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# THE VIRGINIA REGISTER INFORMATION PAGE

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

## ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

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

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

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

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

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

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

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

period; (ii) the Governor exercises his authority to require the agency to provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period.

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

## EMERGENCY REGULATIONS

If an agency demonstrates that (i) there is an immediate threat to the public's health or safety; or (ii) Virginia statutory law, the appropriation act, federal law, or federal regulation requires a regulation to take effect no later than (a) 280 days from the enactment in the case of Virginia or federal law or the appropriation act, or (b) 280 days from the effective date of a federal regulation, it then requests the Governor's approval to adopt an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited to addressing specifically defined situations and may not exceed 12 months in duration. Emergency regulations are published as soon as possible in the *Register*.

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

## STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 9-6.14:7.1 et seq.) of Chapter 1.1:1 of the Code of Virginia be examined carefully.

## CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. **12:8 VA.R. 1096-1106 January 8, 1996**, refers to Volume 12, Issue 8, pages 1096 through 1106 of the *Virginia Register* issued on January 8, 1996.

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# PUBLICATION DEADLINES AND SCHEDULES

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

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## January 1999 through December 1999

<u>Volume:Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
15:8	December 15, 1998 ( <b>Tuesday</b> )	January 4, 1999
15:9	December 29, 1998 ( <b>Tuesday</b> )	January 18, 1999
15:10	January 13, 1999	February 1, 1999
15:11	January 27, 1999	February 15, 1999
15:12	February 10, 1999	March 1, 1999
15:13	February 24, 1999	March 15, 1999
15:14	March 10, 1999	March 29, 1999
<b>INDEX 2 - Volume 15</b>		<b>April 1999</b>
15:15	March 24, 1999	April 12, 1999
15:16	April 7, 1999	April 26, 1999
15:17	April 21, 1999	May 10, 1999
15:18	May 5, 1999	May 24, 1999
15:19	May 19, 1999	June 7, 1999
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<b>INDEX 3 - Volume 15</b>		<b>July 1999</b>
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15:25	August 11, 1999	August 30, 1999
15:26	August 25, 1999	September 13, 1999
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<b>INDEX 1 - Volume 16</b>		<b>January 2000</b>

\*Filing deadlines are Wednesdays unless otherwise specified.

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 1. Administration</b>			
1 VAC 30-130-10	Amended	15:1 VA.R. 44 (4390)	9/15/98
1 VAC 30-140-10	Amended	15:7 VA.R. 978	12/1/98
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 15-320-20	Amended	15:5 VA.R. 574	1/1/99
4 VAC 15-320-30	Amended	15:5 VA.R. 575	1/1/99
4 VAC 15-320-100	Amended	15:5 VA.R. 575	1/1/99
4 VAC 15-320-120	Amended	15:5 VA.R. 576	1/1/99
4 VAC 15-320-160	Added	15:5 VA.R. 576	1/1/99
4 VAC 15-330-110	Amended	15:5 VA.R. 577	1/1/99
4 VAC 15-330-120	Amended	15:5 VA.R. 577	1/1/99
4 VAC 15-330-140	Amended	15:5 VA.R. 577	1/1/99
4 VAC 15-330-150	Amended	15:5 VA.R. 578	1/1/99
4 VAC 15-330-160	Amended	15:5 VA.R. 578	1/1/99
4 VAC 15-340-60	Amended	15:5 VA.R. 578	1/1/99
4 VAC 15-360-10	Amended	15:5 VA.R. 579	1/1/99
4 VAC 20-20-10	Amended	15:5 VA.R. 579	10/28/98
4 VAC 20-20-35	Added	15:5 VA.R. 579	10/28/98
4 VAC 20-260-30	Amended	15:3 VA.R. 320	10/1/98
4 VAC 20-260-40	Amended	15:3 VA.R. 320	10/1/98
4 VAC 20-560-40	Amended	15:7 VA.R. 978	12/1/98
4 VAC 20-560-50	Amended	15:7 VA.R. 979	12/1/98
4 VAC 20-620-40	Amended	15:5 VA.R. 580	10/28/98
4 VAC 20-620-42 emer	Added	15:5 VA.R. 718	10/30/98-11/17/98
4 VAC 20-720-40	Amended	15:3 VA.R. 321	10/1/98
4 VAC 20-720-50	Amended	15:3 VA.R. 321	10/1/98
4 VAC 20-720-60	Amended	15:3 VA.R. 321	10/1/98
4 VAC 20-720-70	Amended	15:3 VA.R. 322	10/1/98
4 VAC 20-720-70	Amended	15:7 VA.R. 979	12/1/98
4 VAC 20-720-80	Amended	15:3 VA.R. 322	10/1/98
4 VAC 20-720-90	Amended	15:3 VA.R. 322	10/1/98
4 VAC 20-720-105	Amended	15:7 VA.R. 979	12/1/98
4 VAC 20-960-45	Amended	15:7 VA.R. 982	1/1/99
4 VAC 25-30 (Forms)	Amended	15:7 VA.R. 1020	--
4 VAC 25-35 (Forms)	Amended	15:1 VA.R. 46 (4392)	--
4 VAC 25-40 (Forms)	Amended	15:7 VA.R. 1020	--
4 VAC 25-130-700.5	Amended	15:6 VA.R. 811	1/6/99
4 VAC 25-130-779.22	Repealed	15:6 VA.R. 823	1/6/99
4 VAC 25-130-779.25	Amended	15:6 VA.R. 824	1/6/99
4 VAC 25-130-780.23	Amended	15:6 VA.R. 824	1/6/99
4 VAC 25-130-780.25	Amended	15:6 VA.R. 825	1/6/99
4 VAC 25-130-780.35	Amended	15:6 VA.R. 826	1/6/99
4 VAC 25-130-783.25	Amended	15:6 VA.R. 827	1/6/99
4 VAC 25-130-784.15	Amended	15:6 VA.R. 827	1/6/99

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 25-130-784.16	Amended	15:6 VA.R. 828	1/6/99
4 VAC 25-130-784.23	Amended	15:6 VA.R. 830	1/6/99
4 VAC 25-130-800.40	Amended	15:6 VA.R. 830	1/6/99
4 VAC 25-130-816.46	Amended	15:6 VA.R. 832	1/6/99
4 VAC 25-130-816.49	Amended	15:6 VA.R. 834	1/6/99
4 VAC 25-130-816.74	Amended	15:6 VA.R. 836	1/6/99
4 VAC 25-130-816.81	Amended	15:6 VA.R. 837	1/6/99
4 VAC 25-130-816.89	Amended	15:6 VA.R. 837	1/6/99
4 VAC 25-130-816.104	Amended	15:6 VA.R. 838	1/6/99
4 VAC 25-130-816.105	Amended	15:6 VA.R. 838	1/6/99
4 VAC 25-130-817.46	Amended	15:6 VA.R. 838	1/6/99
4 VAC 25-130-817.49	Amended	15:6 VA.R. 840	1/6/99
4 VAC 25-130-817.74	Amended	15:6 VA.R. 842	1/6/99
4 VAC 25-130-817.81	Amended	15:6 VA.R. 843	1/6/99
4 VAC 25-130-817.89	Amended	15:6 VA.R. 844	1/6/99
4 VAC 25-130-840.11	Amended	15:6 VA.R. 844	1/6/99
4 VAC 25-130-843.14	Amended	15:6 VA.R. 845	1/6/99
4 VAC 25-130-845.17	Amended	15:6 VA.R. 846	1/6/99
4 VAC 25-130-845.18	Amended	15:6 VA.R. 846	1/6/99
4 VAC 25-130-845.19	Amended	15:6 VA.R. 847	1/6/99
4 VAC 25-130-846.17	Amended	15:6 VA.R. 847	1/6/99
4 VAC 25-150-10	Amended	15:2 VA.R. 135	11/11/98
4 VAC 25-150-50	Amended	15:2 VA.R. 138	11/11/98
4 VAC 25-150-60	Amended	15:2 VA.R. 138	11/11/98
4 VAC 25-150-70	Repealed	15:2 VA.R. 139	11/11/98
4 VAC 25-150-80 through 4 VAC 25-150-130	Amended	15:2 VA.R. 139-143	11/11/98
4 VAC 25-150-90	Erratum	15:6 VA.R. 938	--
4 VAC 25-150-135	Added	15:2 VA.R. 143	11/11/98
4 VAC 25-150-160 through 4 VAC 25-150-360	Amended	15:2 VA.R. 143-156	11/11/98
4 VAC 25-150-380 through 4 VAC 25-150-430	Amended	15:2 VA.R. 156-159	11/11/98
4 VAC 25-150-435	Added	15:2 VA.R. 159	11/11/98
4 VAC 25-150-440 through 4 VAC 25-150-460	Amended	15:2 VA.R. 161-162	11/11/98
4 VAC 25-150-500 through 4 VAC 25-150-530	Amended	15:2 VA.R. 162-163	11/11/98
4 VAC 25-150-500	Erratum	15:6 VA.R. 938	--
4 VAC 25-150-540	Repealed	15:2 VA.R. 165	11/11/98
4 VAC 25-150-560	Amended	15:2 VA.R. 167	11/11/98
4 VAC 25-150-560	Erratum	15:6 VA.R. 938	--
4 VAC 25-150-570	Repealed	15:2 VA.R. 167	11/11/98
4 VAC 25-150-580 through 4 VAC 25-150-610	Amended	15:2 VA.R. 168-169	11/11/98
4 VAC 25-150-610	Erratum	15:6 VA.R. 938	--
4 VAC 25-150-640	Repealed	15:2 VA.R. 171	11/11/98
4 VAC 25-150-650 through 4 VAC 25-150-700	Amended	15:2 VA.R. 171-172	11/11/98
4 VAC 25-150-690	Erratum	15:6 VA.R. 938	--
4 VAC 25-150-710	Repealed	15:2 VA.R. 172	11/11/98
4 VAC 25-150-711	Added	15:2 VA.R. 172	11/11/98
4 VAC 25-150-720 through 4 VAC 25-150-740	Amended	15:2 VA.R. 173	11/11/98
4 VAC 25-150 (Forms)	Erratum	15:6 VA.R. 938	--
<b>Title 9. Environment</b>			
9 VAC 5-20-204	Amended	15:2 VA.R. 174	1/1/99
9 VAC 5-20-205	Amended	15:2 VA.R. 175	1/1/99
9 VAC 25-192 (Forms)	Added	15:3 VA.R. 331	--
9 VAC 25-192-40	Amended	15:3 VA.R. 323	12/1/98
9 VAC 25-192-50	Amended	15:3 VA.R. 323	12/1/98
9 VAC 25-192-60	Amended	15:3 VA.R. 323	12/1/98
9 VAC 25-192-70	Amended	15:3 VA.R. 324	12/1/98

