Compliance with Audit Findings Related to the Adult Services Program, July 2007, free

Adult Services Broadcast 4180, Actions Needed to Ensure Compliance with Audit Findings Related to the Adult Services Program, April 2007, free

Interstate Compact on the Placement of Children (ICPC) Broadcast 4198, Safe & Timely Placement of Children Act.

Adult Services Policy (Vol. II, Sec. IV, Chapter A, Social Services Policy Manual), revised July 2008, [www.dss.virginia.gov/family/as/manual](http://www.dss.virginia.gov/family/as/manual)

Adult Services Policy (Vol. II, Sec. IV, Chapter B, Social Services Policy Manual), revised May 2007, [www.dss.virginia.gov/family/as/manual](http://www.dss.virginia.gov/family/as/manual)

Adult Services Policy (Vol. II, Sec. IV, Chapter C, Social Services Policy Manual), revised May 2008, [www.dss.virginia.gov/family/as/manual](http://www.dss.virginia.gov/family/as/manual)

Adult Services Policy (Vol. II, Sec. IV, Chapter D, Social Services Policy Manual), revised May 2008, [www.dss.virginia.gov/family/as/manual](http://www.dss.virginia.gov/family/as/manual)

Adult Services Policy (Vol. II, Sec. IV, Chapter E, Social Services Policy Manual), revised November 2007, [www.dss.virginia.gov/family/as/manual](http://www.dss.virginia.gov/family/as/manual)

Broadcast 4702, Virginia Caregivers Grant Program, January 2008

Broadcast 4757, Adult Protective Services and Mandated Reporters Brochures, February 2008

Broadcast 5023, Foster Care Service Plan Requirements – Legislative changes, June 2008

Broadcast 5031, Child Care guidance for Children Placed in Foster Care, July 2008

Broadcast 5032, Statutory Change Regarding Comprehensive Services Act Interagency Foster Care Guidelines-Parental Agreements, July 2008

Broadcast 5056, Legislative Mandate for Minimal Training of Foster Care and Adoption Local Agency Supervisors and Staff, July 2008

Broadcast 5097, State medium Income for Adult Services Cases, August 2008

Broadcast 5116, 2008 Caregiver Grant Awards, August 2008

Broadcast 5131, Monthly Caseworker Contacts with Children in Foster Care, August 2008

Broadcast 5147, Change in Auxiliary Grant Rate for Assisted Living Facilities and Adult Foster Care, November 2008

Broadcast 5197, Child and Family Services Review, September 2008, free

### **Division of Finance**

Finance and Administration Guidelines Manual for LDSS (July 2008 revision), May 2002, free

Finance Guidelines Manual for LDSS v2.1, September 2008, free

Finance FY 2009 local Allocations by FIPS (revised), free

Finance FY 2009 Consolidated Eligibility and Service Staff and Operations Allocations by DIPS, free

### **Division of Human Resource Management**

Chapter 1, EEO and Hiring, of the Human Resources Manual for Local Departments of Social Services, revised July 2007, § 63.2-219, free; available at <http://www.localagency.dss.state.va.us/divisions/dhrm/files/local/manual/chapter1.pdf>

Chapter 2, Compensation, of the Human Resources Manual for Local Departments of Social Services, revised December 2008, § 63.2-219, free; available at <http://www.localagency.dss.state.va.us/divisions/dhrm/files/local/manual/chapter2.pdf>

Chapter 3, General Leave, of the Human Resources Manual for Local Departments of Social Services, revised July 2007, § 63.2-219, free; available at <http://www.localagency.dss.state.va.us/divisions/dhrm/files/local/manual/chapter3.pdf>

Chapter 4, Medical Leaves of Absence, of the Human Resources Manual for Local Departments of Social Services, revised July 2007, § 63.2-219, free; available at <http://www.localagency.dss.state.va.us/divisions/dhrm/files/local/manual/chapter4.pdf>

Chapter 5, Operations of an Agency, of the Human Resources Manual for Local Departments of Social Services, revised July 2007, § 63.2-219, free; available at

<http://www.localagency.dss.state.va.us/divisions/dhrm/files/local/manual/chapter5.pdf>

Chapter 6, Standards of Performance and Evaluation, of the Human Resources Manual for Local Departments of Social Services, revised July 2007, § 63.2-219, free; available at <http://www.localagency.dss.state.va.us/divisions/dhrm/files/local/manual/chapter6.pdf>

Chapter 7, Discipline and Termination of Employment, of the Human Resources Manual for Local Departments of Social Services, revised July 2007, § 63.2-219, free; available at <http://www.localagency.dss.state.va.us/divisions/dhrm/files/local/manual/chapter7.pdf>

Chapter 8, Personnel Records, of the Human Resources Manual for Local Departments of Social Services, revised July 2007, § 63.2-219, free; available at <http://www.localagency.dss.state.va.us/divisions/dhrm/files/local/manual/chapter8.pdf>

Local Compensation Plan Form, Deviating, for Local Department of Social Services, revised effective November 2008, § 63.2-330, free; available at <http://www.localagency.dss.state.va.us/divisions/dhrm/local/classification.cgi>

Local Compensation Plan Form, Non-Deviating, for Local Department of Social Services, revised effective November 2008, § 63.2-330, free; available at <http://www.localagency.dss.state.va.us/divisions/dhrm/local/classification.cgi>

Agency Salary Administration Plan, Approved September 25, 2000, free

Division of Human Resource Management Standard Operating Procedures for Classified and Wage Employees, Revised November 9, 2004, free; available at <http://spark.dss.virginia.gov/divisions/dhrm/vdss/procedures/index.cgi>

SOP Section 2.1 - Alcohol and Drugs, revised July 2008

SOP Section 2.2 - Awards for Length of Service, revised July 2008

SOP Section 2.4 - Compensatory Leave, revised July 2008

SOP Section 2.6 - Equal Employment Opportunity, revised July 2008

SOP Section 2.7 - Emergency Office Closings, revised July 2008

SOP Section 2.8 - Workplace Harassment, revised July 2008

SOP Section 2.9 – Hours of Work, revised July 2008

SOP Section 2.10 – Identification Badge, November 2004

SOP Section 2.11 – Employment Eligibility Verification, November 2004

SOP Section 2.12 – Layoff – revised July 2008

SOP Section 2.13 – Performance Planning and Evaluation, revised July 2008

SOP Section 2.14 – Probationary Period, November 2004

SOP Section 2.15 – Recruitment, Screening and Selection, November 2004

SOP Section 2.16 – Reporting Time Worked, revised July 2008

SOP Section 2.17 – Standards of Conduct, revised July 2008

SOP Section 2.18 – Telecommuting and Alternate Work Schedules, revised July 2008

SOP Section 2.19 – Temporary Help, November 2004

SOP Section 2.20 – Temporary Work Force Reduction, November 2004

SOP Section 2.21 – Termination/Separation, revised July 2008

SOP Section 2.22 – Training and Development, November 2004

SOP Section 2.23 – Tuition reimbursement, November 2004

SOP Section 2.24 – Wage Employees, November 2004

SOP Section 2.25 – Leave Policy – General Provisions, revised July 2008

SOP Section 2.26 – Virginia Sickness and Disability Program, revised July 2008

## **Division of Information Systems**

Virginia Department of Social Services Information Security Policy, revised May 2007, Title 63.2

Virginia Department of Social Services Information Security Standards, issued May 2007

Virginia Department of Social Services Internet Policy, July 1, 2004, free

Virginia Department of Social Services Acceptable Use Policy, October 2, 2006

## **Interdepartmental Regulation of Children's Residential Facilities**

Procedures for Conducting Background Investigations required by § 63.2-1726 of the Code of Virginia on Employees, Volunteers, and Contractual Service Providers Affiliated with Children's Residential Facilities, July 12, 2007, § 63.2-1726, free

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# Guidance Documents

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Standards Manual for Interdepartmental Regulation of Children's Residential Facilities, July 1, 2000, 22VAC42-10, free

## Division of Licensing Programs

Criteria for Training, April 2007, free

Curriculum Outline for Assisted Living Facility Administrators, August 2007, 22VAC40-72, free

Direct Care Staff - Department Approved Adult Care Residence Training, January 2002, 22VAC40-72, <http://www.dss.virginia.gov/files/division/licensing/alf/forms/032-05-0102-00-eng.pdf>

Direct Care Staff - Department Approved Educational Curriculum for Nursing Assistants, Geriatric Assistants or Home Health Aides, January 2002, 22VAC40-72, <http://www.dss.virginia.gov/files/division/licensing/alf/forms/032-05-0101-02-eng.pdf>

Request for First Aid and Cardiopulmonary Resuscitation (CPR) Course Approval for Child Day Centers, Assisted Living Facilities and Adult Day Care Centers, October 2006, <http://www.dss.virginia.gov/files/division/licensing/alf/forms/032-05-0515-00-eng.pdf>

Information for Religiously Exempt Child Day Centers, August 2004, § 63.2-1716, [http://www.dss.virginia.gov/files/division/licensing/unlicensed\\_child\\_care/recdc/regulations\\_code/guidance\\_documents/Information\\_for\\_RECDC-Revised\\_June\\_08.pdf](http://www.dss.virginia.gov/files/division/licensing/unlicensed_child_care/recdc/regulations_code/guidance_documents/Information_for_RECDC-Revised_June_08.pdf)

Model Policies for Implementing Section 63.2-1808 of the Code of Virginia (Rights and Responsibilities of Residents of Assisted Living Facilities), June 2005, § 63.2-1808, [http://www.dss.virginia.gov/files/division/licensing/alf/regulations\\_code/guidance\\_documents/2008\\_Resident\\_Rights.pdf](http://www.dss.virginia.gov/files/division/licensing/alf/regulations_code/guidance_documents/2008_Resident_Rights.pdf)

Notification to State Regulated Care Facilities of the 2000 Uniform Statewide Building Code and the 2000 Statewide Fire Prevention Code Requirements, September 2000, 22VAC40-110

Requirements for Proof of Child Identity and Age for Licensed Child Day Centers & Certified Preschools, July 1999, § 63.2-1809

Requirements for Proof of Child Identify and Age for Licensed Family Day Homes, February 1999, § 63.2-1809

Risk Assessment and Adverse Enforcement Guidance Manual, October 24, 2007

Technical Assistance for Standards for Assisted Living Facilities, May 2007, 22VAC40-72, [http://www.dss.virginia.gov/files/division/licensing/alf/regulations\\_code/guidance\\_documents/ALF\\_TA\\_06-08.pdf](http://www.dss.virginia.gov/files/division/licensing/alf/regulations_code/guidance_documents/ALF_TA_06-08.pdf)

Technical Assistance for Minimum Standards for Licensed Family Day Homes, December 2007, 22VAC40-110,

[http://www.dss.virginia.gov/files/division/licensing/licensed\\_child\\_care/fdh/regulations\\_code/guidance\\_documents/fdh\\_ta\\_10-08.pdf](http://www.dss.virginia.gov/files/division/licensing/licensed_child_care/fdh/regulations_code/guidance_documents/fdh_ta_10-08.pdf)

Technical Assistance Questions and Answers for Minimum Standards for Licensed Child Day Centers, revised September 2005, 22VAC15-30,

[http://www.dss.virginia.gov/files/division/licensing/licensed\\_child\\_care/child\\_day\\_centers/regulations\\_code/guidance\\_documents/CDC\\_TA\\_08-08.pdf](http://www.dss.virginia.gov/files/division/licensing/licensed_child_care/child_day_centers/regulations_code/guidance_documents/CDC_TA_08-08.pdf)

Technical Assistance Questions and Answers for Standards and Regulations for Licensed Adult Day Care Centers, October 2003, 22VAC40-60, [http://www.dss.virginia.gov/files/division/licensing/adcc/regulations\\_code/guidance\\_documents/adcc\\_ta\\_05-08.pdf](http://www.dss.virginia.gov/files/division/licensing/adcc/regulations_code/guidance_documents/adcc_ta_05-08.pdf)

Standards Manual with Interpretation Guidelines Interdepartmental Regulation of Children's Residential Facilities, December 2007, 22VAC32-11, [http://www.dss.virginia.gov/files/division/licensing/crf/applicable\\_regulations/Manual\\_with\\_Interpretation\\_Guidelines.pdf](http://www.dss.virginia.gov/files/division/licensing/crf/applicable_regulations/Manual_with_Interpretation_Guidelines.pdf)

## Division of Strategy Management and Research

Institutional Review Board Guidelines & Procedures Manual, July 2006; §§ 63.2-217, 63.2-218, and 63.2-104, and 22VAC40-890 and 22VAC40-910; free and available at [www.dss.virginia.gov/about/irb.cgi](http://www.dss.virginia.gov/about/irb.cgi) under "Policies/Procedures Manual"

## BOARD OF SOCIAL WORK

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [socialwork@dhp.virginia.gov](mailto:socialwork@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Evelyn Brown, Executive Director of the Board, at the address above or by telephone at (804) 367-4441. Copies are free of charge.

### Guidance Documents:

140-1, Board guidance on use of confidential consent agreements, October 31, 2003

140-2, Newsletters

140-2.1, Interpretation of work settings exempted from licensure requirements by state law. Clarification of standards of practice pertaining to dual relationships, recordkeeping and competency areas, 1995

140-2.2, Summary of Virginia statutes regarding maintenance and release of client records, 2000.

## 140-3, Assistant Attorney General Opinions

140-3.1, Interpretation of § 32.1-127.1:02 regarding the release of medical records, September 20, 1995

140-3.2, Interpretation of § 32.1-127.1:03 pertaining to release of health care records, April 7, 1997

## 140-4, Minutes of the Board

140-4.1, Authorization for the Executive Director to conduct a preliminary review of discipline cases and make a recommendation to the Chair of the Discipline Committee or his designee for appropriate disposition, February 26, 1999

140-4.2, Board guidance on possible disciplinary or alternative actions in response to non-compliance with continuing education requirements, September 16, 2005

140-5, Board guidance for process of delegation of informal fact-finding to an agency subordinate, November 19, 2004

140-6, Board guidance on the educational requirements necessary to qualify to sit for the Licensed Clinical Social Work examination in Virginia, revised July 18, 2008

140-7, By-Laws of the Board of Social Work, adopted December 17, 1996, revised October 3, 2008

## VIRGINIA STATE BAR

Copies of the following document may be viewed during regular work days from 8:15 a.m. until 4:45 p.m. in the office of the Virginia State Bar at 707 E. Main Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Cynthia Williams at the same address, telephone (804) 775-0530 or email [williams@vsb.org](mailto:williams@vsb.org).

Questions regarding interpretation of the document may be directed to James McCauley, Ethics Counsel, Virginia State Bar, 707 E. Main Street, Richmond, VA 23219, telephone (804) 775-0565 or email [mccauley@vsb.org](mailto:mccauley@vsb.org).

### Guidance Document:

[Unauthorized Practice of Law \(UPL\) Guidelines](#), issued June 1997, 15VAC5-80

## VIRGINIA STATE UNIVERSITY

Copies of the following documents may be viewed during regular workdays from 8 a.m. until 5 p.m. at Johnston Memorial Library, First Floor Reference Desk, Petersburg, VA 23806. Copies may be obtained free of charge by contacting Thomas Reed, Director of University Relations, FAX (804) 524-5012, telephone (804) 524-5045, or email [tereed@vsu.edu](mailto:tereed@vsu.edu). Internet addresses for accessing the documents are below. Additional information on these documents can be found on the University Website, [www.vsu.edu](http://www.vsu.edu).

### Guidance Documents:

Undergraduate Academic Catalog (2008-2010)  
<http://www.vsu.edu/PDFFiles/Catalogs/2008-2010%20UNDERGRADUATE%20CATALOG.pdf>

Graduate Academic Catalog (2008-2010)  
<http://www.vsu.edu/PDFFiles/Catalogs/2008-2010%20GRADUATE%20CATALOG.pdf>

Faculty Handbook, revised April 2008  
<http://www.vsu.edu/PDFFiles/Faculty%20Senate/Faculty%20Handbook%202004%20revised%204-21-08%20BOV%20approved.pdf>

Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act Report, revised October 2008  
<http://www.vsu.edu/pages/559.asp>

VSU Strategic Plan (11 mb PDF file)  
<http://www.vsu.edu/PDFFiles/strategic%20vision/2020%20Vision%20Plan.%20In-focus.pdf>

VSU Master Plan (65 mb PDF file)  
<http://www.vsu.edu/PDFFiles/Campus%20Master%20Plan%20and%20Design%20Guidelines.pdf>

## DEPARTMENT OF TAXATION

Copies of the following documents may be obtained from TAX's website <http://www.tax.virginia.gov/> or viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the Office of Customer Relations, Department of Taxation, 3610 West Broad Street, Richmond, VA 23230. These forms are used to implement the return filing requirements for the taxes administered by the Virginia Department of Taxation. Primarily, these return filing requirements are found in Title 58.1 of the Code of Virginia. The Department of Taxation is also required to collect certain agricultural commodity taxes found under Title 3.2 of the Code of Virginia. Copies may be obtained by contacting the Forms Request Unit at the Department of Taxation, P.O. Box 1317, Richmond, VA 23218-1317, telephone (804) 440-2541.

Questions regarding interpretation or implementation of these forms may be directed to Office of Customer Relations, Department of Taxation, P.O. Box 1115, Richmond, VA 23218-1115, FAX (804) 786-2670. Telephone numbers for contact regarding the various forms listed below are noted by section and in some cases by the form.

### Guidance Documents:

Individual Forms

#### Individual Taxes

Unless otherwise noted, questions can be directed to Customer Service at (804) 367-8031

Form 760, Individual Tax Filing Form, Annually

Form 760 Inst, Instructions for Form 760, Annually

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## Guidance Documents

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Form 760C, "Underpayment of Estimated Tax by Individuals, Estates, and Trusts," Annually

Form 760C Inst, Instructions for Form 760C, Annually

Form 760ES, "VA Estimated Income Tax Payment Vouchers and Instructions for Individual, Estates, and Trusts," Annually

Form 760F, Form & Instructions for Underpayment of Estimated Tax by Farmers and Fisherman, Annually

Form 760IP, Individual Automatic Extension Payment (Replaces the 760E), Annually

Form 760PY, Part-Year Resident Individual Income Tax Return 760PY, Annually

Form 760PY Inst, Instructions for Form 760PY, Annually

Form 762, "Return of Tangible Personal Property, Machinery and Tools, and Merchant's Capitol," Annually

Form 763, Nonresident Individual Income Tax Return 763, Annually

Form 763 Inst, Instructions for Form 763, Annually

Form 763S, Claim for Individual Income Tax Withheld, Annually

Form 765, Unified Nonresident Individual Income Tax Return, Annually

Form 765 Inst, Instructions For Filing Unified Nonresident Individual Income Tax Return, Annually

Schedule L (Form 765), Unified Nonresident Income Tax Return List of Participants

Form 770, VA Fiduciary Income Tax Return 770, Annually

Form 770 Inst, Instructions for Form, Annually

Form 770IP, VA Fiduciary and Unified Nonresident Automatic Extension Payment, Annually

Form 770ES, Estimated Income Tax Payment Vouchers for Estates, Trusts and Unified Nonresidents

Form CU-7, Form & Instructions for Virginia Consumer's Use Tax Return for Individuals, Annually

Schedule ADJ, Annually

Schedule CR, Credit Computation Schedule for Forms 760, 760PY, 763 and 765 Schedule, Annually

Form CR Inst, Instructions for Schedule CR, Annually

Schedule NPY (Form 763 and Form 760PY filers), Annually

Schedule OSC, Credit for tax paid to another state schedule, Annually

Form VA 8453, Individual Electronic Filing Declaration, Annually

Individual Credits

Form 301, Enterprise Zone Credit - Individual Tax and Instructions, Annually

Form 304, Major Business Facility Job Tax Credit and Instructions, Annually

Form 305, Clean Fuel Vehicle Job Creation Tax Credit and Instructions, Annually

Form 306, Coalfield Employment Enhancement Tax Credit and Instructions, Annually

Form EDC, Taxpayer Application for Qualified Equity and Subordinated Debt Investments Credit, Annually

Form HAC, Application for Home Accessibility Features for the Disabled Credit, Annually

Form LPC, Virginia Land Preservation Tax Credit Notification Form, Annually

Schedule CLI, Computation for Tax Credit for Low Income Individuals, 2000

Form BFC (new) Biodiesel & Green Fuel Tax Credit, Annually

### Individual Miscellaneous

Form 760PMT, Individual Income Tax Payment Voucher, Annually

Form EST-80, Estate Tax Return, 03/2007

Form GFD, General Fund Donation Voucher, 07/2005

Form OIC-Ind, OIC Offer in Compromise Individual, 03/2003

Form PAR101, Power of Attorney Release Form, 06/2006

Form PP-2, Partial Payment Voucher, 09/1997

Form PT-1, Probate Tax Return, 06/2003

Form R-5, Nonresidential Real Property Owner Registration Form, 12/2007

Form R-5E, Nonresidential Real Property Owner Exemption Certificate, 07/2000

Form R-5P, Nonresidential Real Property Owner Shareholder/Partner Schedule, 04/1992

Form VA-4, Employee's Withholding Exemption Certificate, 11/2007

Form VA-4B, Employee's Withholding Income Tax Credit for Income Taxes Paid to Another State, 05/2005

Form VA-4P, Withholding Exemption Certificate for Recipients of Pension and Annuity Payments, 11/2007

## Business Forms

Unless otherwise noted, questions can be directed to Customer Service at (804) 367-8037.

## Corporate Taxes

Form 500, Corporate Income Tax Return 500, Annually

Form 500 Inst, Instructions for Form 500, Annually

Form 500C, Underpayment of Estimated Tax by Corporations and Instructions, Annually

Form 500CR, Credit Computation Schedule for Form 500 500CR, Annually

Form 500CP, Extension Payment Voucher and Tentative Tax Return, Annually

Form 500EC, Modified Net Income Tax Return for Electric Cooperatives, Annually

Form 500EC Inst, Instructions for Form 500EC, Annually

Form 500ES, Forms and Instructions for Declaration of Estimated Income Tax, Annually

Form 500NOLD, Corporation Application for Refund-Carryback of Net Operating Loss and Instructions, Annually

Form 500T, Telecommunications Companies Minimum Tax and Credit Schedule, Annually

Form 500T Inst, Instructions for Form 500T, Annually

Form 500V, Corporation Income Tax Payment Voucher, Annually

Form 500X, Amended Corporation Income Tax Return 500X and Instructions, Annually

Schedule 500A, Multistate Corporation Allocation and Apportionment of Income (Form 500) Schedule A, Annually

Schedule 500A Inst, "Instructions for Form 500, Schedule A," Annually

Schedule 500ADJ, Schedule of Adjustments, Annually

Schedule 500AC, Schedule of Affiliated Corporations, Consolidated and Combined Filers, Annually

Schedule 500FED, Schedule of Federal Line Items, Annually

## Forms for Pass Through Entity

Form 502, Pass Through Entity Return of Income, Annually

Form 502 Instructions, "Instructions for Form 502, Schedule A and VK-1," Annually

Schedule 502A, Multistate Pass through Entity, Annually

Form VK-1, Owner's Share of Income and Virginia Modifications and Credits, Annually

Schedule 502ADJ, Annually

Form 502V, Virginia Pass-Through Entity Tax Payment Voucher, Annually

Form 502W, Pass-Through Entity Withholding Tax Payment, Annually

## Bank Franchise

Form 301 Banks, Enterprise Zone Credit - Bank Franchise Tax and Instructions, Annually

Form 64 and Schedules, Virginia Bank Franchise with Schedules and Instructions, Annually, (804) 371-0730

## Business Credits

Form 301 Corp, Enterprise Zone Credit - Corporation Tax, Annually

Form 301 Banks, Enterprise Zone Credit - Bank Franchise Tax and Instructions, Annually

Form 301 Indiv, Enterprise Zone Credit - Individual Tax and Instructions, Annually

Form 304, Major Business Facility Job Tax Credit and Instructions, Annually, (804) 786-2992

Form 305, Clean Fuel Vehicle Job Creation Tax Credit and Instructions, Annually

Form 306, Coalfield Employment Enhancement Tax Credit and Instructions, Annually

Form 306T, Allocation of Coal Employment and Production Incentive Tax Credit Between Interested Parties, Annually

Form EDC, Taxpayer Application for Qualified Equity and Subordinated Debt Investments Credit, Annually, (804) 786-2992

Form BFC (new) Biodiesel & Green Fuel Tax Credit, Annually

Form LPC, Virginia Land Preservation Tax Credit Notification Form, Annually, (804) 786-2992

Form PTE, Pass-Through Credit Allocation, Annually, (804) 786-2800

Form QBA, Application for Designation as a Qualified Business for the Qualified Equity and Subordinated Debt Investments Tax Credit, Annually, (804) 786-2992

Form WRC, Worker Retraining Tax Credit Application, Annually, (804) 786-2992

## Business Miscellaneous

Form 200, Litter Tax Return and Instructions, 12/2006

Form OIC Bus, Offer in Compromise Business, 11/2002

Form PAR101, Power of Attorney Release Form, 06/2006

Form R-5, Nonresident Real Property Owner Registration Form, (804) 367-8031, 12/2007

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Form R-5E, Nonresident Real Property Owner Exemption Certificate, 07/2000, (804) 367-8031

Form R-5P, Nonresident Real Property Owner Shareholder/Partner Schedule, 04/1992

## Rolling Stock Tax on Railroad and Freight Car Companies

Form RR1S, Supplemental Information, 09/2002

Form RR2-1, Statement to the Department of Taxation, 01/1985

Form RR3-1, Report to the Department of Taxation, 03/1995

Form RR5, Class 5 (Locomotives, Passenger, Freight, and Work Equipment owned as of Dec. 31), 07/2008, (804) 367-8020

Form RR5S, Class 5 Summary, 07/2008, (804) 367-8020

Form PL1, Annual Report of Gas Companies, 09/2002

## Commodity and Excise Tax

### Egg

Form EG-1, VA Egg Excise Assessment, 05/2006, (804) 786-2450

Form EG-2, Worksheet for VA Egg Board and Conversion Calculations for Egg Products, 05/2005, (804) 786-2450

### Forest Products

Form 1034, Forest Products Tax Return, 09/2008, (804) 786-2450

Form 1034/1035 Inst, 1034 - 1035 Forest Products Tax Return Instructions, 08/2005, (804) 786-2450

Form 1035, Forest Product Tax Return - Small Manufacturers, 03/2005, (804) 786-2450

### Miscellaneous

Form 404, Soft Drink Excise Tax Return, 09/2005, (804) 786-2450

APL-45 - Virginia Apple Excise Tax, 10/2006, (804) 786-2450 (VDACS: (804) 786-3530)

Form CO-1, Virginia Corn Assessment, 05/2006, (804) 786-2450

Form CX-1, Virginia Cotton Assessment, 08/2006, (804) 786-2450

Form PN-1, Peanut Excise Tax Return, 05/2006, (804) 786-2450

Form SG-1, Virginia Small Grains Assessment, 07/2005, (804) 786-2450

Form SH-1, Sheep Tax Return, 05/2006, (804) 786-2450

## Cigarette and Tobacco Products

Form TT-1A, Application for Permit to Purchase and Affix Tobacco Revenue Stamps, 09/2007, (804) 786-3503

Form TT-2, Order for Virginia Cigarette Tax Stamps, 08/2006, (804) 367-8465  
TT-7, Virginia Consumer Cigarette Tax Return, 09/2006, (804) 371-0730

Form TT-8, Tobacco Products Tax Return and Instructions, 01/2007, (804) 371-0730

Form TT-12, Application for Tobacco Tax Credit Certificate, 08/2006, (804) 367-8465

Form TT-13, Monthly Report of Cigarette Wholesaler, 02/2007, (804) 371-0730

Form TT-14, Monthly Report of Non-Resident Cigarette Wholesaler, 02/2007, (804) 371-0730

Form TT-18, Monthly Report of Cigarette Manufacturer and Instructions, 11/2005, (804) 371-0730

Form TT-19NPM, Tobacco Product Manufacturer Certification for Non-Participating Manufacturers, 01/2008, (804) 786-3183

Form TT-19PM, Tobacco Product Manufacturer Certification for Participating Manufacturers, 12/2006, (804) 371-0730

Form TT-20, Tobacco Product Tax Monthly Recordkeeping, 02/2006, (804) 371-0730

Form TT-22, Tobacco Products Tax Guidelines and Rules, 1/2006, (804) 371-0730

TT-24 - Incentive Payments to Small Tobacco Product Manufacturers Guidelines, 01/2006, (804) 225-3195

TT-25, Incentive Payments to Small Tobacco Product Manufacturers, (804) 371-0730, 12/2006

Cigarette and Other Tobacco Products Taxes Brochure

## Communications Taxes

CT-1 Report of Termination, Renewal, Acquisition or Sale of Cable Franchise Agreements in Effect on January 1, 2007, 12/2006, (804) 367-8037

CT-2 Guidelines and Rules for the Virginia Communications Taxes, 11/2006, (804) 367-8037

CT-7 Virginia Communications Use Tax Return, 12/2006, (804) 367-8037

CT-10 Communications Sales and Use Tax Certificate of Exemption, 12/2006, (804) 367-8037

CT-75 Communications Taxes Return, 10/2008, (804) 367-8037

## Registration

Form R-1, Combined Registration Application, 03/2008

Form R-1 Instructions, R-1 Instructions, 03/2008

Form R-3, Registration Change Request, 10/2008

Form Guide, Business Registration Guide, 2005

### Sales Tax

#### Aircraft

Form AST-2, Dealer's Aircraft Sales and Use Tax Return, 05/2006, (804) 786-2450

Form AST-3, Aircraft Sales and Use Tax Return, 12/2006, (804) 788-2460

#### Exemption Certificates

Form FT-200, Motor Vehicle Fuel Sales Tax - Certificate of Exemption, 06/2000

Form NP, Nonprofit Application, 01/2008, (804) 371-4023

Form NP Inst, Nonprofit Instructions, 01/2008, (804) 371-4023

Form ST-10, Sales and Use Tax Certificate of Exemption, 10/1999

Form ST-10A, Printed Materials, 06/1995

Form ST-10B, Handicap Auto Equipment, 07/1978

Form ST-11, Manufacturing, 06/2006

Form ST-11A, Pollution, 05/2006

ST-11B - Semiconductor, 05/2006

Form ST-12, Government, 10/2006

Form ST-13, Medical-Related Exemptions, 05/2006

Form ST-13A, Churches, 06/2007

Form ST-14, Out-of-State Resale Dealer, 03/1999

Form ST-14A, Out-of-State Livestock Dealer, 01/1999

Form ST-15, Domestic Fuel, 09/2005

Form ST-16, Commercial Watermen, 09/2005

Form ST-17, Forest Harvesters, 07/1999

Form ST-18, Farmer's Purchase of Personal Property, 05/2006

Form ST-19, Shipping Commerce, 06/2005

Form ST-20, Public Service Corporation, 09/2004

Form ST-20A, Production Company, 09/2005

Form ST-22, Railroad Rolling Stock, 04/2007

Form ST-23, Multi-fuel Heating Stoves, 08/2007

#### Motor Vehicle Fuel Sales

Form FT-101, Dealer's Worksheet for Computing Motor Vehicle Fuel Sales Tax, 12/2006

Form FT-102, Motor Vehicle Fuel Sales Tax Return, 12/2006

Form FT-102A, Schedule of Motor Vehicle Fuel Sales Tax, 07/2005

Form FT-102B, Schedule of Retailer Purchases for Resale, 10/2007

Form FT-106, Motor Vehicle Fuel Sales Tax Bracket System, 09/2005

Form FT-200, Motor Vehicle Fuel Sales Tax - Certificate of Exemption, 06/2000

#### Public Facilities

Form PF-1 and PF-1A, Public Facilities Sales Tax Worksheet and Return, 12/2006 (The form and worksheet have been combined)

#### Sales and Use

Form 200, Litter Tax Return and Instructions, 08/2006 (This is included in business misc.)

Form 5% Sales Tax, 5% Sales Tax Table, 09/2004

Form 2.5% Food Sales Tax, 2.5% Food Sales Tax Table, 04/2005

Form ST-6, Direct Pay Permit Sales and Use Tax Return, 09/2005

Form ST6A, Worksheet and Instructions for Form ST-6, 09/2005

Form ST6B, Schedule of Local Taxes, 11/2008

Form ST-7, Consumer's Use Tax Return, 11/2008

Form ST-7A, Worksheet and Instructions for Form ST-7, 11/2008

Form ST-8, Out-of-State Dealer's Use Tax Return, 10/2008

Form ST-8A, Worksheet and Instructions for Form ST-8, 10/2008

Form ST-9, Retail Sales and Use Tax Return, 10/2008

Form ST-9A, Worksheet and Instructions for Form ST-9, 10/2008

Form ST-9B, Schedule of Local Retail Sales and Use Tax, 10/2008

Form ST-9CO, Retail Sales and Use Tax Consolidated, 10/2008

#### Tire Recycling Fee

Form T-1, Virginia Tire Recycling Fee Return, 04/2008

Form T-1A, Worksheet and Instructions for Form T-1, 03/2008

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### Vending Machine

Form VM-2, Vending Machine Dealer's Sales Tax Return, 08/2005

Form VM-2A, Worksheet and Instructions for Form VM-2, 09/2005

Form VM-2B, Schedule of Local Vending Machine Tax, 07/2005

### Watercraft

Form WCT-2, Dealer's Monthly Return of Watercraft Sales and Use Tax, 07/2005

Form WCT-2A, Worksheet and Instructions for Form WCT-2, 10/2004

Form WCT-3A, Individual Watercraft Tax Worksheet, 09/1997

### Withholding Tax

Form Employer Inst., Virginia Employer Withholding Instructions and Tables, 11/2007

Form W-2 Transmittal, Information on Magnetic Media Transmittal, 12/2004

Form VA-4, Employee's Withholding Exemption Certificate, 11/2007

Form VA-4B, Employee's Withholding Income Tax Credit for Income Taxes Paid to Another State, 05/2005

Form VA-4P, Withholding Exemption Certificate for Recipients of Pension and Annuity Payments, 11/2007

Form VA-5, Employer's Return of Virginia Income Tax Withheld, 07/2007

Form VA-6, Employer's Annual or Final Summary of Virginia Income Tax Withheld, 05/2006

Form VA-15, Employer's Voucher for Payment of Virginia Income Tax Withheld (Semiweekly), 06/2006

Form VA-16, Employer's Payments of Quarterly Reconciliation and Return of Virginia Income Tax Withheld, 05/2006

### Booklets, Guides and Other Miscellaneous Items

Commonwealth of Virginia Business Registration Guide, 2005, (804) 367-8037

Electronic Funds Transfer Guide, 08/2008, (804) 367-8037

Handbook for Electronic Filers of Individual Income Tax Returns, Annually, (804) 367-6100

Electronic Filing for Software Developers, Annually, (804) 367-6100

Voucher Specifications, Annually, (804) 367-0088

Substitute Forms Guidelines, Annually, (804) 367-0088

Virginia Bill of Rights, 2005, (804) 367-8037

Employer Withholding Guide, 11/2007, (804) 367-8037

Virginia Tax Facts, 02/2008, (804) 367-8031 or (804) 367-8037

Virginia Tax Facts, En Español, 2006, (804) 367-8031 or (804) 367-8037

W-2 Data Magnetic Media Filing Instructions, 07/2008, (804) 367-8037

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Copies of the following documents may be obtained from TAX's website <http://www.tax.virginia.gov>. Copies may be obtained free of charge by contacting the Office of Policy and Administration, Policy Development, Department of Taxation, P.O. Box 27185, Richmond, VA 23261-7185, telephone (804) 371-2294 or FAX (804) 371-2355.

Questions regarding interpretation or implementation of these documents may be directed to the Office of Policy and Administration, Policy Development, Department of Taxation, P.O. Box 27185, Richmond, VA 23261-7185, telephone (804) 371-2294 or FAX (804) 371-2355.

### **Guidance Documents:**

Virginia Tax Amnesty Guidelines, September 2, 2003

Land Preservation Tax Credit; Guidelines for Qualified Appraisals, January 9, 2007

Memorandum of Understanding for the Administration of the Land Preservation Credit Program, June 12, 2007

Guidelines and Rules for Idle Machinery and Tools, January 1, 2008

Guidelines and Rules for the Motor Vehicle Fuel Sales Tax, January 31, 2008

Hurricane Preparedness Sales Tax Holiday Guidelines, April 28, 2008

Sales Tax Holiday for Clothing and School Supplies Guidelines and Rules, July 15, 2008

Guidelines for Pass-Through Entity Withholding, September 21, 2007

Sales Tax Holiday Guidelines and Rules, annually

Energy Star Sales Tax Holiday Guidelines, annually

Virginia Department of Taxation Annual Report\*, published annually

Virginia Local Tax Rates Bulletin\*, published annually, § 58.1-210

The Virginia Assessment Sales Ratio Study\*, published annually, § 58.1-207

Taxable Sales In Virginia Counties and Cities Based On Retail Sales Tax Revenue\*, Estimates of: 1) Wine Tax, 2) Alcoholic Beverage Profits, 3) State Sales and Use Tax, 4) Local Option 1% Sales and Use Tax, 5) Recordation and Grantor's Tax to be distributed to localities, published annually, § 15.1-159.9 (\* The most recent issue(s) of this document is no longer available in hard copy. It may be downloaded from the department's website [www.tax.va.us/publications.htm](http://www.tax.va.us/publications.htm))

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Copies of the following documents may be obtained from the Town Hall website at [www.townhall.virginia.gov](http://www.townhall.virginia.gov). These documents provide the Department's interpretation of Title 58.1 of the Code of Virginia. Copies may be obtained free of charge by contacting the Office of Policy and Administration, Appeals and Rulings, Department of Taxation, P.O. Box 27203, Richmond, VA 23261-7203, telephone (804) 371-6042 or FAX (804) 371-7179.

Questions regarding interpretation or implementation of these documents may be directed to the Office of Policy and Administration, Appeals and Rulings, Department of Taxation, P.O. Box 27203, Richmond, VA 23261-7203, telephone (804) 371-6042 or FAX (804) 371-7179.