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

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9 VAC 25-193-70	Erratum	15:2 VA.R. 241	--
9 VAC 25-430-20	Amended	15:6 VA.R. 849	1/6/99
9 VAC 25-430-30	Amended	15:6 VA.R. 853	1/6/99
9 VAC 25-430-40	Amended	15:6 VA.R. 861	1/6/99
9 VAC 25-430-60	Amended	15:6 VA.R. 864	1/6/99
9 VAC 25-440-150	Amended	15:6 VA.R. 872	1/6/99
9 VAC 25-440-151	Added	15:6 VA.R. 880	1/6/99
9 VAC 25-610-10	Amended	15:5 VA.R. 581	1/1/99
9 VAC 25-610-30	Repealed	15:5 VA.R. 582	1/1/99
9 VAC 25-610-90	Amended	15:5 VA.R. 582	1/1/99
9 VAC 25-610-110	Amended	15:5 VA.R. 586	1/1/99
9 VAC 25-610-130	Amended	15:5 VA.R. 589	1/1/99
9 VAC 25-610-140	Amended	15:5 VA.R. 590	1/1/99
9 VAC 25-610-160	Amended	15:5 VA.R. 591	1/1/99
9 VAC 25-610-250	Amended	15:5 VA.R. 591	1/1/99
9 VAC 25-610-330	Amended	15:5 VA.R. 592	1/1/99
9 VAC 25-610-400	Added	15:5 VA.R. 592	1/1/99
<b>Title 12. Health</b>			
12 VAC 5-90-10	Amended	15:6 VA.R. 880	1/6/99
12 VAC 5-90-40	Amended	15:6 VA.R. 882	1/6/99
12 VAC 5-90-50	Amended	15:6 VA.R. 883	1/6/99
12 VAC 5-90-60	Repealed	15:6 VA.R. 883	1/6/99
12 VAC 5-90-70	Amended	15:6 VA.R. 883	1/6/99
12 VAC 5-90-80	Amended	15:6 VA.R. 883	1/6/99
12 VAC 5-90-90	Amended	15:6 VA.R. 885	1/6/99
12 VAC 5-90-100	Amended	15:6 VA.R. 888	1/6/99
12 VAC 5-90-110	Amended	15:6 VA.R. 888	1/6/99
12 VAC 5-90-120	Repealed	15:6 VA.R. 888	1/6/99
12 VAC 5-90-130	Amended	15:6 VA.R. 888	1/6/99
12 VAC 5-90-150	Amended	15:6 VA.R. 888	1/6/99
12 VAC 5-90-160	Amended	15:6 VA.R. 888	1/6/99
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12 VAC 5-90-210	Repealed	15:6 VA.R. 889	1/6/99
12 VAC 5-90-220	Repealed	15:6 VA.R. 889	1/6/99
12 VAC 5-90-230	Added	14:26 VA.R. 4250	10/14/98
12 VAC 5-90-240	Added	14:26 VA.R. 4250	10/14/98
12 VAC 5-90-250	Added	14:26 VA.R. 4251	10/14/98
12 VAC 5-90-260	Added	14:26 VA.R. 4251	10/14/98
12 VAC 5-90-270	Added	14:26 VA.R. 4251	10/14/98
12 VAC 30-20-170	Amended	14:26 VA.R. 4252	1/1/99
12 VAC 30-50-110	Amended	15:5 VA.R. 593	1/1/99
12 VAC 30-50-140	Amended	15:5 VA.R. 593	1/1/99
12 VAC 30-50-140	Amended	15:6 VA.R. 893	1/6/99
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12 VAC 30-50-160	Amended	14:26 VA.R. 4252	1/1/99
12 VAC 30-50-210	Amended	15:5 VA.R. 595	1/1/99
12 VAC 30-60-40	Amended	14:26 VA.R. 4254	1/1/99
12 VAC 30-60-40	Amended	15:6 VA.R. 895	1/6/99
12 VAC 30-60-120	Amended	15:6 VA.R. 896	1/6/99
12 VAC 30-60-320	Amended	14:26 VA.R. 4257	1/1/99
12 VAC 30-60-340	Amended	14:26 VA.R. 4259	1/1/99
12 VAC 30-80-30	Amended	15:6 VA.R. 900	1/6/99
12 VAC 30-90-264	Amended	14:26 VA.R. 4261	1/1/99

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-90-290	Amended	14:26 VA.R. 4264	1/1/99
12 VAC 30-140-10 through 12 VAC 30-140-50 emer	Added	15:4 VA.R. 478-480	10/23/98-10/22/99
12 VAC 30-150-10 and 12 VAC 30-150-20 emer	Added	15:4 VA.R. 481-483	10/23/98-10/22/99
12 VAC 30-160-00 through 12 VAC 30-160-299 emer	Added	15:4 VA.R. 483-486	10/23/98-10/22/99
12 VAC 30-170-10 and 12 VAC 30-170-20 emer	Added	15:4 VA.R. 487	10/23/98-10/22/99
<b>Title 13. Housing</b>			
13 VAC 10-40-230	Amended	15:4 VA.R. 424	10/21/98
<b>Title 14. Insurance</b>			
14 VAC 5-395-10	Amended	14:26 VA.R. 4266	8/20/98
14 VAC 5-395-30	Amended	14:26 VA.R. 4266	8/20/98
14 VAC 5-395-50	Amended	14:26 VA.R. 4267	8/20/98
<b>Title 16. Labor and Employment</b>			
16 VAC 25-50-10	Amended	15:5 VA.R. 600	1/1/99
16 VAC 25-50-15	Added	15:5 VA.R. 603	1/1/99
16 VAC 25-50-20	Amended	15:5 VA.R. 603	1/1/99
16 VAC 25-50-50	Amended	15:5 VA.R. 604	1/1/99
16 VAC 25-50-70	Amended	15:5 VA.R. 605	1/1/99
16 VAC 25-50-80	Amended	15:5 VA.R. 606	1/1/99
16 VAC 25-50-90	Amended	15:5 VA.R. 606	1/1/99
16 VAC 25-50-120	Amended	15:5 VA.R. 606	1/1/99
16 VAC 25-50-150	Amended	15:5 VA.R. 607	1/1/99
16 VAC 25-50-190	Amended	15:5 VA.R. 608	1/1/99
16 VAC 25-50-240	Amended	15:5 VA.R. 608	1/1/99
16 VAC 25-50-250	Amended	15:5 VA.R. 608	1/1/99
16 VAC 25-50-270	Amended	15:5 VA.R. 608	1/1/99
16 VAC 25-50-290	Amended	15:5 VA.R. 608	1/1/99
16 VAC 25-50-350	Amended	15:5 VA.R. 608	1/1/99
16 VAC 25-50-360	Amended	15:5 VA.R. 608	1/1/99
16 VAC 25-50-370	Amended	15:5 VA.R. 612	1/1/99
16 VAC 25-50-380	Amended	15:5 VA.R. 615	1/1/99
16 VAC 25-50-390	Amended	15:5 VA.R. 616	1/1/99
16 VAC 25-50-430	Amended	15:5 VA.R. 616	1/1/99
16 VAC 25-50-440	Amended	15:5 VA.R. 617	1/1/99
16 VAC 25-50-480	Amended	15:5 VA.R. 617	1/1/99
16 VAC 25-90-1910.109	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.110	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.111	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.141	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.142	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.151	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.156	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.183	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.261	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.262	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.265	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.267	Repealed	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.268	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.1017	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.1018	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.1029	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-90-1910.1052	Amended	15:5 VA.R. 628	1/1/99
16 VAC 25-100-1915.1001	Amended	15:5 VA.R. 633	1/1/99
16 VAC 25-175-1926.31	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-175-1926.50	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-175-1926.152	Amended	15:5 VA.R. 631	1/1/99



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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
16 VAC 25-175-1926.906	Amended	15:5 VA.R. 631	1/1/99
16 VAC 25-175-1926.1101	Amended	15:5 VA.R. 633	1/1/99
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 60-20-10	Amended	15:5 VA.R. 636	12/23/98
18 VAC 60-20-15	Added	15:5 VA.R. 637	12/23/98
18 VAC 60-20-16	Added	15:5 VA.R. 637	12/23/98
18 VAC 60-20-20	Amended	15:5 VA.R. 637	12/23/98
18 VAC 60-20-20	Amended	15:5 VA.R. 646	12/23/98
18 VAC 60-20-30	Amended	15:5 VA.R. 638	12/23/98
18 VAC 60-20-30	Amended	15:5 VA.R. 647	12/23/98
18 VAC 60-20-50	Amended	15:5 VA.R. 638	12/23/98
18 VAC 60-20-60	Amended	15:5 VA.R. 639	12/23/98
18 VAC 60-20-70	Amended	15:5 VA.R. 639	12/23/98
18 VAC 60-20-80	Amended	15:5 VA.R. 640	12/23/98
18 VAC 60-20-90	Amended	15:5 VA.R. 640	12/23/98
18 VAC 60-20-110	Amended	15:5 VA.R. 641	12/23/98
18 VAC 60-20-120	Amended	15:5 VA.R. 641	12/23/98
18 VAC 60-20-130	Amended	15:5 VA.R. 641	12/23/98
18 VAC 60-20-140	Amended	15:5 VA.R. 641	12/23/98
18 VAC 60-20-150	Repealed	15:5 VA.R. 642	12/23/98
18 VAC 60-20-160	Repealed	15:5 VA.R. 642	12/23/98
18 VAC 60-20-170	Amended	15:5 VA.R. 642	12/23/98
18 VAC 60-20-180	Amended	15:5 VA.R. 642	12/23/98
18 VAC 60-20-190	Amended	15:5 VA.R. 643	12/23/98
18 VAC 60-20-195	Added	15:5 VA.R. 644	12/23/98
18 VAC 60-20-220	Amended	15:5 VA.R. 644	12/23/98
18 VAC 60-20-230	Amended	15:5 VA.R. 644	12/23/98
18 VAC 60-20-240	Amended	15:5 VA.R. 645	12/23/98
18 VAC 65-20-10	Amended	15:7 VA.R. 982	1/20/99
18 VAC 65-20-20	Repealed	15:7 VA.R. 984	1/20/99
18 VAC 65-20-30	Repealed	15:7 VA.R. 984	1/20/99
18 VAC 65-20-40	Repealed	15:7 VA.R. 984	1/20/99
18 VAC 65-20-50	Amended	15:7 VA.R. 984	1/20/99
18 VAC 65-20-60	Amended	15:7 VA.R. 984	1/20/99
18 VAC 65-20-70	Amended	15:4 VA.R. 426	12/9/98
18 VAC 65-20-80	Repealed	15:4 VA.R. 426	12/9/98
18 VAC 65-20-90	Repealed	15:4 VA.R. 427	12/9/98
18 VAC 65-20-100	Repealed	15:4 VA.R. 427	12/9/98
18 VAC 65-20-110	Amended	15:7 VA.R. 984	1/20/99
18 VAC 65-20-120	Amended	15:7 VA.R. 985	1/20/99
18 VAC 65-20-130	Amended	15:7 VA.R. 985	1/20/99
18 VAC 65-20-140	Amended	15:7 VA.R. 985	1/20/99
18 VAC 65-20-150	Amended	15:7 VA.R. 985	1/20/99
18 VAC 65-20-160	Repealed	15:7 VA.R. 985	1/20/99
18 VAC 65-20-170	Amended	15:7 VA.R. 985	1/20/99
18 VAC 65-20-180 through 18 VAC 65-20-230	Repealed	15:7 VA.R. 986	1/20/99
18 VAC 65-20-235	Added	15:7 VA.R. 986	1/20/99
18 VAC 65-20-240	Amended	15:7 VA.R. 986	1/20/99
18 VAC 65-20-250 through 18 VAC 65-20-340	Repealed	15:7 VA.R. 987	1/20/99
18 VAC 65-20-350	Amended	15:7 VA.R. 987	1/20/99
18 VAC 65-20-360 through 18 VAC 65-20-390	Repealed	15:7 VA.R. 988	1/20/99
18 VAC 65-20-400	Amended	15:7 VA.R. 988	1/20/99
18 VAC 65-20-410	Repealed	15:7 VA.R. 988	1/20/99
18 VAC 65-20-430	Repealed	15:7 VA.R. 988	1/20/99
18 VAC 65-20-440	Amended	15:7 VA.R. 988	1/20/99

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 65-20-450 through 18 VAC 65-20-490	Repealed	15:7 VA.R. 988-989	1/20/99
18 VAC 65-20-500	Amended	15:7 VA.R. 989	1/20/99
18 VAC 65-20-510	Amended	15:7 VA.R. 990	1/20/99
18 VAC 65-20-520	Repealed	15:7 VA.R. 990	1/20/99
18 VAC 65-20-530	Amended	15:7 VA.R. 990	1/20/99
18 VAC 65-20-540	Amended	15:7 VA.R. 990	1/20/99
18 VAC 65-20-550	Amended	15:7 VA.R. 990	1/20/99
18 VAC 65-20-560	Amended	15:7 VA.R. 990	1/20/99
18 VAC 65-20-580	Amended	15:7 VA.R. 990	1/20/99
18 VAC 65-20-590	Amended	15:7 VA.R. 991	1/20/99
18 VAC 65-20-600	Repealed	15:7 VA.R. 991	1/20/99
18 VAC 65-20-610	Repealed	15:7 VA.R. 991	1/20/99
18 VAC 65-20-620	Repealed	15:7 VA.R. 991	1/20/99
18 VAC 65-20-630	Amended	15:7 VA.R. 991	1/20/99
18 VAC 65-20-640 through 18 VAC 65-20-690	Repealed	15:7 VA.R. 992-994	1/20/99
18 VAC 65-20-700	Amended	15:7 VA.R. 994	1/20/99
18 VAC 65-30-10	Amended	15:7 VA.R. 995	1/20/99
18 VAC 65-30-20	Repealed	15:7 VA.R. 997	1/20/99
18 VAC 65-30-30	Repealed	15:7 VA.R. 997	1/20/99
18 VAC 65-30-40	Repealed	15:7 VA.R. 997	1/20/99
18 VAC 65-30-50	Amended	15:7 VA.R. 997	1/20/99
18 VAC 65-30-60	Amended	15:7 VA.R. 997	1/20/99
18 VAC 65-30-70	Amended	15:7 VA.R. 997	1/20/99
18 VAC 65-30-80	Amended	15:7 VA.R. 997	1/20/99
18 VAC 65-30-90	Amended	15:7 VA.R. 998	1/20/99
18 VAC 65-30-110	Amended	15:7 VA.R. 998	1/20/99
18 VAC 65-30-120	Amended	15:7 VA.R. 999	1/20/99
18 VAC 65-30-140	Amended	15:7 VA.R. 999	1/20/99
18 VAC 65-30-150	Repealed	15:7 VA.R. 999	1/20/99
18 VAC 65-30-160	Repealed	15:7 VA.R. 999	1/20/99
18 VAC 65-30-170	Amended	15:7 VA.R. 999	1/20/99
18 VAC 65-30-180	Amended	15:7 VA.R. 999	1/20/99
18 VAC 65-30-190	Repealed	15:7 VA.R. 1000	1/20/99
18 VAC 65-30-200	Amended	15:7 VA.R. 1000	1/20/99
18 VAC 65-30-210	Repealed	15:7 VA.R. 1001	1/20/99
18 VAC 65-30-220	Added	15:7 VA.R. 1001	1/20/99
18 VAC 65-30-230	Added	15:7 VA.R. 1003	1/20/99
18 VAC 65-40-10	Amended	15:7 VA.R. 1008	1/20/99
18 VAC 65-40-20	Repealed	15:7 VA.R. 1008	1/20/99
18 VAC 65-40-30	Repealed	15:7 VA.R. 1008	1/20/99
18 VAC 65-40-40	Amended	15:4 VA.R. 433	12/9/98
18 VAC 65-40-50	Repealed	15:4 VA.R. 433	12/9/98
18 VAC 65-40-60	Repealed	15:4 VA.R. 433	12/9/98
18 VAC 65-40-70	Repealed	15:4 VA.R. 433	12/9/98
18 VAC 65-40-80	Repealed	15:4 VA.R. 433	12/9/98
18 VAC 65-40-90	Amended	15:7 VA.R. 1008	1/20/99
18 VAC 65-40-100	Repealed	15:7 VA.R. 1008	1/20/99
18 VAC 65-40-110	Amended	15:7 VA.R. 1008	1/20/99
18 VAC 65-40-120	Repealed	15:7 VA.R. 1008	1/20/99
18 VAC 65-40-130	Amended	15:7 VA.R. 1009	1/20/99
18 VAC 65-40-140	Repealed	15:7 VA.R. 1009	1/20/99
18 VAC 65-40-150	Repealed	15:7 VA.R. 1009	1/20/99
18 VAC 65-40-160	Amended	15:7 VA.R. 1009	1/20/99
18 VAC 65-40-170	Repealed	15:7 VA.R. 1009	1/20/99
18 VAC 65-40-180	Amended	15:7 VA.R. 1009	1/20/99

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 65-40-190	Repealed	15:7 VA.R. 1009	1/20/99
18 VAC 65-40-200	Repealed	15:7 VA.R. 1009	1/20/99
18 VAC 65-40-201	Added	15:7 VA.R. 1009	1/20/99
18 VAC 65-40-210	Amended	15:7 VA.R. 1009	1/20/99
18 VAC 65-40-220	Amended	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-230	Repealed	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-240	Repealed	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-250	Amended	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-260	Repealed	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-270	Repealed	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-280	Amended	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-290	Repealed	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-300	Amended	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-310	Repealed	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-320	Amended	15:7 VA.R. 1010	1/20/99
18 VAC 65-40-330	Amended	15:7 VA.R. 1011	1/20/99
18 VAC 65-40-340	Amended	15:7 VA.R. 1011	1/20/99
18 VAC 65-40-350 through 18 VAC 65-40-630	Repealed	15:7 VA.R. 1011-1014	1/20/99
18 VAC 65-40-640	Amended	15:7 VA.R. 1014	1/20/99
18 VAC 85-110-10	Amended	15:4 VA.R. 436	12/9/98
18 VAC 85-110-20	Amended	15:4 VA.R. 437	12/9/98
18 VAC 85-110-30	Amended	15:4 VA.R. 437	12/9/98
18 VAC 85-110-35	Added	15:4 VA.R. 437	12/9/98
18 VAC 85-110-40	Repealed	15:4 VA.R. 438	12/9/98
18 VAC 85-110-50	Amended	15:4 VA.R. 438	12/9/98
18 VAC 85-110-60	Amended	15:4 VA.R. 438	12/9/98
18 VAC 85-110-70	Amended	15:4 VA.R. 439	12/9/98
18 VAC 85-110-80	Amended	15:4 VA.R. 439	12/9/98
18 VAC 85-110-90	Amended	15:4 VA.R. 439	12/9/98
18 VAC 85-110-100	Amended	15:4 VA.R. 439	12/9/98
18 VAC 85-110-120	Repealed	15:4 VA.R. 439	12/9/98
18 VAC 85-110-150	Amended	15:4 VA.R. 439	12/9/98
18 VAC 85-110-160	Amended	15:4 VA.R. 439	12/9/98
18 VAC 85-110-170	Repealed	15:4 VA.R. 440	12/9/98
18 VAC 90-20-10	Amended	15:3 VA.R. 333	12/3/98
18 VAC 90-20-20	Amended	15:3 VA.R. 334	12/3/98
18 VAC 90-20-35	Added	15:3 VA.R. 334	12/3/98
18 VAC 90-20-40	Amended	15:3 VA.R. 334	12/3/98
18 VAC 90-20-50	Amended	15:3 VA.R. 335	12/3/98
18 VAC 90-20-60	Amended	15:3 VA.R. 335	12/3/98
18 VAC 90-20-70	Amended	15:3 VA.R. 335	12/3/98
18 VAC 90-20-80	Amended	15:3 VA.R. 335	12/3/98
18 VAC 90-20-90	Amended	15:3 VA.R. 336	12/3/98
18 VAC 90-20-95	Added	15:3 VA.R. 337	12/3/98
18 VAC 90-20-100	Amended	15:3 VA.R. 337	12/3/98
18 VAC 90-20-110	Amended	15:3 VA.R. 337	12/3/98
18 VAC 90-20-120	Amended	15:3 VA.R. 338	12/3/98
18 VAC 90-20-130	Amended	15:3 VA.R. 338	12/3/98
18 VAC 90-20-140	Amended	15:3 VA.R. 339	12/3/98
18 VAC 90-20-150	Repealed	15:3 VA.R. 339	12/3/98
18 VAC 90-20-160	Amended	15:3 VA.R. 339	12/3/98
18 VAC 90-20-170	Amended	15:3 VA.R. 339	12/3/98
18 VAC 90-20-180	Repealed	15:3 VA.R. 340	12/3/98
18 VAC 90-20-190	Amended	15:3 VA.R. 340	12/3/98
18 VAC 90-20-210	Amended	15:3 VA.R. 341	12/3/98