## **Guidance Documents:**

Agreements, Coordination of Tax Administration Between the Virginia Tax Department and the IRS, May 10, 1977

Agreements, Reciprocal Personal Income Tax Agreement Between Commonwealth of Pennsylvania and Commonwealth of Virginia, November 17, 1982

Agreements, Implementation of Agreement on Coordination of Tax Administration Between Virginia Department of Taxation and Richmond District Internal Revenue Service, September 15, 1986

Agreements, Reciprocal Income Tax Agreement Between State of West Virginia and Commonwealth of Virginia, October 20, 1988

Agreements, Notice to Northern Virginia Tax Officials, August 14, 1992

Administration, Jeopardy Assessments, Directive 86-2, March 25, 1986

Administration, Administrative Appeals Guidelines, December 1, 2006

Administration, Keeper of The Records, Memorandum to Director Processing Services Division from Director Tax Policy, May 14, 1986

Administration, Differential Interest Rates, Memorandum to Tax Commissioner from Director of Tax Policy, December 3, 1986

Administration, Computation of Interest, Memorandum to Information Services Division from Director of Tax Policy, December 22, 1986

Administration, Converted Assessments, Memorandum to Supervisor Collection Section Office Services Division from Director of Tax Policy, December 24, 1986

Administration, Limitations Applicable to Converted Assessments, Memorandum to Supervisor Collection Section Office Services Division from Director of Tax Policy, February 17, 1987

Administration, Computation of Interest on All Tax Refunds, Memorandum to Management Team from Director of Tax Policy, January 14, 1988

Administration, Set Off Debt Collection Procedures, Taxpayers in Bankruptcy, Memorandum to Assistant Director Processing Services Division from Director Tax Policy Division, April 17, 1991

Aircraft Sales and Use Tax, Memorandum to Supervisor Taxpayer Assistance Section from Director of Tax Policy, July 24, 1985

Aircraft Sales and Use Tax, Memorandum to Supervisor Taxpayer Assistance Section from Director of Tax Policy, March 10, 1987

Aircraft Sales and Use Tax, Application of the Aircraft Sales Tax to Aircraft Sold at Washington National Airport, Memorandum to Supervisor Taxpayer Assistance Section from Director of Tax Policy

Business, Professional and Occupational License Tax, Guidelines for Business, Professional and Occupational License Tax, January 1, 2000

Cigarette Tax, Virginia Cigarette Tax Rate Increase Guidelines and Rules, July 30, 2004

Cigarette Tax, Cigarette Tax Rate Increase Guidelines and Rules, May 13, 2005

Cigarette Tax, Study of Local Cigarette Tax Stamping Pursuant to House Joint Resolution 664 (2005), December 27, 2005

Cigarette Tax, Guidelines Governing Incentive Payments to Small Tobacco Product Manufacturers Pursuant to Senate Bill 1332 (2005), January 19, 2006

Corporate Tax, Abatement of 100% Penalty Assessed Under Section 58-44.1; Abatement of Corporate or Partnership Liability, Memorandum to Director Field Services Division from Director of Tax Policy, August 22, 1983

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Corporate Tax, Investment in Euro Dollars, Foreign Source Income Subtraction, Memorandum to Supervisor Technical Services Section, Office Services Division from Director Tax Policy Division, November 28, 1984

Corporate Tax, Sales Factor and Form 4797 Proceeds, Memorandum to Supervisor Technical Services Section, Office Services Division from Director of Tax Policy, March 31, 1987

Corporate Tax, Inventory of Alcoholic Beverages In State Owned Warehouse, Memorandum to Manager Department of Information Technology from Director of Tax Policy, March 26, 1985

Corporate Tax, Financial Corporation Apportionment Factor, Memorandum to Interstate Audit Supervisor from Director Tax Policy Division, March 17, 1988

Corporate Tax, Application of Penalty to Corporate and Individual Income Tax Audits, Memorandum to Director Field Services Division and Director Office Services Division from Director Tax Policy Division, October 26, 1990

Corporate Tax, ACRS Carryovers and Refunds: Statute of Limitations, Policy Recommendation from Assistant Commissioner Tax Policy, July 28, 1993

Individual Tax, Interest on Estimated Individual Income Tax Underpayments, Memorandum to Supervisor Technical Services Section Office Services Division from Director Tax Policy Division, October 14, 1982

Individual Tax, Set-Off Debt Collection Program, Amending Filing Status 4 Returns, Memorandum to Supervisor Technical Services Section Office Services Division from Director Tax Policy Division, April 25, 1982

Individual Tax, Public Law 98-259- Forgiveness of Federal Income Tax for U. S. Military and Civilian Employees Killed in Terrorist Action, Memorandum to Supervisor Technical Services Section Office Services Division from Director Tax Policy Division, December 28, 1984

Individual Tax, Taxability of Title VII Benefits (Conrail Benefits and Termination Allowances), Memorandum to Supervisor Technical Services Section from Director Tax Policy Division, April 22, 1985

Individual Tax, Form 760C (Individual Underpayments of Estimated Tax), Memorandum to Supervisor Technical Services Section Office Services Division, November 24, 1986

Individual Tax, Names to Appear on Assessments, Memorandum to Information Services Division from Director Tax Policy Division, December 22, 1986

Individual Tax, Personal Exemptions/Dependent Children, Memorandum to Supervisor Technical Services Section Office Services Division, August 20, 1987

Individual Tax, Interest on Refunds Delayed by Set Off Debt Collection, Memorandum to Information Services Division from Director of Tax Policy, November 24, 1987

Individual Tax, Head of Household Filing Status, Memorandum to Supervisor Error Resolution Unit from Director Tax Policy Division, June 24, 1988

Individual Tax, Filing Extensions, Application of Penalty and Interest, June 29, 1988

Individual Tax, State and Federal Tax Incentives for Child Care, Presentation to the HJR 27 Study Committee On Child and Day Care, December 13, 1989

Individual Tax, Non-Resident Income from the Rental or Sale of Virginia Real Estate, Important Notice from The Virginia Department of Taxation, August 6, 1990

Individual Tax, Computation of Income Tax Penalty and Interest, Memorandum to Supervisor Technical Services Section Office Services Division, from Director Tax Policy Division, November 29, 1990

Individual Tax, Virginia Taxes and Lottery Winnings, January 1991

Individual Tax, Policy Recommendations: HB 1830 Increase in Late Filing/Payment Penalties, Memorandum to Director Information Systems Division from Director Tax Policy Division, May 1, 1991

Individual Tax, HB 1830: Application of Penalties to Pre-1990 income Tax Returns, Memorandum to Director Information Systems Division from Director Tax Policy Division, May 24, 1991

Individual Tax, Execution of Extensions, Policy Recommendation from Tax Policy Division, February 17, 1993

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Individual Tax, The Virginia Age Deduction under House Bill 5018 (2004), July 30, 2004

Local Business Taxes, Guidelines for Appealing Local Business Taxes, § 58.1-3983.1, June 25, 2004

Probate Tax, Clerks of Court, Memorandum to Supervisor Technical Services Section, Office Services Division from Director Tax Policy Division, May 24, 1989

Sales and Use Tax, Boat Slip Rentals, Memorandum to Supervisor Norfolk District Office from Supervisor Tax Policy, August 1, 1977

- Sales and Use Tax, Definition of Clinic, Memorandum to Director of Field Services from Director of Tax Policy, December 10, 1980
- Sales and Use Tax, Dealer's Discount, Memorandum to Supervisor Technical Services Section, Office Services Division from Director of Tax Policy, September 8, 1982
- Sales and Use Tax, Extensions, Memorandum to Supervisor Technical Services Section, Office Services Division from Director of Tax Policy, September 8, 1982
- Sales and Use Tax, Interest Charged on Filing Extensions, Memorandum to Supervisor Technical Services Section, Office Services Division from Director of Tax Policy, November 15, 1982
- Sales and Use Tax, Audit Limitations, House Bill 846 (1983, Chapter 104), Memorandum to Supervisor Technical Services Section, Office Services Division from Director of Tax Policy, December 10, 1980, June 9, 1983
- Sales and Use Tax, Computation of Additional Penalty When Minimum Penalty Assessed, Memorandum to Systems Development Project Team from Director of Tax Policy, July 28, 1983
- Sales and Use Tax, Allocation of Local Sales and Use Tax Where Business Property is Located in More Than One Locality, Memorandum to Supervisor of Taxpayer Assistance from Director of Tax Policy, January 9, 1984
- Sales and Use Tax, Assessment of Penalty and Interest: Miscellaneous Taxes, Memorandum to Manager System Development Project Team from Director of Tax Policy, December 21, 1984
- Sales and Use Tax, Disallowance of Sales Tax Dealer's Discount When Tax Not Paid in Full, Memorandum to Supervisor Taxpayer Assistance Section from Director Tax Policy, April 1, 1985
- Sales and Use Tax, Request for Determination of Policy/Sales and Use Tax Registration of Persons Making Nontaxable Sales, Memorandum to Supervisor of Taxpayer Assistance Section from Director of Tax Policy, April 1, 1985
- Sales and Use Tax, Status of Conrail Under the Sales and Use Tax, Memorandum to Supervisor Technical Service Section from Director of Tax Policy, June 6, 1985
- Sales and Use Tax, "Customized" Mailing List, Memorandum to Supervisor Technical Service Section from Director of Tax Policy, November 25, 1985
- Sales and Use Tax, Policy Request/Sales and Use Tax Preponderance of Use, Memorandum to Supervisor Technical Service Section from Director of Tax Policy, December 9, 1985
- Sales and Use Tax, Sales Tax Refunds to Businesses Located in Urban Enterprise Zones, Memorandum to Supervisor Technical Service Section from Director of Tax Policy, June 24, 1986
- Sales and Use Tax, Inclusion of Federal Manufactures Excise Taxes in Sales Price of Goods Sold, Memorandum to Assistant Director of Tax Policy from Senior Tax Policy Analyst, July 23, 1987
- Sales and Use Tax, Advertising Regulation Training, Memorandum to Supervisor Office Services Division from Director of Tax Policy, August 21, 1987
- Sales and Use Tax, Repair/Replacement Parts Purchased by Motor Vehicle Lessors, Memorandum to Audit Supervisor Roanoke District Office from Supervisor Technical Services Section, Office Services Division, January 26, 1988
- Sales and Use Tax, Tangible Personal Property Purchased by Foreign Army in Virginia, Memorandum to Supervisor Field Services Division from Director of Tax Policy, March 8, 1989
- Sales and Use Tax, Implementation of SB 741 (Dealer's Discount), Memorandum to Supervisor Technical Services Section, Office Services Division, March 27, 1989
- Sales and Use Tax, Storage Tanks, Memorandum to District Administrator Richmond District Office, May 22, 1989
- Sales and Use Tax, Leases Between Affiliated Corporations, Memorandum to Director of Field Services Division from Director of Tax Policy, August 31, 1989
- Sales and Use Tax, Audit Penalty, Memorandum to Director of Field Services from Director of Tax Policy, July 18, 1990
- Sales and Use Tax, Member Fees, Memorandum to Assistant Director Field Services Division from Director of Tax Policy, January 11, 1991
- Sales and Use Tax, Nonprescription Drug Exemption Question and Answer Summary, Memorandum from Tax Commissioner to Members of the General Assembly
- Sales and Use Tax, 1991 SB 524: Sales and Use Tax Exemption for REACT Organizations, Memorandum to Supervisor Technical Services Section, Office Services Division from Director Tax Policy Division, May 3, 1991
- Sales and Use Tax, Virginia Supreme Court Decision: Real Estate Publications, Memorandum to Leadership Team, District Offices From Director of Tax Policy, January 24, 1995
- Sales and Use Tax, Successor Liability, Memorandum to Director of Collections from Office of Tax Policy, April 30, 1998
- Sales and Use Tax, Internet Tax Freedom Act (H.R. 4105), Memorandum from Tax Commissioner to Tax Assistant Commissioners, July 10, 1998

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Memorandum to Office of Customer Services and Office of Compliance from Assistant Commissioner for Tax Policy, Steuart Petroleum Co., December 23, 1998

Sales and Use Tax, Memorandum to Office of Customer Services and Office of Compliance from Assistant Commissioner for Tax Policy, Vepco v. SCC, 219 Va. 894 (1979), April 15, 1999

Sales and Use Tax, Memorandum to Office of Compliance from Office of Tax Policy regarding Industrial Processing Exemption Retail/Photo-Processing Operations, September 8, 2000

Sales and Use Tax, Virginia Tire Tax, Recall of Firestone Tires by Ford Motor Co., July 31, 2001

Sales and Use Tax, Memorandum to Office of Customer Relations from Office of Policy and Administration, Appeals and Rulings, Virginia Department of Taxation v. Chesapeake Hospital Authority, Record No. 002813 (November 2, 2001), December 20, 2001

Sales and Use Tax, Memorandum to Office of Compliance from Office of Policy and Administration, Appeals and Rulings, regarding Federal Government Credit Card Purchases, July 12, 2002

Sales and Use Tax, Sales and Use Tax Legislative Changes for 2004, August 30, 2004

Sales and Use Tax, Virginia Retail Sales and Use Tax Rate Increase Guidelines, August 1, 2004

Sales and Use Tax, Public Service Corporation Exemption Repeal Guidelines, August 30, 2004

Tobacco Products Tax, Tobacco Products Tax Guidelines and Rules, February 18, 2005

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Watercraft Sales and Use Tax, Federal Fee on Recreational Boaters, Memorandum to Director Office Services Division from Director Tax Policy Division, March 4, 1991

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Questions regarding interpretation or implementation of these documents may be directed to the Office of Policy and Administration, Appeals and Rulings, Department of Taxation, P.O. Box 27203, Richmond, VA 23261-7203, telephone (804) 371-6042 or FAX (804) 371-7179.

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- Virginia Tax Bulletin No. 05-6, (PD 05-69) 05/06/2005, Important Information Regarding Filing Requirements For Pass-Through Entities
- Virginia Tax Bulletin No. 05-7, (PD 05-78) 05/31/2005, Food Tax Rate Reduction
- Virginia Tax Bulletin No. 05-8, (PD 05-98) 06/23/2005, Third Quarter Interest Rates 2005

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## Guidance Documents

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Virginia Tax Bulletin No. 05-9, (PD 05-152) 09/16/2005, Important Information Regarding Hurricane Katrina Disaster Relief: FEMA and American Red Cross Debit Cards

Virginia Tax Bulletin No. 05-10, (PD 05-154) 09/23/2005, Fourth Quarter Interest Rates 2005

Virginia Tax Bulletin No. 05-11 (PD 05-172) 12/21/2005, First Quarter Interest Rates 2006

Virginia Tax Bulletin No. 06-1, (PD 06-25) 03/16/2006, Virginia's Fixed-Date Conformity to the Internal Revenue Code Advanced to December 31, 2005

Virginia Tax Bulletin No. 06-2, (PD 06-26) 03/15/2006, Second Quarter Interest Rates 2006

Virginia Tax Bulletin No. 06-3, (PD 06-57) 06/22/2006, Third Quarter Interest Rates 2006

Virginia Tax Bulletin No. 06-4, (PD 06-60) 07/07/2006, Retail Sales and Use Tax Treatment of Government Contractors

Virginia Tax Bulletin No. 06-5, (PD 06-70) 08/17/2006, Assessment increase of \$0.10 to \$0.95 per bale of cotton effective on September 1, 2006

Virginia Tax Bulletin No. 06-6, (PD 06-93) 09/22/2006, Fourth Quarter Interest Rates 2006

Virginia Tax Bulletin No. 06-7 (PD 06-149) 12/19/2006, First Quarter Interest Rates 2007

Virginia Tax Bulletin No. 06-8 (PD 06-150) 12/27/2006, Virginia and Maryland UPDATE Reciprocal Income Tax Agreement

Virginia Tax Bulletin No. 07-1, (PD 07-7) 02/23/2007, Virginia's Fixed-Date Conformity to the Internal Revenue Code Advanced to December 31, 2006

Virginia Tax Bulletin No. 07-2, (PD 07-10) 03/15/2007, Second Quarter Interest Rates 2007

Virginia Tax Bulletin No. 07-3, (PD 07-11) 03/15/2007, Cigarette Tax Increased Compliance Efforts

Virginia Tax Bulletin No. 07-4, (PD 07-28) 04/05/2007, Allocation of Virginia's Earned Income Credit for Taxpayers Using the Married Filing Separately Status

Virginia Tax Bulletin No. 07-5, (PD 07-32) 04/09/2007, Advertisements For The Absorption Of Sales Tax

Virginia Tax Bulletin No. 07-6, (PD 07-33) 04/18/2007, Six-Month Filing, Payment Extension Following Virginia Tech Tragedy

Virginia Tax Bulletin No. 07-7, (PD 07-96) 06/22/2007, Third Quarter Interest Rates 2007

Virginia Tax Bulletin No. 07-8, (PD 07-149) 09/17/2007, Fourth Quarter Interest Rates 2007

Virginia Tax Bulletin No. 07-9, (PD 07-149) 12/17/2007, Fourth Quarter Interest Rates 2007

Virginia Tax Bulletin No. 08-1, (PD 08-14) 2/6/2008, Important Information Regarding 2007 Virginia Income Tax Returns

Virginia Tax Bulletin No. 08-2, (PD 08-15) 2/27/2008, Important Information Regarding the Hampton Roads Transportation Authority

Virginia Tax Bulletin No. 08-3, (PD 08-20) 2/29/2008, Tax on Motor Vehicle Repair Labor and Services in the Northern Virginia Transportation Authority

Virginia Tax Bulletin No. 08-4, (PD 08-23) 3/11/2008, Interest Rates, Second Quarter 2008

Virginia Tax Bulletin No. 08-5, (PD 08-24) 3/13/2008, Motor vehicle repair labor and services sales and use tax ("Repair Tax") and motor vehicle fuel sales tax now invalid

Virginia Tax Bulletin No. 08-6, (PD 08-27) 3/25/2008, The Northern Virginia Transportation Authority

Virginia Tax Bulletin No. 08-7, (PD 08-49) 4/21/2008, New Cap Amount for the Land Preservation Income Tax Credit

Virginia Tax Bulletin No. 08-8, (PD 08-57) 4/30/2008, Interest Rates, Extension for Victims of Tornadoes

Virginia Tax Bulletin No. 08-9, (PD 08-87) 6/10/2008, Interest Rates, Third Quarter 2008

Virginia Tax Bulletin No. 08-10, (PD 08-175)09/18/2008, Fourth Quarter Interest Rates 2008

Virginia Tax Bulletin No. 08-11, (PD 08-189)10/20/2008, Department of Taxation has changed its policy with respect to sales of 1) food, prepared food and meals and 2) tickets to events that include the provision of food

Virginia Tax Bulletin No. 08-12, (PD 08-192)12/02/2008, Important information Regarding Virginia Household Employer Annual Withholding

Virginia Tax Bulletin No. 08-13, (PD 08-194)12/11/2008, Additional information regarding the assessment of cigarette tax penalties and the procedures for appealing these penalties

Virginia Tax Bulletin No. 08-14, (PD 08-195)12/16/2008, 2009 First Quarter Interest Rates

Additionally, the Department of Taxation is required under § 58.1-204 of the Code of Virginia to publish (i) orders of the Tax Commissioner under §§ 58.1-1822 and 58.1-1824, (ii) final orders entered by a circuit court under § 58.1-1826 or § 58.1-1827, and any written opinion or memorandum of the court; and (iii) any written ruling or other interpretation of Virginia law which the Tax Commissioner believes may be of interest to taxpayers and practitioners. These Public Documents interpret both law (Title 58.1 of the Code of Virginia) and regulations (Title 23 of the Virginia

Administrative Code) as they apply to taxpayers. Since 1984, the department has published over 5,000 public documents and adds an additional 40 to 50 documents to this list each month.

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Copies of the following documents may be obtained from Tax's website at [www.tax.virginia.gov](http://www.tax.virginia.gov). Copies may be obtained for a per page copy fee of \$.10 per page by contacting James Mason at the Office of Customer Relations, Department of Taxation, P.O. Box 5771, Richmond, VA 23220-0771, telephone (804) 786-1879 or FAX (804) 786-2087.

Questions regarding interpretation or implementation of these documents may be directed to James Mason at the Office of Customer Relations, Department of Taxation, P.O. Box 5771, Richmond, VA 23220-0771, telephone (804) 786-1879 or FAX (804) 786-2087.

#### **Guidance Documents:**

Office of Compliance, Field Audit Guide, revised December 2006, Vols. 1-4, 2,000 pages

Office of Compliance, Statistical Sampling Audit Manual, 200 pages, Published July 2007

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Copies of the following documents may be obtained from the Town Hall website at [www.townhall.virginia.gov](http://www.townhall.virginia.gov). Copies may be obtained for a per page copy fee of \$.10 per page by Don Staples, Office of Customer Relations, Department of Taxation, PO Box 5610, Richmond, Virginia 23220 at telephone (804) 786-1534 or FAX (804) 786-2806.

Questions regarding interpretation or implementation of these documents may be directed to Don Staples, Office of Customer Relations, Department of Taxation, P.O. Box 5610, Richmond, Virginia 23220 at telephone (804) 786-1534 or FAX (804) 786-2806.

#### **Guidance Documents:**

Commonwealth of Virginia, Department of Taxation, Office of Compliance, Procedures for Safeguarding Federal Tax Information, July 1981, revised December 2008, 14 pages

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Copies of the following documents may be obtained from the Town Hall website at [www.townhall.virginia.gov](http://www.townhall.virginia.gov). Copies may be obtained by contacting Barbara Toellner, Office of Customer Relations at telephone (804) 225-3094 or FAX (804) 786-2087.

Questions regarding interpretation or implementation of these documents may be directed to Barbara Toellner, Office of Customer Relations at telephone (804) 225-3094 or FAX (804) 786-2087.

#### **Guidance Documents:**

Commonwealth of Virginia, Department of Taxation, Office of Compliance, Field Collection Guide, December 1, 2006, 103 pages

#### **DEPARTMENT OF TRANSPORTATION**

The list of guidance documents submitted by the Virginia Department of Transportation (VDOT) is subdivided by the work unit (division or district) that issued or has custody of the document. VDOT has indicated a URL for documents that are available online.

#### **Maintenance Division - Administration**

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4 p.m. in the office of the Virginia Department of Transportation's Maintenance Division, located in the Monroe Building, 19th Floor, Richmond, Virginia. Mailing address: VDOT, Maintenance Division, 1401 E. Broad Street, Richmond, VA, 23219. One copy of any document or a combination of documents, up to five pages, may be obtained free of charge by contacting Bob Kardian at the same address, telephone (804) 786-0783. Additional copies and/or pages may be obtained at a cost of \$0.15 per page, checks made payable to the Treasurer of Virginia.

Questions regarding interpretation or implementation of these documents may be directed to Mr. Robert E. Prezioso, P.E., Acting Maintenance Division Director, VDOT, 1401 E. Broad Street, Richmond, VA, 23219, telephone (804) 786-0816, or email at [robert.prezioso@vdot.virginia.gov](mailto:robert.prezioso@vdot.virginia.gov).