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 90-20-250	Repealed	15:3 VA.R. 341	12/3/98
18 VAC 90-20-260	Repealed	15:3 VA.R. 341	12/3/98
18 VAC 90-20-275	Added	15:3 VA.R. 341	12/3/98
18 VAC 90-20-280	Amended	15:3 VA.R. 341	12/3/98
18 VAC 90-20-290	Amended	15:3 VA.R. 342	12/3/98
18 VAC 90-20-300	Amended	15:3 VA.R. 342	12/3/98
18 VAC 90-20-310	Amended	15:3 VA.R. 342	12/3/98
18 VAC 90-20-330	Amended	15:3 VA.R. 342	12/3/98
18 VAC 90-20-340	Amended	15:3 VA.R. 346	12/3/98
18 VAC 90-20-350	Amended	15:3 VA.R. 346	12/3/98
18 VAC 90-20-400	Added	15:3 VA.R. 347	12/3/98
18 VAC 90-20-410	Added	15:3 VA.R. 347	12/3/98
18 VAC 90-30-10	Amended	15:7 VA.R. 1015	1/20/99
18 VAC 90-30-30	Amended	15:7 VA.R. 1015	1/20/99
18 VAC 90-30-40	Repealed	15:7 VA.R. 1015	1/20/99
18 VAC 90-30-70	Amended	15:7 VA.R. 1016	1/20/99
18 VAC 90-30-80	Amended	15:7 VA.R. 1016	1/20/99
18 VAC 90-30-90	Amended	15:7 VA.R. 1016	1/20/99
18 VAC 90-30-120	Amended	15:7 VA.R. 1016	1/20/99
18 VAC 90-30-140	Repealed	15:7 VA.R. 1016	1/20/99
18 VAC 90-30-150	Repealed	15:7 VA.R. 1016	1/20/99
18 VAC 90-30-160	Amended	15:7 VA.R. 1016	1/20/99
18 VAC 90-30-170 through 18 VAC 90-30-210	Repealed	15:7 VA.R. 1017	1/20/99
18 VAC 95-20-10	Amended	15:4 VA.R. 452	12/9/98
18 VAC 95-20-20	Repealed	15:4 VA.R. 453	12/9/98
18 VAC 95-20-30	Repealed	15:4 VA.R. 453	12/9/98
18 VAC 95-20-40	Repealed	15:4 VA.R. 453	12/9/98
18 VAC 95-20-50	Repealed	15:4 VA.R. 453	12/9/98
18 VAC 95-20-70	Amended	15:4 VA.R. 454	12/9/98
18 VAC 95-20-80	Amended	15:4 VA.R. 454	12/9/98
18 VAC 95-20-90	Repealed	15:4 VA.R. 454	12/9/98
18 VAC 95-20-100	Repealed	15:4 VA.R. 454	12/9/98
18 VAC 95-20-110	Repealed	15:4 VA.R. 454	12/9/98
18 VAC 95-20-120	Repealed	15:4 VA.R. 454	12/9/98
18 VAC 95-20-130	Amended	15:4 VA.R. 454	12/9/98
18 VAC 95-20-140	Repealed	15:4 VA.R. 455	12/9/98
18 VAC 95-20-150	Repealed	15:4 VA.R. 455	12/9/98
18 VAC 95-20-160	Repealed	15:4 VA.R. 455	12/9/98
18 VAC 95-20-170	Amended	15:4 VA.R. 455	12/9/98
18 VAC 95-20-175	Added	15:4 VA.R. 455	12/9/98
18 VAC 95-20-180	Amended	15:4 VA.R. 455	12/9/98
18 VAC 95-20-190	Repealed	15:4 VA.R. 456	12/9/98
18 VAC 95-20-200	Amended	15:4 VA.R. 456	12/9/98
18 VAC 95-20-210	Repealed	15:4 VA.R. 456	12/9/98
18 VAC 95-20-220	Amended	15:4 VA.R. 456	12/9/98
18 VAC 95-20-225	Added	15:4 VA.R. 457	12/9/98
18 VAC 95-20-230	Amended	15:4 VA.R. 457	12/9/98
18 VAC 95-20-240	Repealed	15:4 VA.R. 457	12/9/98
18 VAC 95-20-250	Repealed	15:4 VA.R. 457	12/9/98
18 VAC 95-20-260	Repealed	15:4 VA.R. 457	12/9/98
18 VAC 95-20-270	Repealed	15:4 VA.R. 458	12/9/98
18 VAC 95-20-280	Repealed	15:4 VA.R. 458	12/9/98
18 VAC 95-20-290	Amended	15:4 VA.R. 458	12/9/98
18 VAC 95-20-300	Amended	15:4 VA.R. 458	12/9/98
18 VAC 95-20-310	Amended	15:4 VA.R. 458	12/9/98

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 95-20-320	Repealed	15:4 VA.R. 458	12/9/98
18 VAC 95-20-330	Amended	15:4 VA.R. 459	12/9/98
18 VAC 95-20-340	Amended	15:4 VA.R. 459	12/9/98
18 VAC 95-20-350	Repealed	15:4 VA.R. 459	12/9/98
18 VAC 95-20-360	Repealed	15:4 VA.R. 459	12/9/98
18 VAC 95-20-370	Repealed	15:4 VA.R. 459	12/9/98
18 VAC 95-20-380	Amended	15:4 VA.R. 459	12/9/98
18 VAC 95-20-390	Amended	15:4 VA.R. 459	12/9/98
18 VAC 95-20-400	Amended	15:4 VA.R. 459	12/9/98
18 VAC 95-20-410	Repealed	15:4 VA.R. 460	12/9/98
18 VAC 95-20-420	Repealed	15:4 VA.R. 460	12/9/98
18 VAC 95-20-430	Amended	15:4 VA.R. 460	12/9/98
18 VAC 95-20-440	Amended	15:4 VA.R. 460	12/9/98
18 VAC 95-20-450	Repealed	15:4 VA.R. 460	12/9/98
18 VAC 95-20-460	Repealed	15:4 VA.R. 460	12/9/98
18 VAC 95-20-470	Amended	15:4 VA.R. 460	12/9/98
18 VAC 95-20-480 through 18 VAC 95-20-740	Repealed	15:4 VA.R. 460-463	12/9/98
Appendices I, II and III of 18 VAC 95-20	Repealed	15:4 VA.R. 463-464	12/9/98
18 VAC 105-20-10	Amended	15:6 VA.R. 902	1/6/99
18 VAC 105-20-15	Added	15:6 VA.R. 902	1/6/99
18 VAC 105-20-20	Amended	15:6 VA.R. 903	1/6/99
18 VAC 105-20-30	Repealed	15:6 VA.R. 903	1/6/99
18 VAC 105-20-40	Amended	15:6 VA.R. 903	1/6/99
18 VAC 105-20-45	Added	15:6 VA.R. 904	1/6/99
18 VAC 105-20-50	Amended	15:6 VA.R. 905	1/6/99
18 VAC 105-20-60	Amended	15:6 VA.R. 906	1/6/99
18 VAC 105-20-70	Amended	15:6 VA.R. 906	1/6/99
18 VAC 110-20-10 emer	Amended	15:6 VA.R. 926	11/5/98-11/4/99
18 VAC 110-20-130 emer	Amended	15:6 VA.R. 928	11/5/98-11/4/99
18 VAC 110-20-135 emer	Added	15:6 VA.R. 928	11/5/98-11/4/99
18 VAC 110-20-140 emer	Amended	15:6 VA.R. 929	11/5/98-11/4/99
18 VAC 110-20-690 emer	Added	15:6 VA.R. 929	11/5/98-11/4/99
18 VAC 110-20-700 emer	Added	15:6 VA.R. 929	11/5/98-11/4/99
18 VAC 110-20-710 emer	Added	15:6 VA.R. 930	11/5/98-11/4/99
18 VAC 110-20-720 emer	Added	15:6 VA.R. 930	11/5/98-11/4/99
18 VAC 135-20-10	Amended	15:5 VA.R. 648	1/1/99
18 VAC 135-20-20	Amended	15:5 VA.R. 649	1/1/99
18 VAC 135-20-30	Amended	15:5 VA.R. 650	1/1/99
18 VAC 135-20-40	Amended	15:5 VA.R. 650	1/1/99
18 VAC 135-20-45	Added	15:5 VA.R. 650	1/1/99
18 VAC 135-20-50	Amended	15:5 VA.R. 651	1/1/99
18 VAC 135-20-60	Amended	15:5 VA.R. 651	1/1/99
18 VAC 135-20-80	Amended	15:5 VA.R. 652	1/1/99
18 VAC 135-20-90	Amended	15:5 VA.R. 652	1/1/99
18 VAC 135-20-100	Amended	15:5 VA.R. 652	1/1/99
18 VAC 135-20-110	Amended	15:5 VA.R. 653	1/1/99
18 VAC 135-20-120	Amended	15:5 VA.R. 654	1/1/99
18 VAC 135-20-150	Amended	15:5 VA.R. 654	1/1/99
18 VAC 135-20-160	Amended	15:5 VA.R. 654	1/1/99
18 VAC 135-20-170	Amended	15:5 VA.R. 654	1/1/99
18 VAC 135-20-180	Amended	15:5 VA.R. 655	1/1/99
18 VAC 135-20-190	Amended	15:5 VA.R. 656	1/1/99
18 VAC 135-20-200	Amended	15:5 VA.R. 657	1/1/99
18 VAC 135-20-210	Amended	15:5 VA.R. 657	1/1/99
18 VAC 135-20-220	Amended	15:5 VA.R. 657	1/1/99

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 135-20-240	Amended	15:5 VA.R. 658	1/1/99
18 VAC 135-20-250	Amended	15:5 VA.R. 658	1/1/99
18 VAC 135-20-260	Amended	15:5 VA.R. 658	1/1/99
18 VAC 135-20-270	Amended	15:5 VA.R. 658	1/1/99
18 VAC 135-20-280	Amended	15:5 VA.R. 658	1/1/99
18 VAC 135-20-290	Amended	15:5 VA.R. 659	1/1/99
18 VAC 135-20-300	Amended	15:5 VA.R. 659	1/1/99
18 VAC 135-20-310	Amended	15:5 VA.R. 660	1/1/99
18 VAC 135-20-320	Amended	15:5 VA.R. 660	1/1/99
18 VAC 135-20-350	Amended	15:5 VA.R. 660	1/1/99
18 VAC 135-20-360	Amended	15:5 VA.R. 661	1/1/99
18 VAC 135-20-370	Amended	15:5 VA.R. 662	1/1/99
18 VAC 135-20-380	Amended	15:5 VA.R. 662	1/1/99
18 VAC 135-20-390	Amended	15:5 VA.R. 662	1/1/99
18 VAC 135-20-400	Amended	15:5 VA.R. 662	1/1/99
18 VAC 135-20-410	Amended	15:5 VA.R. 662	1/1/99
18 VAC 135-20-420	Repealed	15:5 VA.R. 663	1/1/99
18 VAC 135-20-430	Repealed	15:5 VA.R. 663	1/1/99
18 VAC 135-20-440	Repealed	15:5 VA.R. 663	1/1/99
18 VAC 140-20-10	Amended	15:5 VA.R. 663	12/23/98
18 VAC 140-20-30	Amended	15:5 VA.R. 664	12/23/98
18 VAC 140-20-35	Added	15:5 VA.R. 664	12/23/98
18 VAC 140-20-37	Added	15:5 VA.R. 664	12/23/98
18 VAC 140-20-40	Amended	15:5 VA.R. 664	12/23/98
18 VAC 140-20-45	Added	15:5 VA.R. 665	12/23/98
18 VAC 140-20-50	Amended	15:5 VA.R. 665	12/23/98
18 VAC 140-20-60	Amended	15:5 VA.R. 667	12/23/98
18 VAC 140-20-70	Amended	15:5 VA.R. 668	12/23/98
18 VAC 140-20-80	Repealed	15:5 VA.R. 668	12/23/98
18 VAC 140-20-90	Repealed	15:5 VA.R. 668	12/23/98
18 VAC 140-20-110	Amended	15:5 VA.R. 668	12/23/98
18 VAC 140-20-150	Amended	15:5 VA.R. 669	12/23/98
18 VAC 150-20-10	Amended	15:5 VA.R. 687	12/23/98
18 VAC 150-20-30	Amended	15:5 VA.R. 688	12/23/98
18 VAC 150-20-40	Repealed	15:5 VA.R. 688	12/23/98
18 VAC 150-20-50	Repealed	15:5 VA.R. 688	12/23/98
18 VAC 150-20-60	Repealed	15:5 VA.R. 688	12/23/98
18 VAC 150-20-70	Amended	15:5 VA.R. 688	12/23/98
18 VAC 150-20-75	Added	15:5 VA.R. 690	12/23/98
18 VAC 150-20-80	Repealed	15:5 VA.R. 690	12/23/98
18 VAC 150-20-90	Repealed	15:5 VA.R. 690	12/23/98
18 VAC 150-20-100	Amended	15:5 VA.R. 690	12/23/98
18 VAC 150-20-110	Amended	15:5 VA.R. 691	12/23/98
18 VAC 150-20-115	Added	15:5 VA.R. 691	12/23/98
18 VAC 150-20-120	Amended	15:5 VA.R. 692	12/23/98
18 VAC 150-20-130	Amended	15:5 VA.R. 692	12/23/98
18 VAC 150-20-140	Amended	15:5 VA.R. 692	12/23/98
18 VAC 150-20-150	Repealed	15:5 VA.R. 693	12/23/98
18 VAC 150-20-160	Repealed	15:5 VA.R. 693	12/23/98
18 VAC 150-20-170	Repealed	15:5 VA.R. 693	12/23/98
18 VAC 150-20-180	Amended	15:5 VA.R. 694	12/23/98
18 VAC 150-20-185	Added	15:5 VA.R. 694	12/23/98
18 VAC 150-20-190	Amended	15:5 VA.R. 694	12/23/98
18 VAC 150-20-195	Added	15:5 VA.R. 696	12/23/98
18 VAC 150-20-200	Amended	15:5 VA.R. 696	12/23/98

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 150-20-205	Added	15:5 VA.R. 701	12/23/98
18 VAC 150-20-210	Amended	15:5 VA.R. 701	12/23/98
<b>Title 19. Public Safety</b>			
19 VAC 30-70-5	Amended	15:2 VA.R. 177	11/11/98
19 VAC 30-70-7	Amended	15:2 VA.R. 178	11/11/98
19 VAC 30-70-10	Amended	15:2 VA.R. 178	11/11/98
19 VAC 30-70-50	Amended	15:2 VA.R. 180	11/11/98
19 VAC 30-70-70 through 19 VAC 30-70-100	Amended	15:2 VA.R. 181-184	11/11/98
19 VAC 30-70-140	Amended	15:2 VA.R. 185	11/11/98
19 VAC 30-70-160	Amended	15:2 VA.R. 187	11/11/98
19 VAC 30-70-180	Amended	15:2 VA.R. 190	11/11/98
19 VAC 30-70-200	Amended	15:2 VA.R. 192	11/11/98
19 VAC 30-70-440 through 19 VAC 30-70-500	Amended	15:2 VA.R. 192-203	11/11/98
19 VAC 30-70-550	Amended	15:2 VA.R. 207	11/11/98
19 VAC 30-70-570	Amended	15:2 VA.R. 208	11/11/98
19 VAC 30-70-580	Amended	15:2 VA.R. 209	11/11/98
19 VAC 30-70-680	Amended	15:2 VA.R. 211	11/11/98
<b>Title 22. Social Services</b>			
22 VAC 40-35-10	Amended	15:6 VA.R. 922	1/6/99
22 VAC 40-35-125	Added	15:6 VA.R. 924	1/6/99
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 30-200-10	Amended	14:26 VA.R. 4267	10/14/98
24 VAC 30-200-10	Erratum	15:1 VA.R. 50 (4396)	--
24 VAC 30-200-20	Amended	14:26 VA.R. 4268	10/14/98
24 VAC 30-200-30	Amended	14:26 VA.R. 4269	10/14/98
24 VAC 30-200-40	Added	14:26 VA.R. 4270	10/14/98
24 VAC 30-200-40	Erratum	15:1 VA.R. 50	--

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# NOTICES OF INTENDED REGULATORY ACTION

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## Symbol Key

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

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## TITLE 1. ADMINISTRATION

### DEPARTMENT OF GENERAL SERVICES

#### Division of Consolidated Laboratory Services

#### Supplemental Notice of Intended Regulatory Action

The Division of Consolidated Laboratory Services is providing a supplemental notice of intended regulatory action on its intention to consider promulgating regulations entitled: **1 VAC 30-45-10 et seq. Environmental Laboratory Certification Program.** In addition to laboratories performing tests and analyses required by the Virginia Waste Management Act and the State Water Control Law, § 2.1-429.01 of the Code of Virginia requires that laboratories performing tests and analyses under § 10.1-1300 et seq. (the Air Pollution Control Law) also be covered. This supplemental notice relates only to the coverage by an environmental laboratory certification program of laboratories performing tests and analyses under § 10.1-1300 et seq. (the Air Pollution Control Law). This supplemental notice provides an additional 30-day comment period on the inclusion of these laboratories in the program, including a public meeting. In addition, the notice provides an opportunity for additional volunteers to join the currently formed ad hoc group. Specific information on submitting comments, attending the public meeting, and volunteering for the ad hoc group is set out below.

The division has previously provided notice of its intention to propose for adoption a regulation for environmental laboratory certification (14:25 VA.R. 4032 August 31, 1998). This regulation will establish procedures, standards and requirements for the certification of laboratories performing tests and analyses required by the Virginia Air Pollution Control Law, the Virginia Waste Management Act and the State Water Control Law. The program established by the regulation will ensure that these laboratories provide accurate and consistent tests, analyses, measurements and monitoring. Commercial, private, industrial and municipal laboratories conducting tests, analyses, measurements or monitoring pursuant to the Virginia Air Pollution Control Law (§ 10.1-1300 et seq.), the Virginia Waste Management Act (§ 10.1-1400 et seq.), or the State Water Control Law (§ 62.1-44.2 et seq.) would be affected by the program.

**Request for Comments:** The purpose of this notice is to solicit comments on the inclusion of laboratories performing tests and analyses under the Virginia Air Pollution Control Law (§ 10.1-1300 et seq.). THERE ARE NO REGULATION AMENDMENTS AVAILABLE FOR PUBLIC COMMENT AT THIS TIME. All comments must be received by the agency contact by 4:30 p.m. on Wednesday, January 20, 1999, in

order to be considered. It is preferred that all comments be provided in writing, along with any supporting documents or exhibits; however, oral comments will be accepted at the meeting. Comments may be submitted by mail, by facsimile transmission (fax number: 804/371-7973), or by personal appearance at the meeting mentioned below. See "Agency Contact" below for the mailing address. Facsimile copies will be accepted only if followed by receipt of the original within one week. All comments, exhibits and documents received are a matter of public record.

**Public Meeting:** A public meeting will be held by the division in the First Floor Conference Room, Division of Consolidated Laboratory Services, 1 North 14th Street, Richmond, Virginia 23219, at 10 a.m. on Thursday, January 14, 1999, to discuss the intended action. Unlike a public hearing, which is intended only to receive testimony, this meeting is being held to discuss and exchange ideas and information relative to regulation development.

**Ad Hoc Advisory Group:** The department has formed an ad hoc advisory group to assist in the development of the regulation. However, the group has not yet had its first meeting. If you believe that your interests relate directly to those of laboratories performing tests and analyses under the Virginia Air Pollution Control Law and you desire to be part of the group, notify the agency contact in writing or by facsimile transmission (FAX number: 804/371-7973) by 4:30 p.m., January 20, 1999, and provide your name, address, phone number and the organization you represent (if any). See "Agency Contact" below for the mailing address. Two additional places on the currently formed ad hoc group will be made available for volunteers. Notification of the selection of the new, additional ad hoc advisory group members will be sent to all applicants. The primary function of the group is to develop recommended regulation amendments for department consideration through the collaborative approach of regulatory negotiation and consensus.

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

**Need:** The contemplated regulation is essential (i) to protect the health, safety or welfare of citizens and (ii) for the efficient and economic performance of an important governmental function. The reasoning for this conclusion is set forth below.

Compliance with the State Water Control Law, the Air Pollution Control Law and the Virginia Waste Management Act is determined, to a great extent, by the analysis of samples and other measurements taken of Virginia's water, air and terrain. Accurate and consistent analysis of these samples ensures that the determination of compliance with



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# Notices of Intended Regulatory Action

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Virginia's water quality, air quality and waste management laws is also accurate and consistent. In turn, the health and welfare of the people of the Commonwealth are protected. In addition, samples from those parties whose compliance is being determined are analyzed in an equally consistent and accurate fashion.