#### **Guidance Documents:**

Maintenance Best Practices Manual (August 2008):

Abandoned Vehicles on the Right-of-Way (Section 6.6.5), Code of Virginia § 46.2-1210

Budgets (Chapter 3), §§ 33.1-23.02 (B) and 33.1-23.1(B)

Contracts (Chapter 4), §§ 2.2-4301, 2.2-4303, 33.1-12 (2), and 33.1-190

Dead Animal Removal (Section 11.5.2), § 18.2-323

Debris on Highway or Roadside (Section 11.5.3), §§ 10.1-1424, 18.2-324, and 33.1-346

Drainage (Chapter 5), §§ 2.2-4301, 2.2-4303, 33.1-12 (2) and 33.1-190

Driveways of Volunteer Fire Departments and Rescue Squads (Section 14.2.9), § 33.1-200.1

Dump Creating Fire Hazard to Public Bridge (Section 16.9.14), § 33.1-347

Entrances/Land Use, (Chapter 6, specifically, Sections 6.3 and 6.5), §§ 33.1-197 through 33.1-199

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## Guidance Documents

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Special Facilities (Chapter 15), §§ 33.1-252 and 33.1-268

Fishing From Bridges (Section 16.9.1), § 33.1-207, 24VAC30-20-90

Garden Week (Section 11.6), § 33.1-12

Historical Markers (Section 11.7), §§ 10.1-2202 (12), 24VAC30-150-2100

Illegal Signs on Right-of-Way (Section 11.8.2), § 33.1-373, 24VAC30-20-160

Inmate Labor (Chapter 9), §§ 53.1-56, 53.1-57, and 53.1-58

Landfills (Section 11.5.5.2), § 33.1-347

Litter Control and Disposal Operations (Section 11.5), §§ 10.1-1424, 18.2-323, 18.2-324, and 33.1-346

Mail Boxes and Newspaper Boxes (Section 6.6.3), § 33.1-206, 24VAC30-20-110

Outdoor Advertising and Junkyards (Section 11.8), §§ 33.1-348, 33.1-351 et seq.

Pesticides and Fertilizers (Section 11.4), Virginia Pesticide Control Act (Title 3.2, Chapter 39 of the Code of Virginia)

Political Signs on Right-of-Way and Collection Process (Sections 11.8.2.1 and 11.8.2.3), § 33.1-373, 24VAC30-20-160

Posted Roads and Bridges (Sections 12.3.7, 12.8 and 16.9.3), § 46.2-1104

Primary System Overhead Crossing and Underpass (Section 10.3), § 56.368-1

Provision of Materials and Use of Equipment by Local Governments and School Boards (Sections 1.15 and 7.3.8), § 33.1-195

Railroads (Chapter 10), §§ 56-405, 56-406.1, 56-406.2, and 56.368-1

Real Estate Signs on Right-of-Way and Collection Process (Sections 11.8.2.2 and 11.8.2.3), § 33.1-373

Rest Areas and Waysides/Picnic Areas (Sections 15.5 and 15.6), §§ 33.1-12 (3) and 33.1-218, 24VAC30-50-10

Restricted Structures (Sections 16.9.2 and 16.9.3), §§ 46.2-1104 and 46.2-1124 through 46.2-1127

Roads in State Institutions (Section 15.11), § 33.1-33

Roadway and Non-Roadway Lighting (Section 18.10), §§ 15.2-2020 and 46.2-100

School Zone Signs (Section 18.1.4), § 46.2-873

Sledding Play Areas Designated by Local Governments (Section 14.2.12), § 46.2-1302

Snow Emergency Routes (Section 14.2.10), § 46.2-1302

Speed Limits (Section 18.1.5), § 46.2-878

Steel Plates (Section 18.11), § 33.1-223.2:14

Road and Street Name Signs (Section 18.1.2), § 33.1-69.01

Trash Containers (Section 11.5.5.3), 24VAC30-150-2160

Land Development Manual, Volumes I and II, which supports the Minimum Standards of Entrances to State Highways (Code of Virginia § 33.1-198 and 24VAC30-71) and the Subdivision Street Requirements (§§ 33.1-69 and 33.1-229 and 24VAC30-91)

Traffic Impact Analysis Regulations Administrative Guidelines, revised July 2008, 24VAC30-155 (available at <http://www.virginiadot.org/projects/chapter527/>)

### Scheduling and Contract Division

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation's Scheduling and Contract Division, 1401 E. Broad St., Richmond, VA 23219. Copies may be obtained either free of charge or at the specified cost by contacting the Scheduling and Contract Division Administrator's Office at the same address, telephone (804) 225-3292, or FAX (804) 786-7778.

Questions regarding interpretation or implementation of these documents may be directed to the Scheduling and Contract Division Administrator at the same address, telephone, and FAX numbers given above.

The documents below are issued pursuant to § 33.1-13 of the Code of Virginia. The Post Construction Manual, 2005 Construction Manual, and the Instructional Memoranda (listed under the "Location & Design" category) are available at the following Internet address:  
<http://www.virginiadot.org/business/manuals-default.asp>

### Guidance Documents:

VDOT Construction and Maintenance Claims and Notice of Intent to File Claim (NOI) Manual, revised May 2006, no charge

VDOT Emergency Contract Manual, revised May 2008, no charge

VDOT Post Construction Manual (Imperial and Metric), revised November 2007, no charge

VDOT 2005 Construction Manual, revised August 2004, \$11, no charge from Internet

VDOT Construction Phase Inspection Manual, revised April 2008, no charge (also available at [http://www.virginiadot.org/business/resources/const/Inspection\\_Manual.pdf](http://www.virginiadot.org/business/resources/const/Inspection_Manual.pdf))

VDOT Special Advertisement and Award Process Manual, revised April 2001, no charge

VDOT Value Engineering Program Administration Manual, revised October 24, 2008, Code of Virginia, § 33.1-190.1, no charge

VDOT Construction Directive Memoranda, issued 1994 – 2007, no charge from Internet (<http://www.virginia.gov/business/const/resources-cdmemolist07-10.asp>)

Each memorandum is generally two pages or less in length and pertains to construction activities such as documentation requirements, design guidelines, specification interpretation, and contractual issues. Memoranda are revised, rescinded, or issued throughout the year, generally every two or three months.

### **Financial Planning Division**

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation's Financial Planning Division, located in the Highway Building, 1221 E. Broad St., Richmond, VA 23219. Copies may be obtained free of charge at the same address or by calling (804) 786-6065 or faxing (804) 786-2564.

Questions regarding interpretation or implementation of the documents may be directed to John W. Lawson, Director of Financial Planning, 1401 E. Broad St., Richmond VA 23219, telephone (804) 786-2454, FAX (804) 786-2564, or email [john.lawson@vdot.virginia.gov](mailto:john.lawson@vdot.virginia.gov).

### **Guidance Documents:**

The Commonwealth Transportation Fund and the Virginia Department of Transportation Annual Budget are prepared annually and approved by the CTB by July 1 of each year as required by the Code of Virginia, § 33.1-12 (9). These items may also be viewed at the VDOT website at the following address: VDOT Info & Service: VDOT Budget and Supplement <http://www.virginia.gov/projects/reports-budget.asp>.

### **Innovative Project Delivery Division**

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation's Innovative Project Delivery Division, located at 1221 E. Broad St., Richmond, VA 23219. Copies may be obtained free of charge at the same address or by calling (804) 786-1103 or faxing (804) 786-7221. These documents are also accessible via the Internet from the following addresses:

Public-Private Transportation Act: Commonwealth of Virginia Public-Private Transportation Act of 1995 Guidelines, revised October 31, 2005, Code of Virginia, § 56-556 et seq.: <http://www.virginia.gov/business/ppta-Guidelines.asp>

Questions regarding interpretation or implementation of the Public-Private Transportation Act Guidelines may be directed to Thomas W. Pelnik, III, P.E., Director, Innovative Project Delivery Division, 1401 E. Broad St., Richmond VA 23219, telephone (804) 786-1103, FAX 786-7221, or email [thomas.pelnik@vdot.virginia.gov](mailto:thomas.pelnik@vdot.virginia.gov).

DESIGN-BUILD: Design-Build Procurement Manual, Revision March 1, 2007, Code of Virginia, § 33.1-12 (2)(b): [http://www.virginia.gov/business/resources/Final\\_DB\\_Manual\\_070801.pdf](http://www.virginia.gov/business/resources/Final_DB_Manual_070801.pdf)

Questions regarding interpretation or implementation of the Design-Build Procurement Manual may be directed to Thomas W. Pelnik, III, P.E., Director, Innovative Project Delivery Division, 1401 E. Broad St., Richmond VA 23219, telephone (804) 786-1103, FAX 786-7221, or email [thomas.pelnik@vdot.virginia.gov](mailto:thomas.pelnik@vdot.virginia.gov).

### **Local Assistance Division**

Documents and information regarding programs referenced in this entry are accessible from the Virginia Department of Transportation website at: <http://www.virginia.gov/business/local-assistance.asp>

Copies of the following document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation's Local Assistance Division, located in the VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219. Copies may be obtained either free of charge or at a specified charge for excess copies by contacting W.R. Dandridge, Program Manager, at the same address, telephone (804) 786-2745 (or Hugh W. Adams, Program Supervisor, telephone (804) 786-2744), or FAX (804) 786-2603. This document may also be accessed at: <http://www.virginia.gov/business/local-assistance.asp>

### **Guidance Document:**

Economic Development Access Program Guide, revised July 2007, Code of Virginia, § 33.1-221, 24VAC30-271 (Economic Development Access Fund Policy)

Copies of the following document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation's Local Assistance Division, located in the VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219. This document may also be accessed at: [http://www.virginia.gov/projects/resources/2005\\_EnhancementManual\\_3\\_.pdf](http://www.virginia.gov/projects/resources/2005_EnhancementManual_3_.pdf)

For more information on this program or to obtain a copy of the application packet, please contact the Transportation Enhancement Program Staff at 1-800-444-7832 or (804) 786-2264, FAX (804) 786-2603, or email [h.chenault@vdot.virginia.gov](mailto:h.chenault@vdot.virginia.gov), [pamela.liston@vdot.virginia.gov](mailto:pamela.liston@vdot.virginia.gov), or [cynthia.clark@vdot.virginia.gov](mailto:cynthia.clark@vdot.virginia.gov).

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# Guidance Documents

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**Guidance Document:**

Enhancement Program Procedure Manual, March 2005, Code of Virginia, § 33.1-12 (9) and (11)

Copies of the following document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation's Local Assistance Division, located in the VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219.

Copies may be obtained either free of charge or at a specified charge for excess copies by contacting Mark White, Urban Policy Manager, at the same address, telephone (804) 786-3438. This document may also be accessed at: [http://www.virginia-dot.org/business/resources/UCI\\_Guidelines.pdf](http://www.virginia-dot.org/business/resources/UCI_Guidelines.pdf)

Questions regarding interpretation or implementation of this document may be directed to Mark White, Urban Policy Manager, at the same address and telephone number given above.

**Guidance Document:**

Urban Construction Initiative Program Administration Guide, August 2008, Code of Virginia § 33.1-23.3

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation's Local Assistance Division, VDOT Annex, 1401 E. Broad St., Richmond, VA 23219. Copies may be obtained free of charge by contacting the Local Assistance Division at the same address, telephone (804) 786-0334, or FAX (804) 371-0847. These documents may also be accessed via the websites provided below.

Questions regarding interpretation or implementation of these documents may be directed to Jennifer B. Debruhl, Assistant Division Administrator, at the same address, telephone number, and FAX number given above.

**Guidance Documents:**

Urban Construction and Maintenance Program (Urban Manual): Policies and Guidelines, January 2007, 24VAC30-325 (Urban Maintenance and Construction Policy) [http://www.virginia-dot.org/business/resources/Urban\\_Manual\\_1-1-07\\_Final.pdf](http://www.virginia-dot.org/business/resources/Urban_Manual_1-1-07_Final.pdf)

Revenue Sharing Program Guide, 2008, 24VAC30-280 (Revenue Sharing Program) [http://www.virginia-dot.org/business/resources/local\\_assistance/Revenue\\_Sharing\\_Guide\\_2008.pdf](http://www.virginia-dot.org/business/resources/local_assistance/Revenue_Sharing_Guide_2008.pdf)

Guide for Local Administration of VDOT Projects, August 2007, 24VAC30-280 (Revenue Sharing Program), §§ 33.1-12 and 33.1-75.3, Code of Virginia, [http://198.176.41.198/business/resources/LAP\\_Guide\\_August\\_07.pdf](http://198.176.41.198/business/resources/LAP_Guide_August_07.pdf)

VDOT Construction Oversight Guide for Locally Administered Projects, February 2007, §§ 33.1-12 and 33.1-75.3, Code of Virginia [http://www.virginia-dot.org/business/resources/CNOversightGuide\\_Final\\_20807.pdf](http://www.virginia-dot.org/business/resources/CNOversightGuide_Final_20807.pdf)

**Location and Design Division**

The following document is available electronically from the VDOT Public Website at the following address: <http://www.virginia-dot.org/business/locdes/Manuals.asp>

Questions regarding interpretation or implementation of this document may be directed to the Policies and Procedures Section Manager at the Virginia Department of Transportation's Location and Design Division, Policies and Procedures Section located in the VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-8287, or FAX (804) 786-9311.

**Guidance Document:**

VDOT Public Involvement Policy and Procedure Manual, revised January 2007, Code of Virginia, § 33.1-18

The following document is available electronically from the VDOT Public Website at the following address: <http://www.extranet.vdot.state.va.us/locdes/electronic%20pubs/iim/IIM55.pdf>

Questions regarding interpretation or implementation of this document may be directed to the Policies and Procedures Section Manager at the Virginia Department of Transportation's Location and Design Division, Policies and Procedures Section located in the VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-8287, or FAX (804) 786-9311.

**Guidance Document:**

Instructional and Informational Memorandum IIM-LD-55, Curb Ramps and Sidewalks, revised August 20, 2007; § 15.2-2021, Code of Virginia

**Traffic Engineering Division**

Copies of the Traffic Engineering Memoranda (1967-present), issued pursuant to authority set forth in Code of Virginia, § 33.1-12 (3) and (5), and that deal with traffic control devices, along with related safety issues, may be viewed during regular work days from 8 a.m. until 4:30 p.m. at the Virginia Department of Transportation's Traffic Engineering Division, located in the VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219. Electronic copies will be furnished upon request by contacting Mansour Mahbanoozadeh at the same address, telephone (804) 786-7983 or Mark Hodges at the same address, telephone (804) 786-2868.

**Guidance Document:**

Traffic Engineering Division Memoranda, issued 1967-present, Code of Virginia, § 33.1-12 (3) and (5), 24VAC30-520 (Classifying and Marking State Highways)

Questions regarding interpretation or implementation of this document may be directed to the State Traffic Engineer during regular work days from 8 a.m. until 4:30 p.m. at the Virginia Department of Transportation's Traffic Engineering Division, located in the VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-2965.

**Programming Division**

Copies of the following document may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation's Programming Division, 1401 E. Broad St., Richmond, VA 23219, as well as each of the nine construction district offices across the state. The Virginia Transportation Six-Year Program (SYP) may also be viewed on the Internet at <http://www.virginia.gov/projects/syp-default.asp>

Questions regarding interpretation or implementation of this document may be directed to the Programming Division Administrator at (804) 786-2741 or FAX (804) 371-8719.

**Guidance Document:**

Virginia Six-Year Improvement Program, implemented July 1, 2007, § 33.1-12 (9), Code of Virginia

**Office of Public Affairs**

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of the Virginia Department of Transportation's Office of Public Affairs, located in the VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219. Copies may be obtained free of charge by contacting the Cartography Manager at the same address, telephone (804) 371-6776, FAX (804) 371-6846, or email [vdotmapfiles@vdot.virginia.gov](mailto:vdotmapfiles@vdot.virginia.gov).

Questions regarding interpretation or implementation of this document may be directed to the Cartography Manager.

**Guidance Documents:**

Virginia Official State Transportation Map Policy and Procedures, revised August 2005, Code of Virginia, § 33.1-36, Code of Virginia, no charge

Statement on the Use of VDOT County Map Series Digital Files, revised October 2008, Code of Virginia, § 33.1-84, no charge

Interagency Scenic Roads Map Advisory Committee Policy and Selection Criteria, revised September 2005; § 33.1-62 et seq.

**Policy Division**

Copies of the following document may be viewed during regular work days from 8 a.m. until 5 p.m. in the office of the Policy Division. Copies may be obtained free of charge by contacting the Policy Division Administrator, 1401 E. Broad St., Richmond, VA, 23219, telephone (804) 786-1830, or FAX (804) 225-4700. This document is also available at <http://vtrc.virginia.gov/PubDetails.aspx?PubNo=07-R3>.

Questions regarding interpretation or implementation of this document may be directed to the Policy Division Administrator at the address, telephone number, or FAX number provided above.

**Guidance Document:**

Intellectual Property: a Handbook for Employees of the Virginia Department of Transportation, Fifth Edition, issued August 2006, Code of Virginia, § 2.2-2822, no charge

**Right of Way Division**

Copies of the following document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation's Right of Way Division, located in the VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219. Copies may be obtained either free of charge or at a specified charge for excess copies by contacting William E. Meador, Relocation Program Manager, at the same address, telephone (804) 786-2928 or FAX (804) 786-1706.

**Guidance Document:**

Guidance Document for Determination of Certain Financial Benefits For Displacees, effective November 21, 2001, Rev. July 1, 2006, 24VAC30-41 (Rules and Regulations Governing Relocation Assistance)

**Structure and Bridge Division**

Copies of the following document may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the Virginia Department of Transportation's Structure and Bridge Division, located in the VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219. Copies may be obtained free of charge by contacting Ann Lafrancis at the same address, telephone (804) 786-2636, or FAX (804) 786-2988. This document is also available online at: <http://www.extranet.vdot.state.va.us/locdes/electronic%20pubs/Bridge%20Manuals/IIM/SBIIM27.6.pdf>

Questions regarding interpretation or implementation of this document may be directed to Anwar Ahmad at Structure and Bridge Division, VDOT Annex Building, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-2853 or FAX (804) 786-7787.

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# Guidance Documents

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## Guidance Document:

Structure and Bridge Division Instructional and Informational Memorandum 27.6, Bridge Safety Inspections, issued January 2008, Code of Virginia, § 33.1-12, Code of Virginia, 23 CFR Part 650, Subpart C

## Districts:

### Staunton District

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation, Staunton District Office, Rt. 11 Bypass/Commerce Rd., Staunton, VA 24401. Copies may be obtained free of charge by contacting Guy Tudor, Transportation Engineer, at the same address, telephone (540) 332-9120, or FAX (540) 332-9267.

Questions regarding interpretation or implementation of these documents may be directed to Guy Tudor at the same address, telephone, and FAX numbers given above.

## Guidance Documents:

VDOT General Notes for Subdivisions, revised May 2004, 24VAC30-91 (Subdivision Street Requirements)

Subdivision Checklist for Subdivisions in the Staunton District, revised May 2000, 24VAC30-91 (Subdivision Street Requirements)

## BOARD OF VETERINARY MEDICINE

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233. Copies may also be downloaded from the board's webpage at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) or the Regulatory Townhall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or requested by email at [vetbd@dhp.virginia.gov](mailto:vetbd@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Dr. Elizabeth Carter, Executive Director of the Board, at the address above or by telephone at (804) 367-4497. Copies are free of charge.

## Guidance Document:

150-1, Drug recordkeeping at shared facilities, from newsletter of January 1988, revised November 14, 2007

150-2, Expanded duties for Licensed Veterinary Technicians, excerpt from Board minutes of February 12, 2003

150-3, Distance learning programs and preceptorships for veterinary technicians, Board motion of May 21, 2003

150-4, "Chip" clinics outside approved facilities, excerpt from Board minutes of June 15, 1994, revised November 14, 2007

150-6, Mobile facilities allowed to change location without an inspection, excerpt from Board minutes of December 19, 1995, revised November 14, 2007

150-7, Use of term "specialist" or "specialty," excerpt from Board minutes of August 13, 1996

150-9, Board motion on content of a medical record, excerpt from Board minutes of February 3, 2005

150-10, Interpretation of regulatory provisions for inspectors, adopted November 14, 2007

150-13, Board opinion on veterinary prescriptions, May 16, 2002, revised February, 2004

150-14, Board guidance on process for delegation of informal fact-finding to an agency subordinate, November 3, 2004

150-16, Board motion on protocol to follow upon discovery of a loss or theft of drugs, adopted November 9, 2005

150-17, Sanctioning Reference Points Instruction Manual, adopted November 2006

150-18, Bylaws of the Board of Veterinary Medicine, adopted July 12, 2007

## UNIVERSITY OF VIRGINIA

Unless noted otherwise, the documents below are used in interpreting the Code of Virginia, § 23-76.