Certifying laboratories that do consistent and accurate analyses ensure efficient and economic implementation of the state's water, air and waste laws. The state agency responsible for carrying out the laws will be assured that they can rely upon the analytical results of certified laboratories in determining compliance with these laws.

In addition, the state law requires the use of nationally accepted accreditation standards. Virginia's water quality, air quality and waste management laws and regulations are mandated in part by federal statute and regulation. Because the federal government funds the implementation of these laws in the state to some extent, it also determines whether the state agency carrying out these federal mandates is doing an acceptable job. An accurate, consistent and verifiable analysis in certified laboratories of samples taken to determine compliance provides assurance of the state's competency in implementing federal mandates on water quality, air quality and waste management.

Alternatives: Alternatives to the proposed regulation amendments being considered by the department are discussed below.

1. Develop the regulation to satisfy the provisions of the law and federal standards and policies. This option is being selected because it meets the stated purpose of the regulatory action: to ensure that laboratories perform accurate and consistent tests, analyses, measurements and monitoring required by the Virginia Waste Management Act, Virginia Air Pollution Control Law and the State Water Control Law.
2. Make alternative regulatory changes to those required by the provisions of the law and federal standards and policies. This option is not being selected because it does not meet the stated purpose of the regulation and may not be consistent with state law and federal standards and policies.
3. Take no action to develop the regulation. This option is not being selected because state law requires that a regulation be developed.

Applicable Statutory Requirements: The contemplated regulation is mandated by state law. A succinct statement of the source (including legal citation) and scope of the mandate may be found below.

Section 2.1-429.01 of the Code of Virginia requires that the Division of Consolidated Laboratory Services establish a program by regulation that will certify laboratories conducting tests, analyses, measurements, or monitoring pursuant to the Virginia Air Pollution Control Law (§ 10.1-1300 et seq.), the Virginia Waste Management Act (§ 10.1-1400 et seq.) or the State Water Control Law (§ 62.1-44.2 et seq.). The program is to be based on standards adopted by the

National Environmental Laboratory Accreditation Conference sponsored by the U.S. Environmental Protection Agency to ensure accurate and consistent testing and analysis by the certified laboratories.

The state law requires that the program include minimum criteria for the following: (i) laboratory procedures; (ii) performance evaluations; (iii) supervisory and personnel requirements; (iv) facilities and equipment; (v) analytical quality control and quality assurance; (vi) certificate issuance and maintenance; (vii) recertification and decertification; and (viii) granting full and partial exemptions from the program based on compliance and performance. The law also requires that a fee system be established to pay for the costs of certifying laboratories under this program. Procedures for determining the qualifications of laboratories outside of Virginia used to conduct tests and analyses for use in Virginia must also be developed under § 2.1-429.01 of the Code of Virginia. In addition, the law allows other components to be added to the program.

Statutory Authority: §§ 2.1-424 and 2.1-429.01 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., January 20, 1999, to the Director, Bureau of Customer Services, Division of Consolidated Laboratory Services, 1 North 14th Street, Richmond, Virginia 23219.

**Contact:** Nancy S. Saylor, Consultant to Division of Consolidated Laboratory Services, Department of General Services, 1 N. 14th St., Richmond, VA 23219, telephone (804) 231-7980 or FAX (804) 231-7980.

VA.R. Doc. No. R98-312; Filed November 25, 1998, 11:30 a.m.

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## TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

### CRIMINAL JUSTICE SERVICES BOARD

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Criminal Justice Services Board intends to consider repealing regulations entitled: **6 VAC 20-170-10 et seq. Regulations Relating to Private Security Services.** The purpose of the proposed action is to repeal the current regulations and promulgate new regulations (6 VAC 20-171-10 et seq.) for the purpose of substantive format changes. The agency does not intend to hold a public hearing on the proposed repeal of this regulation after publication.

Statutory Authority: § 9-182 of the Code of Virginia.

Public comments may be submitted until January 6, 1999.

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# Notices of Intended Regulatory Action

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**Contact:** Leon D. Baker, Jr., Section Chief, Department of Criminal Justice Services, Private Security Services Section, P. O. Box 10110, Richmond, VA 23240-9998, telephone (804) 786-0460.

VA.R. Doc. No. R99-55; Filed November 13, 1998, 3:16 p.m.

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Criminal Justice Services Board intends to consider promulgating regulations entitled: **6 VAC 20-171-10 et seq. Regulations Relating to Private Security Services.** The purpose of the proposed action is to ensure the efficiency of the regulations by preventing misleading or deceptive practices by unqualified or incompetent persons in the private security industry in the least burdensome fashion. These regulations will replace 6 VAC 2-170-10 et seq., being repealed due to the substantive format changes. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 9-182 of the Code of Virginia.

Public comments may be submitted until January 6, 1999.

**Contact:** Leon D. Baker, Jr., Section Chief, Department of Criminal Justice Services, Private Security Services Section, P. O. Box 10110, Richmond, VA 23240-9998, telephone (804) 786-0460.

VA.R. Doc. No. R99-56; Filed November 13, 1998, 3:17 p.m.

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## TITLE 9. ENVIRONMENT

### STATE WATER CONTROL BOARD

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to consider promulgating regulations entitled: **9 VAC 25-215-10 et seq. General Virginia Water Protection Permit for the Discharge of Dredge and Fill Materials to Surface Waters for Specified Land Development, Shoreline Protection and Dredging Materials.** The intent of this proposed regulatory action is to establish for several similar activities a general permit that contains appropriate and necessary permitting requirements for discharges of dredge and fill material in surface waters. State Water Control Law requires that a Virginia Water Protection Permit provide Section 401 Water Quality Certification in accordance with the Clean Water Act and protect instream beneficial uses. Instream beneficial uses include but are not limited to the protection of fish and wildlife habitat, maintenance of waste assimilation, recreation, navigation and cultural and aesthetic values.

A technical advisory committee will be formed to assist in the development of the regulation. The primary function of the committee will be to develop recommendations to the board for the content of the general permit through a process of negotiation and consensus. Persons who desire to be on the committee should notify the agency contact person in writing by 4:30 p.m. on Wednesday, January 6, 1999, and provide your name, address, telephone number and the organization you represent (if any). Notification of the composition of the committee will be sent to all applicants. Following the publication of the draft general permit the board will hold at least one public hearing to provide opportunity for public comment.

Statutory Authority: §§ 62.1-44.15 and 62.1-44.15:5 et seq. of the Code of Virginia.

Public comments are solicited on the content of the draft general permit regulation. Comments may be submitted until 4:30 p.m. on Wednesday, January 6, 1999, to Mr. Joseph Hassell, Department of Environmental Quality, P. O. Box 10009, Richmond, Virginia 23240-0009.

**Contact:** Joseph Hassell, Office of Water Permit Programs, P.O. Box 10009, Richmond, VA 23240-0009, e-mail jphassell@deq.state.va.us, telephone (804) 698-4072, FAX (804) 698-4032.

VA.R. Doc. No. R99-58; Filed November 17, 1998, 10:06 a.m.

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## TITLE 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider promulgating regulations entitled: **12 VAC 30-140-10 et seq. Virginia Children's Health Insurance Program (VCMSIP).** The purpose of the proposed action is promulgate permanent regulations for the Virginia Children's Health Insurance Program which establish the program, the eligible groups and requirements for eligibility, the covered benefits and benefit limits, and quality assurance and utilization control measures to be used. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until January 6, 1999, to Kathryn Kotula, Director of Policy, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

**Contact:** Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad

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# Notices of Intended Regulatory Action

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St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R99-59; Filed November 17, 1998, 10:03 a.m.

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF PHARMACY

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Pharmacy intends to consider amending regulations entitled: **18 VAC 110-20-10 et seq. Virginia Board of Pharmacy Regulations.** The purpose of the proposed action is to replace emergency regulations establishing requirements for the closing or acquisition of a pharmacy, for a change of hours, and for the issuance of a control substance registration to persons or entities maintaining large amounts of Schedule II through VI drugs, which were adopted pursuant to Chapters 470 and 490 of the 1998 Acts of Assembly. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-2400, 54.1-3307 and 54.1-3400 et seq. of the Code of Virginia.

Public comments may be submitted until January 6, 1999.

**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9943.

VA.R. Doc. No. R99-53; Filed November 5, 1998, 12:06 p.m.

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## TITLE 23. TAXATION

### DEPARTMENT OF TAXATION

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to consider amending regulations entitled: **23 VAC 10-210-2032, Retail Sales and Use Tax: Penalties and interest; audits.** The purpose of the proposed action is to review and amend the regulation to set forth the department's calculation and use of a compliance ratio to determine if audit penalty is applicable to the purchased portion of audits. The department also intends to incorporate an alternative method for calculating the use tax compliance ratio. The

regulation will also set forth acceptable exceptions for avoiding audit penalty. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 58.1-203 of the Code of Virginia.

Public comments may be submitted until January 8, 1999, to Howard Macrae, Office of Tax Policy, P.O. Box 1880, Richmond, VA 23218-1880.

**Contact:** Bland Sutton, Tax Policy Analyst, Department of Taxation, P.O. Box 1880, Richmond, VA 23218-1880, telephone (804) 367-6358 or FAX (804) 367-0045.

VA.R. Doc. No. R99-60; Filed November 17, 1998, 9:12 a.m.

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## TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

### COMMONWEALTH TRANSPORTATION BOARD

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Commonwealth Transportation Board intends to consider amending regulations entitled: **24 VAC 30-40-10 et seq. Rules and Regulations Governing Relocation Assistance.** The purpose of the proposed action is to amend the regulation to rewrite the existing language to clarify policies and procedures, add examples of payment calculations, and streamline the process used to provide relocation assistance. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 25-253 and 33.1-12(5) of the Code of Virginia.

Public comments may be submitted until February 3, 1999.

**Contact:** Beverly Fulwider, Program Manager, Department of Transportation, R/W and Utilities Division, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-4366, FAX (804) 786-1706, toll-free 1-800-345-1468, or 1-800-307-4630/TTY ☎

VA.R. Doc. No. R99-69; Filed December 10, 1998, 12:34 p.m.

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# FINAL REGULATIONS

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For information concerning Final Regulations, see Information Page.