### Office of the Vice President and Chief Financial Officer

#### Department of Parking and Transportation Services

Copies of the following document may be viewed Monday through Friday from 7:30 a.m. until 5 p.m. at the Department of Parking and Transportation Services, 1101 Millmont Street, Charlottesville, VA 22903. Copies may be obtained free of charge by contacting Rebecca White, Director of Parking and Transportation Services, P.O. Box 400000, Charlottesville, VA 22904-4000, telephone (434) 924-6763, FAX (434) 924-3980, or email [rwc6j@virginia.edu](mailto:rwc6j@virginia.edu). Internet address for accessing the document is listed below.

Questions regarding interpretation or implementation of the policies may be directed to Rebecca White at the above address, telephone number, or email.

## Guidance Document:

University of Virginia Graduate and Undergraduate Record, Chapter 5 (U.Va. Parking Regulations): [http://records.ureg.virginia.edu/content.php?catoid=7&page=08d\\_department\\_of\\_parking.html](http://records.ureg.virginia.edu/content.php?catoid=7&page=08d_department_of_parking.html), revised August 2003, § 23-9.2:3

## Conference Services

Copies of the following document may be viewed Monday through Friday from 8 a.m. until 5 p.m. at the Housing Division Conference Services, Kent House, Bonnycastle

Drive, Charlottesville, VA 22903. Copies may be obtained free of charge by contacting Mary Kay Ohaneson, Director of Conference Services, at P.O. Box 400734 Charlottesville, VA 22904-4734, telephone (434) 924-4479, FAX (434) 924-1027, or email [mko5c@virginia.edu](mailto:mko5c@virginia.edu).

Questions regarding interpretation or implementation of the policies may be directed to Mary Kay Ohaneson at the above address, telephone number, or email.

### **Guidance Document:**

Conference Services Agreement, revised 2005

#### **Office of the Vice President and Chief Financial Officer**

Copies of the following document may be viewed Monday through Friday from 7 a.m. until 3:30 p.m. in the office of the Policy Manager, Carruthers Hall, 1001 North Emmet Street, P.O. Box 400194, Charlottesville, VA 22904. Copies may be obtained free of charge by contacting Lynn Mitchell at the same address, telephone (434) 924-4037, FAX (434) 982-2315, or email [lm2z@virginia.edu](mailto:lm2z@virginia.edu). Internet address for accessing the document is listed below.

Questions regarding interpretation or implementation of this document may be directed to Lynn Mitchell at the above address, telephone number, or email.

### **Guidance Document:**

University of Virginia Policy Directory (<http://www.virginia.edu/uvapolicies/>)

#### **Office of the Executive Vice President and Provost**

Copies of the Undergraduate Prospectus may be viewed at the Office of Admission, Peabody Hall, Charlottesville, VA 22903, Monday through Friday from 8:30 a.m. until 5 p.m. Questions regarding viewing may be directed to Senem Kudat, Assistant Dean of Admission, at the same address, telephone (434) 982-3200, or email [skudat@virginia.edu](mailto:skudat@virginia.edu). Copies may be obtained at no charge by contacting Carol Craig, Office of Admission, P.O. Box 400160, Charlottesville, VA 22904-4160, telephone (434) 982-3383. The Undergraduate Prospectus may also be viewed online at <http://www.virginia.edu/undergradadmission/prospectus.html>

Questions regarding interpretation or implementation of this document may be directed to Senem Kudat at the above address, telephone number, or email.

Copies of the Undergraduate and Graduate Records may be viewed in the Office of the Executive Vice President and Provost, Madison Hall, Charlottesville, VA, Monday through Friday from 8:30 a.m. until 5 p.m. Questions regarding viewing may be directed to Rajiva Seneviratne, Assistant to the Vice Provost for Administration and Office Manager, P.O. Box 400226, Madison Hall, Charlottesville, VA 22904-4226, telephone (434) 982-2814, or email [rs9c@virginia.edu](mailto:rs9c@virginia.edu).

Individuals eligible to receive a complimentary copy of the Undergraduate or Graduate Record should contact Sheila Tolley, Outreach and Resource Coordinator, Office of the University Registrar, P.O. Box 400203, Charlottesville, VA 22904-4203, telephone (434) 924-6868, or email [sft4t@virginia.edu](mailto:sft4t@virginia.edu). Other persons may obtain copies of the Undergraduate and Graduate Records from the University of Virginia Bookstore, P.O. Box 400820, Charlottesville, VA 22904-4820, telephone (434) 924-3721. The cost is \$7. The Undergraduate and Graduate Records may also be viewed online at <http://records.ureg.virginia.edu/index.php>

Questions regarding interpretation and implementation of the Undergraduate and Graduate Records may be directed to J. Milton Adams, Vice Provost for Academic Programs, Office of the Executive Vice President and Provost, Booker House, P.O. Box 400308, Charlottesville, VA 22904-4226, telephone (434) 924-3728, or email [jma@virginia.edu](mailto:jma@virginia.edu).

Copies of the Faculty Handbook may be viewed online at <http://www.virginia.edu/provost/facultyhandbook/index.html>

Computer terminals are available at Alderman Library, McCormick Road at University Avenue, Charlottesville, VA, Monday through Thursday from 8 a.m. until 12 a.m., Friday from 8 a.m. until 9 p.m., Saturday from 9 a.m. until 8 p.m., and Sunday from 10 a.m. until 12 a.m. (Times may vary; check prior to coming, telephone (434) 924-3021.) Assistance in locating a computer terminal is available at the circulation desk. Hard copies of the Faculty Handbook are no longer available.

Questions regarding interpretation and implementation of the Faculty Handbook may be directed to John Teahan, Assistant to the Vice Provost for Administration, Office of the Executive Vice President and Provost, Booker House, P.O. Box 400308, Charlottesville, VA 22904, telephone (434) 982-0119, or email [johnteahan@virginia.edu](mailto:johnteahan@virginia.edu).

#### **Claude Moore Health Sciences Library**

Copies of the User Eligibility Policy may be viewed Monday through Friday from 8 a.m. until 4:30 p.m. in the office of Gretchen Arnold, Library Director, Claude Moore Health Sciences Library, 2nd Floor, Room 2237C, Charlottesville, VA 22908. Copies may be obtained free of charge by contacting Gretchen Arnold at the same address, telephone (434) 924-5591, or email [gvn8r@virginia.edu](mailto:gvn8r@virginia.edu). The policy is also accessible online at <http://www.healthsystem.virginia.edu/internet/library/wdc-lib/admin/policy/eligibility.cfm>

Questions regarding interpretation or implementation of this document may be directed to Gretchen Arnold at the above address, telephone number, or email.

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# Guidance Documents

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## Libraries

Copies of the University Library Policies may be viewed online at <http://www.lib.virginia.edu/policies>. Copies may be obtained free of charge by contacting Diane Walker, Deputy University Librarian, telephone (434) 924-4606, or email [dpw@virginia.edu](mailto:dpw@virginia.edu). The documents are also available at any University Library public information desk during regular library hours (hours vary by facility).

Questions regarding interpretation or implementation of the policies may be directed to Diane Walker at the above address, telephone number, or email.

## Office of the Vice President for Management and Budget

### Facilities Management

Copies of the Higher Education Capital Outlay Manual (HECOM) may be viewed Monday through Friday from 8 a.m. until 5 p.m. in the Office of Facilities Planning and Construction, University of Virginia, 575 Alderman Road, P.O. Box 400726, Charlottesville, VA 22903. Copies may be obtained for \$30 per copy from Kim Breeden at the same address, telephone (434) 982-4615, FAX (434) 982-4628, or email [kbm4n@virginia.edu](mailto:kbm4n@virginia.edu). Internet address for accessing the document is listed below.

Questions regarding interpretation or implementation of this document may be directed to Patricia Clifton, Manager Contract Administration, University of Virginia, P.O. Box 400726, Charlottesville, VA 22904-4726, telephone (434) 982-5472, FAX (434) 982-4628, or email [pcm8b@virginia.edu](mailto:pcm8b@virginia.edu).

### Guidance Document:

Higher Education Capital Outlay Manual (<http://www.fm.virginia.edu/fpc/HECOMManual/HECOM-RevIV-CompleteManual.pdf>), Edition 2, thru Revision Va of Oct 9, 2007.

## Procurement Services

The following documents may be viewed Monday through Friday from 8 a.m. until 5 p.m. at Procurement Services, Carruthers Hall, 1001 N. Emmet Street, P.O. Box 400202, Charlottesville, VA 22904-4202. Copies may be obtained free of charge by contacting Eric Denby, Director of Procurement Services, at the same address, telephone (434) 924-4019, FAX (434) 982-2690, or email [end@virginia.edu](mailto:end@virginia.edu). Internet addresses for accessing the documents are listed below.

Questions regarding interpretation or implementation of the policies may be directed to Eric Denby at the above address, telephone number, or email.

These documents and other relevant information as to how the University conducts business in the areas of purchasing, accounts payable, surplus property, and procurement with small, women-owned, and minority firms are also available

on the University of Virginia's Procurement Services website (<http://www.procurement.virginia.edu/main/>).

### Guidance Documents:

Commonwealth of Virginia Purchasing Manual for Institutions of Higher Education and Their Vendors (<http://www.odu.edu/af/materiel/departments/purchasingmanual.pdf>), July 2006.

Commonwealth Accounting Policies and Procedures (CAPP) Manual ([http://www.doa.virginia.gov/Admin\\_Services/CAPP/CAPP\\_Main.cfm](http://www.doa.virginia.gov/Admin_Services/CAPP/CAPP_Main.cfm)), October 2008.

Commonwealth of Virginia Executive Order 33 Enhancing Opportunities for Small, Women and Minority Owned Businesses ([http://www.governor.virginia.gov/Initiatives/ExecutiveOrders/pdf/EO\\_33.pdf](http://www.governor.virginia.gov/Initiatives/ExecutiveOrders/pdf/EO_33.pdf)), August 2006.

## Office of the Senior Vice President for Development and Public Affairs

Copies of the following document may be viewed Monday through Friday from 8 a.m. until 5 p.m. at the University Development Office, 400 Ray C. Hunt Drive, #100, Charlottesville, VA 22903. Copies may be obtained free of charge by contacting Julian Bivins, Assistant Vice President for Advancement Services, Development and Public Affairs, at the same address, telephone (434) 924-6022, or FAX (434) 924-0556.

Questions regarding interpretation or implementation of this document may be directed to Julian Bivins at the above address or telephone number.

### Guidance Document:

DPA Mission and Values Statement, October 1991 (revised April 2006)

## Office of the Vice President and Chief Student Affairs Officer

### Division of Student Affairs

Copies of the following documents may be viewed Monday through Friday from 8 a.m. until 5 p.m. in the Office of the Vice President and Chief Student Affairs Officer, S.W. Wing, the Rotunda, Charlottesville, VA 22903. Copies may be obtained free of charge by contacting Patricia M. Lampkin at the same address, telephone (434) 924-7984, FAX (434) 924-1002, or email [ypsa@virginia.edu](mailto:ypsa@virginia.edu). Internet addresses for accessing the documents are listed below.

Questions regarding interpretation or implementation of these documents may be directed to Patricia M. Lampkin, Vice President and Chief Student Affairs Officer, at the above address, telephone number, or email.

## Guidance Documents:

Unless stated otherwise, the documents also may be viewed and printed from Chapter 5 of the University's Graduate and Undergraduate Records websites (<http://www.virginia.edu/~regist/gradrec/> and <http://www.virginia.edu/~regist/ugradrec/>, respectively).

Alcohol and Drug Policy, Ch. 5 - "Non-academic Regulations," University of Virginia Graduate and Undergraduate Record, revised Spring 2004.

Discriminatory Harassment Policy, Ch. 5 - "Non-academic Regulations," University of Virginia Graduate and Undergraduate Records, revised Spring 2008.

Sexual Assault, Ch. 5 - "Non-academic Regulations," University of Virginia Graduate and Undergraduate Records, revised Spring 2005. Policies and procedures may be viewed at [http://sexualassault.virginia.edu/uva\\_policies.htm](http://sexualassault.virginia.edu/uva_policies.htm).

Use of University Equipment, Ch. 5 - "Non-academic Regulations," University of Virginia Graduate and Undergraduate Records, revised Spring 2002

Use of University Facilities, Ch. 5 - "Non-academic Regulations," University of Virginia Graduate and Undergraduate Records, revised Spring 2004

University Services and Activities, Ch. 5 - "Non-academic Regulations," University of Virginia Graduate and Undergraduate Records, revised Spring 2004

### **Office of the Vice President and Chief Information Officer**

#### **Office of Information Technologies/Department of Information Technology and Communication**

Copies of the following document may be viewed and printed from the URL listed below.

Questions regarding interpretation or implementation of this document may be directed to James L. Hilton, Vice President and Chief Information Officer, University of Virginia, 108 Cresap Road, P.O. Box 400217, Charlottesville, VA 22904-4217, telephone (434) 982-2249, FAX (434) 924-3579, or email [vpcio-state@virginia.edu](mailto:vpcio-state@virginia.edu).

## Guidance Documents:

University of Virginia university-wide computing policies and procedures (<http://www.itc.virginia.edu/policy>)

### **Office of the Vice President and Chief Executive Officer of the Medical Center**

Copies of the following document may be viewed Monday through Friday from 8 a.m. until 4:30 p.m. in the Office of the Vice President and Chief Executive Officer, 1215 Lee Street, Primary Care Center, Room 1122, P.O. Box 800809, Charlottesville, VA 22908-0809. Copies may be obtained free of charge by contacting Sally Barber at the same address,

telephone (434) 243-5788 or (434) 243-5920, FAX (434) 243-9328, or email [snb4af@virginia.edu](mailto:snb4af@virginia.edu).

Questions regarding interpretation or implementation of this document may be directed to Sally Barber at the above address or telephone number.

## Guidance Document:

Medical Center Policy Manual, revised 2008

### **Medical Center Supply Chain Management**

Copies of the following document may be viewed Monday through Friday from 8 a.m. until 4:30 p.m. in the office of Supply Chain Management, 1224 Jefferson Park Avenue, Room 313-B, P.O. Box 800705, Charlottesville, VA 22908. Copies may be obtained free of charge by contacting James P. Keathley, Administrator, Supply Chain Management, at the same address, telephone (434) 982-3865, FAX (434) 982-3851, or email [jpk7a@virginia.edu](mailto:jpk7a@virginia.edu).

Questions regarding interpretation or implementation of this document may be directed to James P. Keathley at the above address and telephone number.

## Guidance Document:

Medical Center Policy #0189, Procurement Guidelines, Revised October 2006

### **Office of the Vice President for Research**

Copies of the following document may be viewed Monday through Friday from 8 a.m. until 4:30 p.m. at One Morton Drive, 3rd Floor, Charlottesville, VA 22904. Copies may be obtained free of charge by contacting Jeff Blank at the same address, telephone (434) 924-3990, or email [jdb9b@virginia.edu](mailto:jdb9b@virginia.edu).

Questions regarding interpretation or implementation of the policies may be directed to Jeff Blank at the above address or telephone number.

Web address: <http://www.virginia.edu/vpr> or <https://policy.itc.virginia.edu/policy/policydisplay?id='RES-001> (revised April 1, 2004) <http://www.virginia.edu/finance/polproc/pol/xve2.html> (revised May 31, 2000)

## Guidance Document:

Intellectual Property, Ch. 5 - "Non-academic Regulations," University of Virginia Graduate and Undergraduate Records.

### **Office of the President**

#### **Office of Equal Opportunity Programs**

Copies of the following documents may be viewed Monday through Friday from 8 a.m. until 4:30 p.m. in the Office of Equal Opportunity Programs, Washington Hall, East Range, Charlottesville, VA 22904. Copies may be obtained free of charge by contacting Darlene Scott-Scurry at the same

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# Guidance Documents

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address, telephone (434) 924-3200, or email [ds7sb@virginia.edu](mailto:ds7sb@virginia.edu). Internet addresses for accessing the documents are listed below.

Questions regarding interpretation or implementation of the policies may be directed to Darlene Scott-Scurry at the above address, telephone number, or email.

Web address: <http://www.virginia.edu/eop/>.

## Guidance Document:

Preventing and Addressing Discrimination and Harassment Policy

<https://policy.itc.virginia.edu/policy/policydisplay?id=HRM-009>

Preventing and Addressing Retaliation Policy

<https://policy.itc.virginia.edu/policy/policydisplay?id=HRM-010>

Equal Opportunity Programs Complaint Procedures

<http://www.virginia.edu/eop/complaint.html> (Ch 5 "Non-Academic Regulations," University of Virginia Undergraduate Record; Ch. 4 "Non-Academic Regulations," University of Virginia Graduate Record.)

## THE UNIVERSITY OF VIRGINIA'S COLLEGE AT WISE

Copies of the following document may be viewed during regular workdays from 8 a.m. until 5 p.m. in the Office of Enrollment Management, The University of Virginia's College at Wise, 1 College Avenue, Bowers-Sturgill Hall, Wise, VA 24293. Copies may be obtained free by contacting Leigh Ann Craft, Office of Enrollment Management, same address, telephone (276) 328-0102 or FAX (276) 328-0251.

Questions regarding interpretation or implementation of this document may be directed to Rusty Necessary, Vice Chancellor for Enrollment Management, The University of Virginia's College at Wise, 1 College Avenue, Wise, VA 24293, telephone (276) 328-0102 or FAX (276) 328-0251.

## Guidance Document:

Admissions Viewbook, 2008, no charge

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Copies of the following documents can be viewed during regular workdays from 8 a.m. until 5 p.m. in the Office of the Provost, The University of Virginia's College at Wise, 1 College Avenue, Bowers-Sturgill Hall, Wise, VA 24293. Copies may be obtained free by contacting Darlene Moore, Office of the Provost, same address, telephone (276) 328-0120 or FAX (276) 376-4518.

Questions regarding interpretation or implementation of this document may be directed to Gil Blackburn, Provost and Senior Vice Chancellor, The University of Virginia's College

at Wise, 1 College Avenue, Wise, VA 24293, telephone (276) 328-0120 or FAX (276) 376-4518.

## Guidance Document:

The University of Virginia's College at Wise Faculty Handbook, July 2008, no charge

The University of Virginia's College at Wise Catalog, August 2008, no charge  
<http://www.uvawise.edu/academics/catalog.html>

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Electronic versions of the following documents are accessible for viewing at, and may be printed from, the URLs listed below.

Questions regarding interpretation or implementation of this document may be directed to Keith Fowlkes, Vice Chancellor for Information Technology, The University of Virginia's College at Wise, 1 College Avenue, Wise, VA 24293, telephone (276) 376-4578 or Gil Blackburn, Provost and Senior Vice Chancellor, The University of Virginia's College at Wise, 1 College Avenue, Wise, VA 24293, telephone (276) 328-0120 or FAX (276) 376-4518.

## Guidance Documents:

Computing Policies:  
<http://www.uvawise.edu/oit/policies.html>

Library Use Policies: <http://lib.uvawise.edu/services.htm>

## VIRGINIA COMMONWEALTH UNIVERSITY

Copies of the following document may be viewed Monday through Friday from 8 a.m. until 4:30 p.m. in the Office of the Vice Provost for Academic and Faculty Affairs, 901 West Franklin Street, Richmond, VA 23284. Copies may be obtained free of charge by contacting (804) 828-6162.

These policies may also be downloaded at Virginia Commonwealth University's website (<http://www.provost.vcu.edu/faculty/handbook.html>).

Questions concerning interpretation or implementation of the policies may be directed to Dr. Laura J. Moriarty (same telephone number as above).

## Guidance Document:

Faculty Handbook

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Copies of the following document may be viewed Monday through Friday from 8:30 a.m. until 5 p.m. in the Office of the Associate Vice Provost and Dean of Student Affairs, 901 Floyd Avenue, Richmond, VA 23284. Copies may be obtained free of charge by contacting Janet Coury at (804) 828-8940 or email [jmcoury@vcu.edu](mailto:jmcoury@vcu.edu).

These policies may also be downloaded at Virginia Commonwealth University's website <http://www.students.vcu.edu/rg/>. Questions concerning interpretation or implementation of the policies may be directed to Dr. Reuban Rodriguez (same telephone and address as above).

VCU Resource Guide for Students

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Copies of the following document may be viewed Monday through Friday from 8 a.m. until 4 p.m. in the Monroe Park Campus Customer Service Office at 1108 West Broad Street, Suite A, Richmond, VA 23284. Copies may be obtained free of charge by contacting the VCU Parking and Transportation Services Customer Service Office at (804) 828-7275 or by email at [parking@vcu.edu](mailto:parking@vcu.edu).