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## Symbol Key

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

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## BOARD OF PHARMACY

**Title of Regulation:** 18 VAC 110-20-10 et seq. **Regulations Governing the Practice of Pharmacy (amending 18 VAC 110-20-10, 18 VAC 110-20-20, 18 VAC 110-20-30, 18 VAC 110-20-40, 18 VAC 110-20-50, 18 VAC 110-20-60, 18 VAC 110-20-70, 18 VAC 110-20-90, [ 18 VAC 110-20-140, 18 VAC 110-20-150 18 VAC 110-20-100, 18 VAC 110-20-110, 18 VAC 110-20-130, ] 18 VAC 110-20-170, 18 VAC 110-20-190, 18 VAC 110-20-200, 18 VAC 110-20-210, 18 VAC 110-20-220, 18 VAC 110-20-230, 18 VAC 110-20-240, 18 VAC 110-20-270, 18 VAC 110-20-280, 18 VAC 110-20-290, 18 VAC 110-20-330, 18 VAC 110-20-350, 18 VAC 110-20-360, [ 18 VAC 110-20-930, ] 18 VAC 110-20-400, 18 VAC 110-20-420, 18 VAC 110-20-470, 18 VAC 110-20-500, 18 VAC 110-20-540, 18 VAC 110-20-550, 18 VAC 110-20-570, 18 VAC 110-20-580, 18 VAC 110-20-590, 18 VAC 110-20-620, 18 VAC 110-20-640, and 18 VAC 110-20-680; adding 18 VAC 110-20-355, 18 VAC 110-20-395, 18 VAC 110-20-555, 18 VAC 110-20-621, and 18 VAC 110-20-622; repealing 18 VAC 110-20-260 and 18 VAC 110-20-650).**

**Statutory Authority:** §§ 54.1-2400, 54.1-3307, and 54.1-3312 of the Code of Virginia.

**Effective Date:** February 3, 1999.

### Summary:

*The amendments provide greater clarity and understanding of requirements for the practice of pharmacy pursuant to recommendations from the comprehensive review conducted in compliance with Executive Order 15 (94). The amendments revise and update definitions and educational requirements, eliminate redundant or unnecessary regulations, and delete board approval of continuing education programs.*

*Amendments establish grounds for disciplinary action against a pharmacy permit if decisions are being made to override the control of the pharmacy by the pharmacist and provide clarification of the rules regarding pharmacies which are going out of business, closing, or being acquired.*

*The board has established a minimum standard for the door to the enclosed area of the pharmacy, allowed electronic scales, allowed the use of automated dispensing devices in long-term care facilities, clarified the drug destruction rules, and set a policy for a prescription to be delivered to the customer when the pharmacist is not on duty.*

*Regulations are revised to clarify those acts which are restricted to the pharmacist, update the rules on transmission of a prescription order by facsimile*

*machine, relax the requirement for a written prescription following an emergency dispensing of Schedule II drugs, and allow the pharmacist to supervise up to three technicians provided the technicians are certified by the Pharmacy Technician Certification Board or by any other nationally recognized, board-approved certifying body.*

*Amendments on labeling conform to recent changes in the law, require a signed release for nonspecial packaging, and establish requirements for repackaging of bulk drugs. Regulations for pharmacy services in institutions and other facilities are modified to provide more flexibility or to protect from diversion of drugs and ensure sanitary conditions.*

*The amendments which were proposed to 18 VAC 110-20-140, 18 VAC 110-20-150 and 18 VAC 110-20-390 were deleted by the board in the adoption of final amended regulations, therefore, the amendments to those sections have been withdrawn in this promulgation process.*

**Summary of Public Comments and Agency's Response:** A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

**Agency Contact:** Copies of the regulation may be obtained from Elizabeth Scott Russell, Board of Pharmacy, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911.

## CHAPTER 20.

### [ VIRGINIA BOARD OF PHARMACY ] REGULATIONS [ GOVERNING THE PRACTICE OF PHARMACY ].

#### 18 VAC 110-20-10. Definitions.

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

"ACPE" means the American Council on Pharmaceutical Education.

"Aseptic processing" means the technique involving procedures designed to preclude contamination of drugs, packaging, equipment, or supplies by microorganisms during processing.

"Beyond-use date" means the date beyond which the integrity of a compounded, repackaged, or dispensed drug can no longer be assured and as such is deemed to be adulterated or misbranded as defined in §§ 54.1-3461 and 54.1-3462 of the Code of Virginia.

"Board" means the Virginia Board of Pharmacy.

"CE" means continuing education as required for renewal of licensure by the Board of Pharmacy.

"CEU" means a continuing education unit awarded for credit as the equivalent of 10 contact hours.

[ ~~"Change of ownership" for any facility holding a permit, registration, or license with the Board of Pharmacy means any acquisition of an existing facility, or of any corporation under which the facility is either directly or indirectly organized, by another person or entity.~~ ]

"Class 100 environment" means an atmospheric environment which contains less than 100 particles, 0.5 microns in diameter, per cubic foot of air.

"Closed system transfer" means the movement of sterile products from one container to another in which the container-closure system and transfer devices remain intact throughout the entire transfer process, compromised only by the penetration of a sterile, pyrogen-free needle or cannula through a designated stopper or port to effect transfer, withdrawal, or delivery, to include the withdrawal of a sterile solution from an ampul in a class 100 environment.

"Compliance packaging" means packaging for dispensed drugs which is comprised of a series of containers for solid oral dosage forms and which is designed to assist the user in administering or self-administering the drugs in accordance with directions for use.

"Contact hour" means the amount of credit awarded for 60 minutes of participation in and successful completion of a continuing education program.

"Cytotoxic drug" means a drug which has the capability of killing living cells.

"Electronic transmission prescription" is any prescription, other than an oral or written prescription or a prescription transmitted by facsimile machine, that is electronically transmitted from a practitioner authorized to prescribe directly to a pharmacy without interception or intervention from a third party, or from one pharmacy to another pharmacy.

"Expiration date" means that date placed on a drug package by the manufacturer or repacker beyond which the product may not be dispensed or used.

"Facsimile (FAX) prescription" means a written prescription or order which is transmitted by an electronic device over telephone lines which sends the exact image to the receiver (pharmacy) in a hard copy form.

"Floor stock" means a supply of drugs which have been distributed [ ~~or dispensed, not for a specific patient pursuant to a valid prescription, but~~ ] for the purpose of general administration by a prescriber or other authorized person pursuant to a valid order of a prescriber.

"Foreign college school of pharmacy" means a school outside the United States and its territories offering a course of study in basic sciences, pharmacology, and pharmacy of

at least four years in duration resulting in a degree that qualifies a person to practice pharmacy in that country.

"Generic drug name" means the nonproprietary name listed in the United States Pharmacopeia-National Formulary (USP-NF) or in the USAN and the USP Dictionary of Drug Names.

"Hermetic container" means a container that is impervious to air or any other gas under the ordinary or customary conditions of handling, shipment, storage, and distribution.

"Home infusion pharmacy" means a pharmacy which compounds solutions for direct parenteral administration to a patient in a private residence, long-term care facility or hospice setting .

"Hospital" or "nursing home" means those facilities as defined in Title 32.1 of the Code of Virginia or as defined in regulations by the Virginia Department of Health.

"Inactive license" means a license which is registered with the Commonwealth but does not entitle the licensee to practice, the holder of which is not required to submit documentation of CE necessary to hold an active license.

"Light resistant container" means a container that protects the contents from the effects of light by virtue of the specific properties of the material of which it is composed, including any coating applied to it. Alternatively, a clear and colorless or a translucent container may be made light-resistant by means of an opaque covering, in which case the label of the container bears a statement that the opaque covering is needed until the contents have been used. Where a monograph directs protection from light, storage in a light-resistant container is intended.

"Long-term care facility" means a nursing home, retirement care, mental care or other facility or institution which provides extended health care to resident patients.

"Nuclear pharmacy" means a pharmacy providing radiopharmaceutical services.

"Open-system transfer" means the combining of products in a nonsealed reservoir before filling or when a solution passes through the atmosphere during a transfer operation.

"Permitted physician" means a physician who is licensed pursuant to § 54.1-3304 of the Code of Virginia to dispense drugs to persons to whom or for whom pharmacy services are not reasonably available.

"Personal supervision" means the pharmacist must be physically present and render direct, personal control over the entire service being rendered or act being performed. Neither prior nor future instructions shall be sufficient nor, shall supervision rendered by telephone, written instructions, or by any mechanical or electronic methods be sufficient.

"Practice location" means any location in which a prescriber evaluates or treats a patient.

"Prescription department" means any contiguous or noncontiguous areas used for the compounding, dispensing

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and storage of all Schedule II through VI drugs and devices and any Schedule I investigational drugs.

*"PTCB"* means the Pharmacy Technician Certification Board, co-founded by the American Pharmaceutical Association and the American Society of Health System Pharmacists, as the national organization for voluntary examination and certification of pharmacy technicians.

*"Radiopharmaceutical"* means any article that exhibits spontaneous decay or disintegration of any unstable atomic nucleus, usually accompanied by the emission of ionizing radiation and any nonradioactive reagent kit or nuclide generator which is intended to be used in the preparation of any such article.

*"Repackaged drug"* means any drug removed from the manufacturer's original package and placed in different packaging.

*"Safety closure container"* means a container which meets the requirements of the federal Poison Prevention Packaging Act of 1970 (15 USC §§ 1471-1476), i.e., in testing such containers, that 85% of a test group of 200 children of ages 41-52 months are unable to open the container in a five-minute period and that 80% fail in another five minutes after a demonstration of how to open it and that 90% of a test group of 100 adults must be able to open and close the container.

*"Satellite pharmacy"* means a pharmacy which is noncontiguous to the centrally permitted pharmacy of a hospital but at the location designated on the pharmacy permit.

*"Special packaging"* means packaging that is designed or constructed to be significantly difficult for children under five years of age to open to obtain a toxic or harmful amount of the drug contained therein within a reasonable time and not difficult for normal adults to use properly, but does not mean packaging which all such children cannot open or obtain a toxic or harmful amount within a reasonable time.

*"Special use permit"* means a permit issued to conduct a pharmacy of a special scope of service that varies in any way from the provisions of any board regulation.

*"Sterile pharmaceutical product"* means a dosage form free from living microorganisms.

*"Storage temperature"* means those specific directions stated in some monographs with respect to the temperatures at which pharmaceutical articles shall be stored, where it is considered that storage at a lower or higher temperature may produce undesirable results. The conditions are defined by the following terms:

1. *"Cold"* means any temperature not exceeding 8°C (46°F). A refrigerator is a cold place in which temperature is maintained thermostatically between 2° and 8°C (36° and 46°F). A freezer is a cold place in which the temperature is maintained thermostatically between -20° and -10°C (-4° and 14°F).