These policies may also be downloaded at Virginia Commonwealth University's website <http://www.bsv.vcu.edu/vcupark/facstaffguidelines.htm>. Questions concerning interpretation or implementation of the policies may be directed to VCU Parking and Transportation Services Customer Service Office (same telephone and address as above).

Parking Guidelines

**WORKERS' COMPENSATION COMMISSION**

**Office of the Clerk of the Commission**

Copies of the following forms and documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the Virginia Workers' Compensation Commission, Clerk's Office, 2nd Floor, 1000 DMV Drive, Richmond, VA 23220. Copies may be obtained free of charge (or for the price indicated) by contacting the Commission by telephone at (877) 664-2566. Several forms may be downloaded from the Commission's website at [www.vwc.state.va.us](http://www.vwc.state.va.us).

Questions regarding interpretation or implementation of these forms/documents may be directed to James J. Szablewicz, Chief Deputy Commissioner, Virginia Workers' Compensation Commission, 1000 DMV Drive, Richmond, Virginia 23220, telephone (804) 367-8664, or toll-free at (877) 664-2566.

**Guidance Documents:**

2007 Annual Report: [www.vwc.state.va.us/publications.htm](http://www.vwc.state.va.us/publications.htm)

2007 Annual Update of the Virginia Workers' Compensation Commission: [www.vwc.state.va.us/publications.htm](http://www.vwc.state.va.us/publications.htm)

2006 Annual Report: [www.vwc.state.va.us/publications.htm](http://www.vwc.state.va.us/publications.htm)

2005 Statistical Report of the Virginia Workers' Compensation Commission: [www.vwc.state.va.us/publications.htm](http://www.vwc.state.va.us/publications.htm)

EDI Implementation Guide: [www.vwc.state.va.us/EDI/forms/VWC%20EDI%20Implementation%20Guide%20\(7-25-2008\).pdf](http://www.vwc.state.va.us/EDI/forms/VWC%20EDI%20Implementation%20Guide%20(7-25-2008).pdf)

Employer's Workplace Notice: [www.vwc.state.va.us/publications.htm](http://www.vwc.state.va.us/publications.htm)

Information for Employees: [www.vwc.state.va.us/employees\\_guide.htm](http://www.vwc.state.va.us/employees_guide.htm)

Informational Guide for Employees: [www.vwc.state.va.us/publications.htm](http://www.vwc.state.va.us/publications.htm)

Informational Guide for Employers: [www.vwc.state.va.us/publications.htm](http://www.vwc.state.va.us/publications.htm)

Rules and Regulations: Attorneys Not Licensed to Practice Law in Virginia: [www.vwc.state.va.us/New\\_Rules\\_Attorneys.htm](http://www.vwc.state.va.us/New_Rules_Attorneys.htm)

Self Insurance: [www.vwc.state.va.us/self\\_insure.htm](http://www.vwc.state.va.us/self_insure.htm)

Workers' Compensation Act 2007, \$34.00 shipped; \$28.00 pickup

Workers' Compensation Act 2008, \$35.00 shipped; \$29.00 pickup

Notice to Employers Regarding Obligations Under the Virginia Workers' Compensation Act: [www.vwc.state.va.us/employers\\_guide.htm](http://www.vwc.state.va.us/employers_guide.htm)

Opinions of the Commission:

Vol. 58 (1979) \$18.00 shipped; \$18.00 pickup

Vol. 59 (1980) \$18.00 shipped; \$18.00 pickup

Vol. 60 (1981) \$25.70 shipped; \$25.70 pickup

Vol. 61 (1982) \$15.00 shipped; \$15.00 pickup

Vol. 62 (1983) \$19.00 shipped; \$19.00 pickup

Vol. 63 (1984) \$15.00 shipped; \$15.00 pickup

Vol. 64 (1985) \$21.00 shipped; \$21.00 pickup

Vol. 65 (1986) \$18.00 shipped; \$18.00 pickup

Vol. 66 (1987) \$16.00 shipped; \$16.00 pickup

Vol. 67 (1988) \$23.00 shipped; \$23.00 pickup

Vol. 68 (1989) \$20.00 shipped; \$20.00 pickup

Vol. 69 (1990) \$20.00 shipped; \$20.00 pickup

Vol. 70 (1991) \$22.00 shipped; \$22.00 pickup

Vol. 71 (1992) \$25.00 shipped; \$25.00 pickup

Vol. 72 - Cumulative Index: Vols. 65-71; \$21.00 shipped; \$18.00 pickup

Vol. 73 - Selected 1994 Opinions; \$19.50 shipped; \$17.00 pickup

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## Guidance Documents

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Vol. 74 - Selected 1995 Opinions; \$22.00 shipped; \$19.00 pickup

Vol. 75 - Selected 1996 Opinions; \$27.00 shipped; \$25.00 pickup

Vol. 76 - Selected 1997 Opinions; \$36.00 shipped; \$33.00 pickup

Vol. 77 - Selected 1998 Opinions; \$30.00 shipped; \$27.00 pickup

Vol. 78 - Selected 1999 Opinions; \$30.00 shipped; \$27.00 pickup

Vol. 79 - Selected 2000 Opinions; \$30.00 shipped or pickup

Search the Opinions 1990 to the Present:  
[www.vwc.state.va.us/cgi-bin/GetSearchParms.cgi](http://www.vwc.state.va.us/cgi-bin/GetSearchParms.cgi)

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# GENERAL NOTICES/ERRATA

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## STATE AIR POLLUTION CONTROL BOARD

### Amendment of Air Regulations

Notice of intended action: The Air Pollution Control Board intends to consider amendment of a regulation on air quality. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency.

9VAC5-80 – Rev. L07, Permits for Stationary Sources

Purpose of notice: The board is seeking comments through the Department of Environmental Quality on the amendment, including but not limited to (i) the analysis prepared by the Department on the potential practical impact the amended regulation would have on air quality, (ii) effects of the regulation on farm forest land preservation, and (iii) impacts on small businesses.

Public comment period: February 9, 2009, to March 11, 2009.

Subject matter and intent of proposal: On May 1, 2007 (72 FR 24060), EPA promulgated a final rule excluding ethanol production facilities from the definition of "chemical processing plant" in the federal new source review (NSR) permitting program for major sources located in Prevention of Significant Deterioration (PSD) areas and for major sources located in areas not in attainment with the National Ambient Area Quality Standards (NAAQS). The effect of this revision was to raise the applicability threshold level for ethanol production facilities from 100 tons per year (tpy) of a NSR regulated pollutant to 250 tpy of a NSR regulated pollutant in EPA's major NSR permit programs.

Virginia has an EPA-approved State Implementation Plan (SIP) for the major NSR permit programs set forth in the state's air pollution control regulations. At the State Air Pollution Control Board (SAPCB) meeting on November 30, 2007, the Department of Environmental Quality (DEQ) presented to the board a proposal to revise Virginia's air pollution control regulations to make them consistent with this federal rule change. In particular, the proposed changes would revise 9VAC5-80, Article 8, pertaining to "Permits for Major Stationary Sources and Major Modifications Locating in Prevention of Significant Deterioration Areas" and 9VAC5-80, Article 9, pertaining to "Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas or the Ozone Transport Region."

The substantive amendments proposed are to the definition of "major source" (9VAC5-80-60 C, subdivision b (20) of the definition of "major source"); the definition of "major stationary source" (9VAC5-80-1615 C, subdivisions a (1)(w) and c (20) of the definition of "major stationary source"); the list of exemptions (9VAC5-80-1695 A 1 v); the definition of "major stationary source" (9VAC5-80-2010 C, subdivision c (22) of the definition of "major stationary source"); and the list of exemptions (subdivision 22 of 9VAC5-80-2140) would

be revised to change the reference to chemical process plants in order to exclude chemical process plants that are ethanol production facilities.

How to comment: DEQ accepts written comments by email, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period. All exhibits and documents received are part of the public record.

How a decision is made: After comments have been considered, the board will decide whether to take action on the amendment.

To review regulation documents: The department analysis and the regulatory text are included in this notice.

### **ANALYSIS OF POTENTIAL IMPACT OF VIRGINIA'S ADOPTION OF EPA REVISIONS TO THE APPLICABILITY THRESHOLD FOR ETHANOL PRODUCTION FACILITIES IN THE PREVENTION OF SIGNIFICANT DETERIORATION (PSD) AND NONATTAINMENT NEW SOURCE REVIEW (NSR) PERMIT PROGRAMS**

#### **INTRODUCTION**

On May 1, 2007 (72 FR 24060), EPA promulgated a final rule excluding ethanol production facilities from the definition of "chemical processing plant" in the federal new source review (NSR) permitting program for major sources located in Prevention of Significant Deterioration (PSD) areas and for major sources located in areas not in attainment with the National Ambient Area Quality Standards (NAAQS). The effect of this revision was to raise the applicability threshold level for ethanol production facilities from 100 tons per year (tpy) of a NSR regulated pollutant to 250 tpy of a NSR regulated pollutant in EPA's major NSR permit programs.

Virginia has an EPA-approved State Implementation Plan (SIP) for the major NSR permit programs set forth in the state's air pollution control regulations. At the State Air Pollution Control Board (SAPCB) meeting on November 30, 2007, the Department of Environmental Quality (DEQ) presented to the board a proposal to revise Virginia's air pollution control regulations to make them consistent with this federal rule change. In particular, the proposed changes would revise 9VAC5-80, Article 8, pertaining to "Permits for Major Stationary Sources and Major Modifications Locating in Prevention of Significant Deterioration Areas" and 9VAC5-80, Article 9, pertaining to "Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas or the Ozone Transport Region."

Historically, the board has revised Virginia's air pollution regulations to make them consistent with EPA's regulations following changes to the federal programs. The primary reason the board revises its regulations to make them

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consistent with changing federal requirements is that the federal Clean Air Act requires state NSR programs to be no less stringent than the federal programs. In most instances, revisions EPA makes to the federal NSR programs can be implicitly understood as strengthening air pollution protection, thus leaving states, including Virginia, no alternative but to revise their regulations accordingly. The Clean Air Act, however, gives states the discretion to promulgate permit programs that are more stringent than the federal programs. State NSR programs, therefore, do not have to be identical to federal NSR programs. Moreover, Virginia is under no legal obligation to adopt changes to its program that weaken air pollution protection, even if EPA has weakened the federal program.

At the SAPCB meeting on November 30, 2007, the board deferred action on DEQ's proposal to revise Virginia's major NSR regulations with respect to the applicability threshold for ethanol facilities to make them consistent with the federal NSR programs. Instead, it asked DEQ to prepare an analysis of the potential practical impact the revised regulation would have on Virginia's air quality, and to submit that analysis to public review and comment. This analysis document was prepared in response to the board's request.

### BACKGROUND

There are approximately 158 ethanol plants currently operating in the US and about 51 new facilities are being constructed. The production capacity of these plants ranges from 3 to 130 million gallons per year of denatured ethanol. As of January 2009, there are no operating ethanol facilities in Virginia. However, in September 2008, DEQ issued a minor NSR permit to Osage Bio Energy, LLC, for the construction and operation of a 68.2 million gallon per year ethanol plant, the Appomattox Bio Energy Facility (Osage), in the City of Hopewell. Construction had not begun on that facility as of January 2009.

Ethanol can be made from a variety of products such as corn, grain sorghum, wheat, barley, sugar cane or beets, cheese whey, or potatoes. Most new plants are dry-mill facilities that can also produce distiller's dried grain and solubles (DDGS) and wet cake for animal feed as a byproduct of ethanol production. Generally, emissions of air pollutants at ethanol facilities come from the following specific process:

	NO <sub>x</sub> , CO, VOC, and HAPs
DDGS storage and loadout	PM, PM <sub>10</sub> , PM <sub>2.5</sub>
Wet distillers grain with solubles (WDGS) storage	VOC and HAPs
Truck traffic fugitives from plant roads	PM, PM <sub>10</sub> , PM <sub>2.5</sub>
Equipment leaks	VOC and HAPs
Cooling tower	PM, PM <sub>10</sub> , PM <sub>2.5</sub>
Emergency power generation	PM, PM <sub>10</sub> , PM <sub>2.5</sub> , SO <sub>2</sub> , NO <sub>x</sub> , CO, VOC, and HAPs

### IMPACT ANALYSIS OF THE PROPOSED RULE CHANGE

This regulation change would only impact new ethanol facilities in Virginia. In PSD areas of the state, i.e., those areas of the state that are in attainment with the NAAQS, the proposed rule would change the NSR applicability threshold for new ethanol facilities from 100 tpy to 250 tpy potential to emit (PTE) of a NSR regulated pollutant. NSR regulated pollutants include the criteria pollutants defined under the Clean Air Act, such as oxides of nitrogen (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), carbon monoxide (CO), volatile organic compounds (VOCs), lead, fluorides, sulfuric acid mist, hydrogen sulfide, and total reduced sulfur.<sup>1</sup> Thus, ethanol facilities that have the potential to emit less than 100 tpy or greater than 250 tpy of a regulated NSR pollutant would not be affected by the proposed rule change. This analysis, therefore, is limited to the impacts of the rule change for new ethanol plants locating in PSD areas with PTE between 100 tpy and 250 tpy of a regulated NSR pollutant. These sources would be subject to Virginia's minor NSR program found at 9VAC5-80, Article 6 "Permits for New and Modified Stationary Sources" instead of the major source PSD rule. This sized source would be classified as a "state major" (sources with PTE of greater than or equal to 100 tpy and less than 250 tpy).

In nonattainment areas, the impact of the proposed rule would be even less. The thresholds in the current Northern Virginia nonattainment area for ozone would be 50 tpy for VOCs and 100 tpy for NO<sub>x</sub>. The only change the proposed federal rule would have on nonattainment thresholds is that fugitive emissions would no longer be counted toward permit applicability for ethanol facilities. If ethanol facilities are left in the "chemical processing plant" category, fugitive emissions would be included in any calculation to determine nonattainment new source review (NNSR) permit applicability. Although fugitive emissions would not be counted for major NNSR permit applicability, they would be included for any minor NSR or "state major" permit applicability determination.

The department conducted a survey of states where numerous ethanol plants currently are permitted. The states contacted

Equipment/Process	Pollutants
Grain receiving, storing, and milling	PM, PM <sub>10</sub> , PM <sub>2.5</sub>
Fermentation and distillation/thermal oxidizer	VOC and HAPs
Ethanol/Denaturant storage and loadout	VOC and HAPs
Distillers grain with solubles (DGS) drying	PM, PM <sub>10</sub> , PM <sub>2.5</sub> , SO <sub>2</sub> , NO <sub>x</sub> , CO, VOC, and HAPs
Steam generation	PM, PM <sub>10</sub> , PM <sub>2.5</sub> , SO <sub>2</sub>

were Nebraska, South Dakota, Minnesota, Illinois, and Kansas. All of these states, except Kansas, have changed their PSD applicability threshold for ethanol production facilities from 100 tpy to 250 tpy. States where the PSD applicability threshold has been changed reported that most of the new plants being permitted continue to propose equipment or operational limits that will restrict emissions to less than 100 tpy in order to avoid being subject to the following two requirements of the Clean Air Act: the "Miscellaneous Organic National Emission Standard for Hazardous Air Pollutants," known as the MON rule;<sup>2</sup> and the requirement for a Federal Operating Permit under Title V of the Clean Air Act, known as a Title V permit.<sup>3</sup>

The impacts of the proposed rule changes in Virginia have been analyzed for the following:

- Air pollution control requirements
- Public participation and site suitability requirements
- Air quality analysis
- Permit processing timeline

Air Pollution Control Requirements:

Virginia requires a best available control technology (BACT) determination under both the major source PSD program and Virginia’s minor source NSR permit program. Currently, new ethanol plants with a PTE of 100 tpy or more of a NSR regulated pollutant are subject to best available control technology (BACT) requirements defined in 9VAC5-80-1615 C of the PSD rule, and those with PTE of less than 100 tpy of a criteria pollutant are subject to BACT requirements defined in 9VAC5-50-250 C (minor source BACT). If the proposed rule change is adopted, new ethanol plants with a PTE of between 100 tpy and 250 tpy of a NSR regulated pollutant would be subject to BACT under Virginia’s Article 6 (minor new source review).

The definitions of BACT for PSD and for Virginia’s minor source NSR program are basically identical and are presented in Appendix A. BACT determinations for new sources under both Virginia’s major and minor source programs are case-by-case determinations conducted under a top-down process<sup>4</sup> that take into account technical feasibility, economic feasibility, environmental impacts, and energy impacts. DEQ anticipates that the process for conducting a top-down BACT analysis for ethanol facilities with a PTE between 100 tpy and 250 tpy would be the same under either the PSD or minor source permit programs. Therefore, there would be little difference between BACT determinations made for such facilities under either approach.<sup>5</sup>

To date the department has issued one NSR permit to an ethanol production facility. That permit was a minor source permit issued in September 2008 to the Osage facility in Hopewell, which had a PTE of less than 100 tpy. Despite the size of the Osage facility, DEQ conducted a top-down, case-

by-case BACT evaluation for the project. Based on that top-down BACT analysis, DEQ determined that the following technologies represented BACT for the Osage facility:

Emission unit/Process	Pollutant	Control Measures
Fermentation and Distillation Process Units	VOC	98% control by Process Scrubber and Regenerative Thermal Oxidizer (RTO)
DDGS Drying Process	VOC	Eco Dryer Systems (Integrated Thermal Oxidizer)
Pre-fermentation units, stillage tanks, syrup tank, centrifuge units, and evaporator	Fugitive VOC	No control
Grain receiving, milling, DDGS handling and loadout	Particulate Matter	99% control by baghouse
RTO and 3 Eco Dryers	VOC, NO <sub>x</sub> , CO, Particulate Matter	Good combustion Practice
RTO and 3 Eco Dryers	SO <sub>2</sub>	Low sulfur Fuel (natural gas/ethanol mixture)
Haul Roads	Fugitive Dust	Apply asphalt, water, or equivalent; paving and sweeping haul roads; covered material stockpile to be kept adequately moist
Back up Generator	SO <sub>2</sub>	Low sulfur (0.5%) fuel

The technology control levels determined in the BACT analysis for the Osage facility and set forth in the above table are consistent with the BACT determinations that have been conducted for ethanol facilities in other states. These technology control levels likely would set the floor for any future BACT determinations made for ethanol facilities in Virginia.<sup>6</sup>

Public Participation and Site Suitability

Both major source PSD and NNSR permit applications and minor source NSR permit applications for proposed facilities with a PTE of greater than 100 tpy, sometimes referred to as

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"state major" sources, are subject to public participation requirements. A table comparing the public participation requirements is located in Appendix B. Although the public participation requirements for PSD and NNSR are slightly different than those for "state major" NSR sources, both programs allow for public comment on the BACT determination as well as on all other parts of the permit evaluation process.

In addition, both major source PSD and NNSR permit applications and minor source NSR permit applications are subject to a DEQ site suitability analysis required under Virginia Code § 10.1-1307 E. The statute does not distinguish between major or minor source permits and DEQ uses the same process when conducting site suitability analyses under either permit program.

### Air Quality Analysis

Currently, new ethanol plants with a PTE of 100 tpy or more of a regulated NSR pollutant are subject to air quality analysis requirements for a PSD facility. If the proposed rule change is adopted, new ethanol plants with a PTE of 100 to less than 250 tpy of a regulated NSR pollutant would be subject to air quality analysis requirements for a "state major" source under DEQ's minor source permit requirements. Since every modeling project is somewhat unique, this section provides a general comparison of the air quality modeling and additional impact analysis requirements for a PSD and non-PSD facility.

**PSD Air Quality Analysis:** All PSD permits require an air quality analysis of the ambient impacts associated with the project, including an evaluation of criteria pollutant emissions, an additional impact analysis, and an evaluation of any adverse impacts in Class I areas. Additionally, facilities are required to evaluate compliance with the applicable Virginia toxic pollutant emissions standards.

The PSD air dispersion modeling analysis must demonstrate that emissions from the new source or major modification, in conjunction with applicable emissions from other existing sources, will not cause or contribute to a violation of any applicable National Ambient Air Quality Standards (NAAQS) or PSD increment. The PSD modeling analysis involves two distinct phases: a preliminary analysis and a full impact analysis. The preliminary analysis evaluates the potential increase in emissions from the project or the net increase in emissions associated with the modification. The results of the preliminary analysis determine whether or not a full impact analysis is required. In addition to emissions from the project, the full impact analysis also considers any existing emission units at the facility, nearby facilities, and any growth resulting from the new project. For PM-10, SO<sub>2</sub>, and NO<sub>2</sub>, the full impact analysis consists of separate modeling analyses for the NAAQS and the PSD increments.

Current modeling guidance provided by the Federal Land Managers (FLMs) recommends that a major source proposed

to be located within 300 kilometers (km) of a Class I area perform a modeling analysis to assess the ambient air quality impacts in terms of Class I PSD increments and Air Quality Related Values (AQRVs). Examples of common AQRVs include visibility and acid deposition. The FLMs are provided reviewing authority of Class I areas that may be affected by emissions from a proposed source by the PSD regulations and are specifically charged with protecting the AQRVs within the Class I areas.

An additional impact analysis must also be conducted for all PSD projects. This analysis assesses the impact of the emissions from the project and any associated growth on soils, vegetation, and visibility.

Lastly, facilities that are subject to the toxic pollutant requirements under 9VAC5 Chapter 60, Article 5 (Emission Standards for Toxic Pollutants from New and Modified Sources) are required to conduct modeling for each toxic pollutant that exceeds the exemption rates under this rule.

**Non-PSD Air Quality Analysis:** A non-PSD analysis is similar to PSD in that it would require the facility to demonstrate compliance with the applicable NAAQS and toxic pollutant emissions standards in 9VAC5 Chapter 60, Article 5. In contrast to the PSD analysis, the non-PSD facility would not be required to perform the PSD increment, AQRV, or additional impacts analyses.

### Permit Processing Timeline

The processing of major source PSD and NNSR permit applications can take up to one year from receipt of a complete application. The processing time for minor NSR permits for sources with a PTE of greater than 100 tpy, i.e., "state major" source permits, is often significantly shorter. DEQ generally processes applications for "state major" permits within 180 days of receiving a complete application.

### **SUMMARY**

If the proposed rule excluding ethanol production facilities from the definition of "chemical processing plant" in the federal new source review (NSR) permitting program is adopted, new ethanol plants locating in PSD attainment areas with a PTE of between 100 tpy and 250 tpy of a regulated NSR pollutant would be subject to DEQ's minor NSR permit rule rather than the major source PSD rule. A permit application for a source of this size would be processed as a "state major" source and would receive a top-down, case-by-case BACT determination and be subject to public participation, site suitability, and air quality analysis requirements. In nonattainment areas the threshold for current Northern Virginia ozone nonattainment areas would be 50 tpy for VOCs and 100 tpy for the other regulated NSR pollutants. However, when determining permit applicability, fugitive emissions would not be counted. DEQ, therefore, believes that adoption of the rule would have no effect on air quality, and bring little change to the way public participation, site

suitability, or air quality analysis requirements are addressed under the existing rules.

APPENDIX A  
BACT Definition for PSD NSR as defined in  
9VAC5-80-1615 C:

"Best available control technology" means an emissions limitation (including a visible emissions standard) based on the maximum degree of reduction for each regulated NSR pollutant that would be emitted from any proposed major stationary source or major modification that the board, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of best available control technology result in emissions of any pollutant that would exceed the emissions allowed by any applicable standard under 40 CFR Parts 60, 61, and 63. If the board determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of best available control technology. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means that achieve equivalent results."

BACT Definition for Minor NSR as defined in  
9VAC5-50-250 C:

"Best available control technology" means a standard of performance (including a visible emission standard) based on the maximum degree of emission reduction for any pollutant which would be emitted from any proposed stationary source which the board, on a case-by-case basis, taking into account energy, environmental and economic impacts and other costs, determines is achievable for such source through the application of production processes or available methods, systems and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard in Article 5 (9VAC5-50-400 et seq.) of this part or Article 1 (9VAC5-60-60 et seq.) of Part II of 9VAC5 Chapter 60. If the board determines that technological or economic limitations on the application of measurement methodology to particular emissions unit would make the imposition of an emission standard infeasible, a design, equipment, work practice, operational standard, or combination of them, may

be prescribed instead of requiring the application of best available control technology. Such standard shall, to the degree possible, set forth the emission reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results. **In determining best available control technology for stationary sources subject to Article 6 (9VAC5-80-1100 et seq.) of Part II of 9 VAC 5 Chapter 80, consideration shall be given to the nature and amount of the new emissions, emission control efficiencies achieved in the industry for the source type, and the cost-effectiveness of the incremental emission reduction achieved."**

**(Language in bold is not contained in the PSD program's definition of BACT.)**

APPENDIX B  
Comparison of Public Participation Requirements  
PSD vs. "State Major"

PSD Permits	State Major Permits
Federal Land Managers (FLMs) notified within 30 days of receipt of advance notification of application, and included in pre-application meeting(s)	No pre-application requirements
Application sent to FLMs within 30 days of receipt	FLMs notified of projects within 100 km of a Class I area, within 1 week of receipt of application
Initial Letter of Determination (ILOD) of PSD applicability sent to applicant, FLMs, EPA, chief administrative officer representing the city and county where project is located and any other localities particularly affected, planning district commission, PSD mailing list.	Initial determination notification to applicant only
Public notice of project & applicant briefing published within 30 days of receipt of ILOD	Public notice of project published within 15 days of initial determination notification; no applicant briefing is required.
Draft permit to FLMs 60 days prior to public hearing	Draft permit to FLM upon request
Draft permit to EPA 30 days prior to public hearing	EPA is notified of hearing and may request draft permit for review
Notification of public comment period and hearing provided to: applicant, EPA,	Notification of public comment period and hearing provided to: applicant, EPA,

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FLMs, affected states, local agencies, chief elected official, chief administrative officer, and General Assembly members representing the city and county where project is located and any other localities particularly affected, planning district commission where project is located, PSD mailing list	affected states, local agencies, chief elected official and chief administrative officer representing the city and county where project is located and any other localities particularly affected, planning district commission where project is located, FLMs if they have requested information about the project
30 day notice followed by public briefing, held prior to the public comment period	Typically no briefing is held prior to the comment period. A briefing statement may be given by staff immediately prior to the public hearing.
30 day notice followed by public hearing	Same as PSD
Comment period begins after public briefing and ends 15 days after hearing	Comment period begins at public notice and ends 15 days after hearing
Applicant may respond to public comments within 10 days after close of comment period	
Final determination available for public inspection at same location as preconstruction information	

## Regulatory Text Changes:

### 9VAC5-80-60. Definitions.

#### C. Terms defined.

"Major source" means: ...

b. For air pollutants other than hazardous air pollutants, any stationary source that directly emits or has the potential to emit 100 tons per year or more of any air pollutant (including any major source of fugitive emissions of any such pollutant). The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source, unless the source belongs to one of the following categories of stationary source: ...

(20) Chemical process plants (which shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140).

### 9VAC5-80-1615. Definitions.

#### C. Terms defined.

"Major stationary source"

#### a. Means:

(1) Any of the following stationary sources of air pollutants that emits, or has the potential to emit, 100 tons per year or more of a any regulated NSR pollutant: ...

(w) Chemical process plants (which does not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140).

c. The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this article whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources: ...

(20) Chemical process plants (which shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140).

### 9VAC5-80-1695. Exemptions.

A. The requirements of this article shall not apply to a particular major stationary source or major modification; if:

1. The source or modification would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the following categories: ...

v. Chemical process plants (which shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140).

### 9VAC5-80-2010. Definitions.

#### C. Terms defined.

"Major stationary source"

#### a. Means: ...

c. The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this article whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources: ...

(22) Chemical process plants (which shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140).

### 9VAC5-80-2140. Exception.

The provisions of this article do not apply to a source or modification that would be a major stationary source or major

modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the source or modification and the source does not belong to any of the following categories: ...

22. Chemical process plants (which shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140);

<sup>1</sup> Hazardous air pollutants (HAPs) from new sources other than acid gases are not regulated under the PSD or NNSR programs. Instead, they are regulated under the Clean Air Act's air toxics program which imposes Maximum Achievable Control Technology (MACT) standards on certain source categories or Virginia's own air toxics program at 9 VAC 5-60-300, et seq., Article Five.

<sup>2</sup> The applicability threshold for the MON rule is 10 tpy of a single HAP or 25 tpy of combinations of HAPs. Although there is no direct correlation between emissions of criteria pollutants that determine PSD and NNSR applicability, as a general proposition smaller ethanol facilities that emit less than 100 tpy of a criteria pollutant will also emit less HAPs.

<sup>3</sup> The threshold for Title V permit applicability is the emission of 100 tpy of a criteria pollutant.

<sup>4</sup> The top-down BACT process involves five basic steps: 1) identify available control options; 2) eliminate technically infeasible options; 3) rank remaining control options by control effectiveness; 4) evaluate economic, environmental, and energy impacts; and 5) select BACT. A more complete description of each step can be found in the Virginia draft PSD manual [http://www.deq.virginia.gov/export/sites/default/air/permitting/documents/Draft\\_PSD\\_Manual.doc](http://www.deq.virginia.gov/export/sites/default/air/permitting/documents/Draft_PSD_Manual.doc) or in the EPA 1990 Draft New Source Review Manual <http://www.epa.gov/region07/programs/artd/air/nsr/nsrmemos/1990wman.pdf>

<sup>5</sup> For several smaller source categories that are required to obtain minor source permits Virginia employs a "presumptive BACT" approach, under which BACT is identical for all similar emissions unit. Source categories subject to presumptive BACT under Virginia's minor source permit program include asphalt plants, natural gas and distillate oil boilers, concrete batch plants, coating operations, printing operations, stone quarries, and coal prep plants. The presumptive BACT approach reduces the permitting time and assures consistency between similar sources. Presumptive BACT for source categories are re-evaluated on a periodic basis to assure it is reflective of current technology. DEQ does not believe at this time that a presumptive BACT would be appropriate for ethanol facilities with a PTE ranging from 100 tpy to 250 tpy due to the variability in configuration, feedstocks, and size of such facilities. It would be DEQ's intention to require new ethanol facilities with a PTE from 100 tpy to 250 tpy to undergo case-by-case top-down determinations under Virginia's minor source permit program should the proposal be adopted.

<sup>6</sup> Since BACT takes into consideration the cost to install the controls on a dollar per ton basis, what may be cost effective for a larger source may not be cost effective for a smaller source although the process may be the same for both sources.

Contact for public comments, document requests and additional information: Karen G. Sabasteanski, Department of Environmental Quality, 629 East Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4426, FAX (804) 698-4510, or email [kgsabasteanski@deq.virginia.gov](mailto:kgsabasteanski@deq.virginia.gov).

## DEPARTMENT OF CONSERVATION AND RECREATION

### Total Maximum Daily Loads - Tributaries to the Staunton River

The Department of Conservation and Recreation (DCR) and the Department of Environmental Quality (DEQ) seek written and oral comments from interested persons on the development of an implementation plan (IP) for bacteria total maximum daily loads (TMDLs) on the following impaired stream segments - 14.21 miles of Cub Creek, 2.7 miles of Turnip Creek, 2.34 miles of Buffalo Creek, 2.88 miles of Buffalo Creek (UT), and 8.53 miles of Little Cub Creek, Big Cub Creek, and Cub Creek segment from Big Cub to the Roanoke River. The impaired stream segments are all tributaries to the Staunton River and are located in the Lower Roanoke River Basin in Appomattox and Charlotte Counties in Virginia.

TMDLs of these impaired segments were approved by EPA on June 22, 2006, a copy of which can be found on DEQ's website at [www.deq.virginia.gov/tmdl/apptmdls/roankrvr/staunton.pdf](http://www.deq.virginia.gov/tmdl/apptmdls/roankrvr/staunton.pdf).

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 second public meeting on the development of the IP for the above impaired segments will be held on Thursday, March 26, 2009, at 6:30 p.m. in the Charlotte County Board of Supervisor Room in the Charlotte County Administration Office Building located at 250 LeGrande Ave., Suite A, Charlotte Courthouse, Virginia 23923. The IP addresses corrective actions and incentives to reduce bacteria loadings from agriculture, pets, failing septic systems and straight pipes.

The public comment period will end on April 27, 2009. A fact sheet on the development of an IP for the above impaired segments is available upon request. Written comments and inquiries should include the name, address, and telephone number of the person submitting the comments and should be sent to Dr. Ram Gupta, Department of Conservation and Recreation, 101 North 14th St., 11th Floor, James Monroe Building, Richmond, VA 23219, email [ram.gupta@dcr.virginia.gov](mailto:ram.gupta@dcr.virginia.gov), telephone (804) 371-0991.

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## STATE CORPORATION COMMISSION

AT RICHMOND, JANUARY 15, 2009

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUC-2008-00047

Ex Parte: Revisions of Rules for  
Local Exchange Telecommunications  
Company Service Quality Standards

### ORDER GRANTING MOTION FOR EXTENSION

On June 17, 2008, the State Corporation Commission ("Commission") issued an Order Prescribing Notice, Scheduling Hearing, and Inviting Comments ("Order Prescribing Notice") that established this proceeding for the purpose of: (1) repealing the current Rules for Local Exchange Telecommunications Company Service Quality Standards, 20 VAC 5-427-10 et seq.; and (2) considering the adoption of new Rules Governing Local Exchange Telecommunications Carrier Retail Service Quality ("Proposed Rules"), 20 VAC 5-428-10 et seq. The Commission provided for publication of the Proposed Rules, permitted interested persons to submit written and electronic comments thereon, directed the Commission's Staff ("Staff") to file a response to such comments, and scheduled a public hearing for September 25, 2008.

After receiving comments and conducting that public hearing, the Commission, on December 15, 2008, issued its Second Order for Notice and Hearing ("Order") requesting comments on certain additional revisions to the Proposed Rules ("Revised Proposed Rules") and established a procedural schedule for the consideration of the Revised Proposed Rules. That procedural schedule was noticed to the public by means of a classified advertisement in newspapers of general circulation throughout the Commonwealth and by publication in the Virginia Register of Regulations.

On January 5, 2009, the Virginia Telecommunications Industry Association ("VTIA") filed its Amended Motion to Extend the Procedural Schedule ("Amended Motion"). The Amended Motion listed proposed dates that represented a seven-week delay and alternative proposed dates that would constitute a three-week delay. The Amended Motion stated that an extension of the procedural schedule would allow additional time for the VTIA, its members, and other interested parties to discuss and to attempt to reach agreement on specific proposed performance standards and would allow additional time for those industry lawyers and witnesses involved with the 2009 session of the General Assembly to develop a comprehensive response. Responses to the Motion were filed January 7, 2009, by the Commission's Staff and by the Office of the Attorney General, Division of Consumer Counsel. Neither response opposed a reasonable extension of the procedural schedule.

NOW THE COMMISSION, having considered the Amended Motion and the responses thereto, is of the opinion and finds that an extension is reasonable and should be granted.

Accordingly, IT IS HEREBY ORDERED THAT:

(1) The procedural schedule herein is extended. Comments from interested parties may be submitted on or before March 13, 2009. The Staff Report shall be submitted on or before March 27, 2009. The hearing shall be convened on April 2, 2009.

(2) The hearing previously scheduled for March 10, 2009, shall be convened that morning at 10:00 a.m. for the benefit of persons responding to the date published in newspapers and in the Virginia Register of Regulations. The hearing shall receive comments from those desiring to comment that date, but shall also be continued until April 2, 2009, for further comment as prescribed herein.

(3) The Staff shall furnish a copy of this Order to any interested party who submits comments on or before the original due date of February 5, 2009, and such interested party shall be allowed to submit additional comments on or before March 13, 2009.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, 2nd Floor, Richmond, Virginia 23219; Noelle J. Coates, Esquire, Hunton & Williams LLP, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; all local exchange carriers certificated in Virginia as set out in Appendix B; and the Commission's Office of General Counsel and the Division of Communications.

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### **Air Quality Monitoring Data - Opportunity to Review and Comment**

Notice of action: The Department of Environmental Quality (DEQ) is announcing an opportunity for public review and comment on a proposed demonstration showing that certain data gathered during June and July of 2008 were affected by exceptional events and therefore should not be used to make determinations regarding National Ambient Air Quality Standards. The exceptional events were the wildfire in the Pocosin Lakes National Wildlife Refuge in Hyde County, North Carolina and the wildfire in the Great Dismal Swamp Wildlife Refuge in Suffolk, Virginia. These exceptional events impacted fine particulate and ozone monitoring data across the Commonwealth of Virginia.

Purpose of notice: DEQ is seeking comments on the overall demonstration.

Public comment period: February 4, 2009, to March 5, 2009.

Description of proposal: The proposed demonstration provides meteorological, photographic, and other evidence of air pollution generated by the wildfires. The proposed demonstration also provides evidence of the air pollution impacts on ozone and fine particulate monitors at various times in June and July of 2008 as well as in various areas across the Commonwealth.

Federal information: This notice is being given to satisfy the public participation requirements of federal regulations (40 CFR 50.14).

How to comment: DEQ accepts written comments by email, facsimile transmission, and postal mail. In order to be considered, written comments must include the full name, address, and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period (March 5, 2009). Due to problems with the quality of facsimile transmissions, commenters are encouraged to provide the signed original by postal mail within one week.

To review proposal: The proposal and any supporting documents are available on the DEQ Air Monitoring Division website: <http://www.deq.virginia.gov/airmon/>. The documents may also be obtained by contacting the DEQ representative named below. The public may review the documents between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period at the following locations: DEQ, Main Street Office, 8th Floor, 629 E. Main Street, Richmond, VA (804) 698-4070 and DEQ, Air Monitoring Division, 4949-C Cox Road, Glen Allen, VA (804) 527-5184.

Contact Information: Doris McLeod, Air Quality Planner, Department of Environmental Quality, 629 East Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4197, FAX (804) 698-4510, or email [damcleod@deq.virginia.gov](mailto:damcleod@deq.virginia.gov).

### **Proposed Consent Order - Aqua Virginia, Inc.**

An enforcement action has been proposed for Aqua Virginia, Inc. - Lake Monticello STP for alleged violations. A proposed consent order describes a settlement to resolve late permit application, permit expiration and unauthorized discharges in Fluvanna County. A description of the proposed action is available at the DEQ office named below or online at [www.deq.virginia.gov](http://www.deq.virginia.gov). Steven W. Hetrick will accept comments by email at [swhetrick@deq.virginia.gov](mailto:swhetrick@deq.virginia.gov), FAX (540) 574-7878 or postal mail at Department of Environmental Quality, Valley Regional Office, P.O. Box 3000, 4411 Early Road, Harrisonburg, VA 22801 from March 2, 2009, to April 1, 2009.

### **Proposed Consent Order - Arthur J. "Bo" Fisher, III**

An enforcement action has been proposed for Arthur J. "Bo" Fisher, III, for violations of the Virginia Water Protection

Permit Program at "Quarles Pond" in Augusta County. The proposed consent order describes the violations, requires corrective action, and contains a civil charge. A description of the proposed action is available at the DEQ office named below or online at [www.deq.virginia.gov](http://www.deq.virginia.gov). Lee M. Crowell will accept comments by email at [lmcrowell@deq.virginia.gov](mailto:lmcrowell@deq.virginia.gov), FAX (804) 698-4277 or postal mail at Department of Environmental Quality, Division of Enforcement, P.O. Box 1105, Richmond VA 23218, from March 2, 2009, to April 2, 2009.

### **Proposed Consent Order - Town of Hamilton Sewage Treatment Plant**

An enforcement action has been proposed for the Town of Hamilton for alleged violations in Loudoun County at the Town of Hamilton Sewage Treatment Plant. The amended consent order describes a settlement to resolve a violation of the 2006 Consent Order, as well as permit effluent violations, and unusual discharge events due to high flows occurring at the Town of Hamilton Sewage Treatment Plant. A description of the proposed action is available at the DEQ office named below or online at [www.deq.virginia.gov](http://www.deq.virginia.gov). Stephanie Bellotti will accept comments by email at [sabellotti@deq.virginia.gov](mailto:sabellotti@deq.virginia.gov), FAX (703) 583-3821, or postal mail, Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, VA 22193, from March 3, 2009, through April 2, 2009.

### **Proposed Revision of the State Implementation Plan (SIP)**

Notice of action: The Department of Environmental Quality (DEQ) is announcing an opportunity for public comment on a proposed revision to the Commonwealth of Virginia State Implementation Plan (SIP). The SIP is a plan developed by the Commonwealth in order to fulfill its responsibilities under the federal Clean Air Act to attain and maintain the ambient air quality standards promulgated by the U.S. Environmental Protection Agency (EPA) under the Act. If adopted, the Commonwealth intends to submit the regulation or a portion thereof to the EPA as a revision to the SIP in accordance with the requirements of § 110(a) of the federal Clean Air Act.

Regulations affected: The regulation of the board affected by this action is: Regulation for Transportation Conformity (9VAC5 Chapter 151).

Purpose of notice: DEQ is seeking comment on the issue of whether the regulation amendments should be submitted as a revision to the SIP.

Public comment period: February 17, 2009, to March 19, 2009.

Public hearing: A public hearing may be conducted if a request is made in writing to the contact listed below. In order to be considered, the request must include the full name,

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address and telephone number of the person requesting the hearing and be received by DEQ by 5 p.m. on the last day of the comment period. Notice of the date, time, and location of any requested public hearing will be announced in a separate notice, and another 30-day comment period will be conducted.

**Public comment stage:** The regulation amendments are exempt from the state administrative procedures for adoption of regulations contained in Article 2 of the Administrative Process Act by the provisions of § 2.2-4006 A 4 c of the Administrative Process Act because they are necessary to meet the requirements of the federal Clean Air Act and do not differ materially from the pertinent EPA regulations. Since the amendments are exempt from administrative procedures for the adoption of regulations, DEQ is accepting comment only on the issue cited above under "purpose of notice" and not on the content of the regulation amendments.

**Description of proposal:** In essence, the proposed revision will consist of amendments to existing regulation provisions concerning transportation conformity. The major provisions of the proposal are summarized below:

EPA promulgated amendments to the federal transportation regulation on January 24, 2008 (73 FR 4420). In this action, EPA amended the transportation conformity rule to finalize provisions that were proposed on May 2, 2007. Most of the amendments are necessary to make the rule consistent with Clean Air Act § 176(c), as amended by SAFETEA-LU on August 10, 2005. The changes: (i) provide more time for state and local governments to meet conformity requirements, (ii) provide a one-year grace period before the consequences of not meeting certain conformity requirements apply, (iii) allow the option of shortening the timeframe of conformity determinations, and (iv) streamline other provisions. This final rule also includes minor amendments that are not related to SAFETEA-LU, such as allowing the Department of Transportation to make categorical hot-spot findings for appropriate projects in carbon monoxide nonattainment and maintenance areas.

**How to comment:** DEQ accepts written comments by email, fax, and postal mail. In order to be considered, comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period. Due to problems with the quality of facsimile transmissions, commenters are encouraged to provide the signed original by postal mail within one week. All testimony, exhibits and documents received are part of the public record.

**To review regulation documents:** The proposal and any supporting documents are available on the DEQ Air Public Notices for Plans website (<http://www.deq.state.va.us/air/permitting/planotes.html>). The documents may also be obtained by contacting the DEQ representative named below. The public may review the

documents between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period at the following DEQ locations: Main Street Office, 8th Floor, 629 E Main St, Richmond, VA (804) 698-4070; Piedmont Regional Office, 4949-A Cox Rd, Glen Allen, VA (804) 527-5020; Northern Regional Office, 13901 Crown Court, Woodbridge, VA (703) 583-3800; and Tidewater Regional Office, 5636 Southern Blvd, Virginia Beach, VA (757) 518-2000.

**Contact Information:** Mary E. Major, Department of Environmental Quality, 629 East Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4423, FAX (804) 698-4510, or email [memajor@deq.virginia.gov](mailto:memajor@deq.virginia.gov).

### **Total Maximum Daily Load - Hunting Creek, Cameron Run, Holmes Run**

Announcement of a Total Maximum Daily Load (TMDL) study to restore water quality in the bacteria impaired waters of Hunting Creek, Cameron Run, and Holmes Run.

**Purpose of notice:** The Virginia Department of Environmental Quality (DEQ) and the Virginia Department of Conservation and Recreation (DCR) announce the first Technical Advisory Committee (TAC) meeting to introduce the Hunting Creek, Cameron Run, and Holmes Run Bacteria TMDL Studies.

**Technical advisory committee meeting:** Tuesday, March 10, 2009, 10 a.m. - Noon, City of Alexandria, Charles E. Beatley, Central Library, Main Community Room, 5005 Duke Street, Alexandria, VA 22304-2903.

**Meeting description:** This is the first meeting to introduce this project to the TAC. The purpose of the TAC will be to provide technical input and insight for the project, and to assist with stakeholder and public participation.

**Description of study:** Portions of Hunting Creek, Cameron Run, and Holmes Run have been identified as impaired on the Clean Water Act § 303(d) list for not supporting the primary contact recreation use due to elevated levels of *E. coli* bacteria. Virginia agencies are working to identify the sources of bacteria contamination in these stream segments. The Hunting Creek, Cameron Run, and Holmes Run watersheds are located within Arlington County, the City of Alexandria, the City of Falls Church, and Fairfax County. Below are descriptions of the impaired segments that will be addressed in this study:

Stream Name	Impairments	Area	Upstream Limit	Downstream Limit
Hunting Creek (Tidal)	Recreational use Impairment due to <i>E. coli</i> bacteria	0.53 square miles	Route 241 (Telegraph Road) Bridge Crossing	Confluence with the Potomac River

Cameron Run (Nontidal)	Recreational use Impairment due to <i>E. coli</i> bacteria	2.08 miles	Confluence with Backlick Run	Route 241 (Telegraph Road) Bridge Crossing
Holmes Run (Nontidal)	Recreational use Impairment due to <i>E. coli</i> bacteria	3.58 miles	Mouth of Lake Barcroft	Confluence with Backlick Run

During this study, DEQ will develop a total maximum daily load, or a TMDL, for each of the impaired stream segments. A TMDL is the total amount of a pollutant a water body can receive and still meet water quality standards. To restore water quality, pollutant levels have to be reduced to the TMDL allocated amount.

How to comment: The public comment period on the materials presented at the TAC meeting will extend from March 10, 2009, to April 9, 2009. DEQ accepts written comments by email, fax, or postal mail. Written comments should include the name, address, and telephone number of the person commenting, and be received by DEQ during the comment period. Please send all comments to the contact listed below.

Contact for additional information: Katie Conaway, Virginia Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3804, or email [mkconaway@deq.virginia.gov](mailto:mkconaway@deq.virginia.gov).

**STATE BOARD OF HEALTH AND DEPARTMENT OF MEDICAL ASSISTANCE SERVICES**

**Proposed Notice of Request for Certificate of Public Need Applications for Development of Additional Nursing Home Beds**

**Legal Notice of Request for Certificate of Public Need Applications.** Pursuant to the authority vested in the State Board of Health (board) and the Department of Medical Assistance Services (DMAS) by § 32.1-102.3:2 of the Code of Virginia, notice is hereby given of the issuance of a proposed Request for Applications (RFA). This RFA is a request for certificate of public need (COPN) applications for projects that will result in an increase in the number of beds in which nursing home services are provided in the Commonwealth of Virginia. The RFA process is outlined in 12VAC5-220-335 of the Virginia Medical Care Facilities Certificate of Public Need Rules and Regulations (COPN regulations).

**Eligible Planning District and Total Nursing Home Beds Available for Authorization.** In the review cycle established by this RFA, the Commissioner of Health will consider requests for COPNs that propose an increase in nursing home beds in the following planning district (PD) and that propose an increase no greater than the number of available beds shown below for that planning district. COPN requests that

propose an increase in nursing home beds in any other planning district, not identified below, or propose an increase in beds greater than the number of available beds shown below will not be accepted for review.

Planning District 3, also known as Mount Rogers Planning District, consisting of the counties of Bland, Carroll, Grayson, Smyth, Washington, and Wythe and the cities of Bristol and Galax.

Total nursing home beds available for authorization: 120.

**Basis for the Request for Applications.** House Bill 1498 (Chapter 802, Virginia Acts of Assembly--2008 Session), approved April 2, 2008, authorized the State Health Commissioner to issue a request for applications for 120 new nursing home beds to be established in PD 3 under certain circumstances as described in the legislation, the principal paragraph of which is quoted below:

The Commissioner may accept applications for such 120 nursing home or nursing facility beds and may issue a certificate of public need for an increase of such 120 new beds in which nursing facility or extended care services are to be provided to establish a new facility in Planning District 3. The Commissioner shall consider any certificate of public need for the 120 beds to an applicant that proposes to establish a new nursing facility located within three miles of the boundary of the county seat or within the county seat of the county adjacent to the city or county in which is sited any facility in Planning District 3 determined by the Division of Certificate of Public Need, in its "Nursing Home Facility Beds and Utilization Facility Fiscal Years Ending in 2006" analysis, to be licensed for 120 beds but that operated no Medicaid-certified beds in 2006.

Accordingly, Chapter 802 requires that to be accepted for review, an application must propose to establish a new nursing home facility of 120 beds. Applications proposing to add nursing home beds to an existing nursing home facility will not be accepted for review. Applications proposing to establish a new nursing home facility of less than 120 beds will also not be accepted for review. The legislation is also interpreted by the board and by DMAS to intend that these 120 new nursing home facility beds be certified for participation in the Virginia Medicaid program.

The existing nursing home facility referenced in Chapter 802 as "licensed for 120 beds but that operated no Medicaid-certified beds in 2006" is Bristol Nursing Home, Inc. Bristol Nursing Home has an address of 261 North Street, Bristol, Tennessee 37620, but 120 of its nursing home beds are in Bristol, Virginia, and are licensed by the Virginia Department of Health. These Virginia-licensed nursing home beds were not Medicaid-certified in 2006 or in prior or subsequent years.

The 120 Virginia-licensed nursing home beds at Bristol Nursing Home are in the independent city of Bristol, Virginia. The county adjacent to Bristol is Washington County, and its county seat is Abingdon. Therefore, Chapter 802 requires that the Commissioner "shall consider any certificate of public need for the 120 beds to an applicant that proposes to establish a new nursing home facility located

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within three miles of the boundary of (Abingdon) or within (Abingdon)." The board and DMAS interpret this to mean that the commissioner may not consider any COPN application filed pursuant to this RFA that does not propose to establish a nursing home facility within the Town of Abingdon or within three miles of the boundary of the Town of Abingdon.

**Basis for Review.** The commissioner, in her review of COPN requests submitted pursuant to this RFA, will consider each of the twenty-one factors enumerated at § 32.1-102.3 B of the Code of Virginia, as applicable. She will also consider applicable standards of the State Medical Facilities Plan (12VAC5-230-600 et. seq.).

**Projection of Potential Fiscal Impact.** The Department of Medical Assistance Services projects total additional expenditures for medical services provided to Medicaid recipients of approximately \$ 3.6 million for the fiscal year ending June 30, 2012, if all the beds included in this RFA are authorized and available for occupancy by July 1, 2011. This projection is based on the following key assumptions:

Estimated average proportion of beds filled during FY 2012	91.7%
Assumed Medicaid proportion of bed-days of service	62.7%
Average estimated Medicaid payment per day (direct, indirect, capital costs)	\$143.90
Estimated patient-payment per day (patient pay not included above)	\$30.32

**Schedule for Review.** COPN requests filed in response to this RFA shall be filed in accordance with the provisions of 12VAC5-220-355. The review schedule shown below will apply. Letters of intent and applications must be received by the Virginia Department of Health Division of COPN and by the Health Planning Agency of Southwest Virginia by the dates shown below in order to qualify for consideration in the specified review cycle.

Letter of intent must be received by (to be stated in final RFA).

Application must be received by (to be stated in final RFA).

Review cycle will begin on (to be stated in final RFA).

**Application Fees.** The Virginia Department of Health shall collect fees for COPN applications filed in response to this RFA. No application may be deemed to be complete for review until the required application fee is paid. The fee is one percent of the proposed capital expenditure for the project, but not less than \$1,000 or more than \$20,000.

## STATE LOTTERY DEPARTMENT

### Director's Orders

The following Director's Order of the State Lottery Department was filed with the Virginia Registrar of Regulations on February 5, 2009. The order may be viewed at the State Lottery Department, 900 East 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 Nine (09)

Virginia's Instant Game Lottery 1054; "Take The Money And Run" (effective nunc pro tunc 1/9/09)

### Water Quality Standards Regulation - Notice of Technical Advisory Committee Being Reconvened

At their October 16-17, 2008, meeting, the State Water Control Board approved changes to the Virginia Water Quality Standards regulation as part of the triennial review of the standards. Due to the scientific complexity behind the numeric criteria for several toxic pollutants, the board also directed staff to reconvene the triennial review ad hoc advisory committee to consider updates to aquatic life criteria for ammonia, copper, cadmium, cyanide and lead in 9VAC25-260-140, Criteria for Surface Waters, and consider the need for a prohibition of any new or expanded mixing zones for persistent bioaccumulative toxic substances in 9VAC25-260-20, General Criteria and Mixing Zones. The members of the committee have been invited to begin meeting with DEQ staff on a monthly basis from February through June to discuss the technical issues and determine what, if any, revisions to these criteria should be recommended to the board for public comment. DEQ expects to return to the board with a recommendation at their fall 2009 meeting.

The meetings of the reconvened triennial review ad hoc advisory committee will be held at the DEQ Piedmont Regional Office at 4949-A Cox Road, Glen Allen, VA 23060.

Directions to the Piedmont Regional Office can be found at the following website:

<http://www.deq.virginia.gov/regions/piedmont.html>.

Five meetings have initially been scheduled for 1 p.m. to 5 p.m. on the following dates:

Wednesday February 18, 2009  
Thursday, March 26, 2009  
Wednesday April 29, 2009  
Wednesday May 26, 2009  
Wednesday June 17, 2009

Actual duration of the meetings may vary depending on the complexity of the topics discussed and it is possible that it will not be necessary to hold these meetings on all the scheduled dates.

Contact Information: Alex Barron, Department of Environmental Quality, 629 East Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4119, or email ambarron@deq.virginia.gov.

**VIRGINIA CODE COMMISSION**

**Notice to State Agencies**

**Mailing Address:** Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219.

**Filing Material for Publication in the Virginia Register of Regulations**

Agencies are required to use the Regulation Information System (RIS) when filing regulations for publication in the Virginia Register of Regulations. The Office of the Virginia Register of Regulations implemented a web-based application called RIS for filing regulations and related items for publication in the Virginia Register. The Registrar's office has worked closely with the Department of Planning and Budget (DPB) to coordinate the system with the Virginia Regulatory Town Hall. RIS and Town Hall complement and enhance one another by sharing pertinent regulatory information.

The Office of the Virginia Register is working toward the eventual elimination of the requirement that agencies file print copies of regulatory packages. Until that time, agencies may file petitions for rulemaking, notices of intended regulatory actions and general notices in electronic form only; however, until further notice, agencies must continue to file print copies of proposed, final, fast-track and emergency regulatory packages.

**ERRATA**

**BOARD OF AGRICULTURE AND CONSUMER SERVICES**

Title of Regulation: **2VAC5-320. Regulations for the Enforcement of the Endangered Plant and Insect Species Act.**

Publication: 25:11 VA.R. 1892-1893 February 2, 2009.

Correction to Final Regulation:

Page 1892, in 2VAC5-320-10 A, lines 5 and 6, change the Code of Virginia chapter reference to read: "(§§ ~~3.1-1020 through 3.1-1030~~ 3.2-1000 et seq. of the Code of Virginia)"

VA.R. Doc. No. R09-1702.

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Title of Regulation: **2VAC5-325. Regulations Governing Pine Shoot Beetle.**

Publication: 25:11 VA.R. 1893 February 2, 2009.

Correction to Final Regulation:

Page 1893, in 2VAC5-325-10, change the definition of "Virginia Pest Law" to read:

"Virginia Pest Law" means the statute set forth in Article 6 ~~1~~ (§ ~~3.1-188.20~~ 3.2-700 et seq.) of Chapter ~~13~~ 7 of Title ~~3.1~~ 3.2 of the Code of Virginia.

VA.R. Doc. No. R09-1703.

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Title of Regulation: **2VAC5-330. Rules and Regulations for Enforcement of the Virginia Pest Law-Virginia Gypsy Moth Quarantine.**

Publication: 25:11 VA.R. 1893-1894 February 2, 2009.

Correction to Final Regulation:

Page 1894, in 2VAC5-330-10, change the definition of "Virginia Pest Law" to read:

"Virginia Pest Law" means that law set forth in Article 6 ~~1~~ (§ ~~3.1-188.20~~ 3.2-700 et seq.) of Chapter ~~13~~ 7 of Title ~~3.1~~ 3.2 of the Code of Virginia.

VA.R. Doc. No. R09-1704.

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Title of Regulation: **2VAC5-340. Rules and Regulations for the Enforcement of the Virginia Weights and Measures Law.**

Publication: 25:11 VA.R. 1894-1896 February 2, 2009.

Correction to Final Regulation:

Page 1894, in 2VAC5-340-140 C, change subdivision designations "(a)" and "(b)" to "1." and "2."

Page 1896, in 2VAC5-340-170 D 4, change subdivision designations "(a)" and "(b)" to "a." and "b."

VA.R. Doc. No. R09-1705.

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Title of Regulation: **2VAC5-350. Rules and Regulations for the Enforcement of the Virginia Commission Merchant Law.**

Publication: 25:11 VA.R. 1896-1899 February 2, 2009.

Correction to Final Regulation:

Page 1897, change the Code of Virginia reference to read:

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"Article 2 (§ ~~3.1-692~~ 3.2-4709 et seq.) of Chapter ~~26~~ 47 of Title ~~3.1~~ 3.2 of the Code of Virginia."

VA.R. Doc. No. R09-1706.

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**Title of Regulation: 2VAC5-370. Rules and Regulations for Enforcement of the Virginia Animal Remedies Law.**

**Publication:** 25:11 VA.R. 1901 February 2, 2009.

**Correction to Final Regulation:**

Page 1901, in 2VAC5-370-10, change "subdivision 3" to "subdivision A 3"

VA.R. Doc. No. R09-1708.

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**Title of Regulation: 2VAC5-380. Rules and Regulations for the Enforcement of the Virginia Dealers in Agricultural Products Law.**

**Publication:** 25:11 VA.R. 1901 February 2, 2009.

**Correction to Final Regulation:**

Page 1901, in 2VAC5-380-10, change the definition of "Virginia Agricultural Products Dealers Licensing and Bonding Law" to read:

"Virginia Agricultural Products Dealers Licensing and Bonding Law" means Article 3 (§ ~~3.1-722.1~~ 3.2-4738 et seq.) of Chapter ~~26~~ 47 of Title ~~3.1~~ 3.2 of the Code of Virginia.

VA.R. Doc. No. R09-1709.

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**Title of Regulation: 2VAC5-390. Rules and Regulations for the Enforcement of the Virginia Seed Law.**

**Publication:** 25:11 VA.R. 1901-1906 February 2, 2009.

**Correction to Final Regulation:**

Page 1902, in 2VAC5-390-20, change the first paragraph to read:

Noxious weed seeds as defined in the Virginia Seed Law, Article 1 (§ ~~3.1-262~~ 3.2-4000 et seq.) of Chapter ~~46~~ 40 of Title ~~3.1~~ 3.2 of the Code of Virginia, are divided into two classes:

Page 1904, in 2VAC5-390-80, lines 3 and 4, change the Code of Virginia chapter reference to read:

"Article 2, (§ 3.2-4021 et seq.) of Chapter ~~46~~, 40 of Title ~~3.1~~ 3.2 of the Code of Virginia"

VA.R. Doc. No. R09-1710.

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**Title of Regulation: 2VAC5-400. Rules and Regulations for the Enforcement of the Virginia Fertilizer Law.**

**Publication:** 25:11 VA.R. 1906-1908 February 2, 2009.

**Correction to Final Regulation:**

Page 1907, in 2VAC5-400-10, change the definition of "Pesticide Law" to read:

"Pesticide Law" means Chapter ~~44.1~~ 39 (§ ~~3.1-249.27~~ 3.2-3900 et seq.) of Title ~~3.1~~ 3.2 of the Code of Virginia, known as the Virginia Pesticide Control Act.

VA.R. Doc. No. R09-1711.

\* \* \*

**Title of Regulation: 2VAC5-440. Rules and Regulations for Enforcement of the Virginia Pest Law - Cotton Boll Weevil Quarantine.**

**Publication:** 25:11 VA.R. 1908-1909 February 2, 2009.

**Correction to Final Regulation:**

Page 1909, in 2VAC5-440-20, lines 1 through 3, change the Code of Virginia chapter reference to read:

"Under the authority of §§ ~~3.1-188.20 through 3.1-188.31.2~~ Article 1 (§ 3.2-700 et seq.) of Chapter 7 of Title 3.2 of the Code of Virginia"

VA.R. Doc. No. R09-1712.