2. *"Room temperature"* means the temperature prevailing in a working area.

3. *"Controlled room temperature"* is a temperature maintained thermostatically that encompasses the usual and customary working environment of 20° to 25°C (68° to 77°F); that results in a mean kinetic temperature calculated to be not more than 25°C; and that allows for excursions between 15° and 30°C (59° and 86°F) that are experienced in pharmacies, hospitals, and warehouses.

4. *"Warm"* means any temperature between 30° and 40°C (86° and 104°F).

5. *"Excessive heat"* means any temperature above 40°C (104°F).

6. *"Protection from freezing"* means where, in addition to the risk of breakage of the container, freezing subjects a product to loss of strength or potency, or to the destructive alteration of its characteristics, the container label bears an appropriate instruction to protect the product from freezing.

7. *"Cool"* means any temperature between 8° and 15°C (46° and 59°F).

*"Terminally ill"* means a patient with a terminal condition as defined in § 54.1-2982 of the Code of Virginia.

*"Tight container"* means a container that protects the contents from contamination by extraneous liquids, solids, or vapors, from loss of the drug, and from efflorescence, deliquescence, or evaporation under the ordinary or customary conditions of handling, shipment, storage, and distribution, and is capable of tight reclosure. Where a tight container is specified, it may be replaced by a hermetic container for a single dose of a drug and physical tests to determine whether standards are met shall be as currently specified in United States Pharmacopoeia-National Formulary.

*"Unit dose container"* means a container that is a single-unit container, as defined in United States Pharmacopoeia-National Formulary, for articles intended for administration by other than the parenteral route as a single dose, direct from the container.

*"Unit dose package"* means a container that contains a particular dose ordered for a patient.

*"Unit dose system"* means a system in which multiple drugs in unit dose packaging are dispensed in a single container, such as a medication drawer or bin, labeled only with patient name and location. Directions for administration are not provided by the pharmacy on the drug packaging or container but are obtained by the person administering directly from a ~~physician's~~ prescriber's order or medication administration record.

*"U.S.P.-N.F."* means the United States Pharmacopoeia-National Formulary.

"Well-closed container" means a container that protects the contents from extraneous solids and from loss of the drug under the ordinary or customary conditions of handling, shipment, storage, and distribution.

**18 VAC 110-20-20. Fees.**

A. Unless otherwise provided, fees listed in this section shall not be refundable.

B. Fee for initial pharmacist licensure.

1. The application fee for a pharmacist license shall be \$50.
2. The fees for taking all required examinations shall be paid directly to the examination service as specified by the board.
3. The application fee for a person whose license has been revoked or suspended indefinitely shall be \$300.

C. Renewal of pharmacist license.

1. The annual fee for renewal of a pharmacist license shall be \$50.
2. The annual fee for renewal of an inactive pharmacist license shall be \$35.
3. If a pharmacist fails to renew his license within the Commonwealth by the renewal date, he must pay the back renewal fee and a \$25 late fee within 60 days of expiration.
4. Failure to renew a pharmacist license within 60 days following expiration shall cause the license to lapse and shall require the submission of a reinstatement application, payment of all unpaid renewal fees, and a delinquent fee of \$50.

D. Other licenses or permits.

- ~~1. The annual permit fee to conduct a resident or nonresident pharmacy shall be \$200.~~
- ~~2. The annual license fee for a permitted physician to dispense drugs shall be \$200.~~
- ~~3. An application for a change of the pharmacist-in-charge shall be accompanied by a fee of \$25.~~
- ~~4. An application for a change of location or a remodeling which requires an inspection shall be accompanied by a fee of \$100.~~
- ~~5. A nonrestricted manufacturing permit shall be \$200 annually.~~
- ~~6. A restricted manufacturing permit shall be \$150 annually.~~
- ~~7. A wholesale distributor license shall be \$200 annually.~~
- ~~8. A warehouse permit shall be \$200 annually.~~

~~9. A permit for a medical equipment supplier shall be \$150 annually.~~

~~10. A permit for a licensed humane society shall be \$10 annually.~~

1. The following fees shall be required upon submission of a new facility application, change of ownership of an existing facility, or annual renewal:

a. Pharmacy permit	\$200
b. Permitted physician to dispense drugs	\$200
c. Nonrestricted manufacturing permit	\$200
d. Restricted manufacturing permit	\$150
e. Wholesale distributor license	\$200
f. Warehouse permit	\$200
g. Medical equipment supplier permit	\$150
h. Licensed humane society permit	\$10

2. The following fees shall be required for facility changes:

a. Application for a change of the pharmacist-in-charge	\$25
b. Application for a change of location or a remodeling which requires an inspection	\$100

3. The following fees shall be required for late renewals or reinstatement.

~~11. a.~~ If a licensee fails to renew a required license or permit prior to the expiration date, a \$25 late fee shall be assessed.

~~12. b.~~ If a required license or permit is not renewed within 60 days after its expiration, the license or permit shall lapse, and continued practice or operation of business with a lapsed license or permit shall be illegal. Thereafter, reinstatement shall be at the discretion of the board upon submission of an application accompanied by all unpaid renewal fees and a delinquent fee of \$50.

E. Controlled substances registration.

1. The annual fee for a controlled substances registration as required by § 54.1-3422 of the Code of Virginia shall be \$20.

2. If a registration is not renewed within 60 days of the expiration date, the back renewal fee and a \$10 late fee shall be paid prior to renewal.

3. If a controlled substance registration has been allowed to lapse for more than 60 days, all back renewal fees and a \$25 delinquent fee must be paid before a current registration will be issued. Engaging in activities requiring a controlled substance registration without holding a current registration is illegal and may subject the registrant to disciplinary action by the board. Reinstatement of a lapsed registration is at the

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discretion of the board and may be granted by the executive director of the board upon completion of an application and payment of all fees.

F. Other fees.

1. A request for a duplicate wall certificate shall be accompanied by a fee of \$25.

~~2. A request for certification of grades to another board shall be accompanied by a fee of \$25.~~

2. *The fee for a returned check shall be \$15.*

~~G. 3. The fee for board approval of continuing education programs and providers. 1. The application fee for approval of an individual CE program is \$100.~~

~~2. The application fee for approval of provider status is \$300.~~

~~3. Renewal of approved provider status is \$300 paid biennially.~~

## 18 VAC 110-20-30. Requirements for practical experience.

A. Each applicant for licensure by examination shall have gained practical experience in *the practice of pharmacy, to include no less than 300 hours in the area of prescription compounding and dispensing within a pharmacy for a period of not less than six months.*

~~B. During the six months of practical experience required,~~  
the An applicant shall accumulate a minimum of ~~4,000~~ 1,500 hours of practical experience, of which at least 300 hours shall be gained outside of a school of pharmacy practical experience program. For purposes of this chapter, credit will not be given for more than 50 hours in any one week. Students enrolled in a school of pharmacy prior to January 1, 1999, are required to have a minimum of 1,000 hours.

C. All practical experience credit required shall only be gained after completion of the first professional year in an approved school of pharmacy.

D. Practical experience gained in a ~~college~~ school of pharmacy which has a program designed to provide the applicant with practical experience in all phases of pharmacy practice and which program is approved by the American Council on Pharmaceutical Education will be accepted by the board for the time period during which the student is actually enrolled. The applicant will be required to gain any additional experience *outside the school program as needed toward fulfilling the six months and 1,000 hours of experience required to meet the requirements of subsections A and B of this section.*

~~E. An applicant shall not be admitted to the examination unless all of the practical experience has been gained.~~

## 18 VAC 110-20-40. Procedure for gaining practical experience ~~outside of an accredited college clerkship program.~~

A. Each pharmacy student *or graduate of an approved school of pharmacy* who desires to gain practical experience in a pharmacy within the Commonwealth shall register with the board on a form provided by the board prior to becoming so engaged as a *pharmacy intern*. This requirement shall also apply to students gaining practical experience within the Commonwealth for licensure in another state. ~~The student shall be called a "student externe."~~

~~B. Graduates of an approved school of pharmacy who wish to gain practical experience within the Commonwealth shall register with the board prior to being so engaged. Such graduates shall be called "pharmacy interne."~~

~~C. B.~~ The applicant shall be supervised by a pharmacist who holds an unrestricted license and assumes full responsibility for the training, supervision and conduct of the ~~externe or the interne~~ *intern*. The supervising pharmacist shall not supervise more than one ~~interne or externe~~ *pharmacy intern* during the same time period.

~~D. The practical experience of the student externe shall be gained at times nonconcurrent with the school year with the exception of school vacations.~~

~~E. C.~~ The *intern* registration of a *pharmacy* student ~~externe~~ shall be valid only while the student is enrolled in a school of pharmacy. The registration card issued by the board shall be returned to the board upon failure to be enrolled.

~~F. D.~~ Practical experience gained within any state must be registered with and certified by the board of that state in order to be accepted or certified by this board.

~~G. E.~~ All practical experience of the ~~student externe or pharmacy interne~~ *intern* shall be evidenced by an affidavit which shall be filed prior to or with the application for examination for licensure.

~~H. F.~~ An applicant for examination shall file affidavits or certificates of experience on a form prescribed by the board no less than 30 days prior to the date of the examination.

## 18 VAC 110-20-50. Curriculum and approved ~~colleges~~ schools of pharmacy.

A. The following minimum educational requirements ~~for licensure~~ for the specified periods shall be recognized by the board for the purpose of licensure.

1. On and after June 1, 1928, but before June 1, 1936, the applicant for licensure shall have been graduated from a three-year course of study with a pharmacy graduate or pharmacy college degree in pharmacy awarded.

2. On and after June 1, 1936, but before June 1, 1964, the applicant for licensure shall have been graduated from a four-year course of study with a Bachelor of Science degree in pharmacy awarded.



3. On and after June 1, 1964, the applicant for licensure shall have been graduated from at least a five-year course of study with a Bachelor of Science degree in pharmacy or a Doctorate of Pharmacy degree awarded.

B. In order to be licensed as a pharmacist within this Commonwealth, the applicant shall have been granted the first professional degree from a program of a ~~college school~~ of pharmacy which meets the requirements of § 54.1-3312 of the Code of Virginia.

**18 VAC 110-20-60. Content of the examination and grades required; limitation on admittance to examination.**

A. *Prior to admission to any examination required for licensure, the applicant shall have met all other requirements, but in no case shall the applicant be admitted if grounds exist to deny licensure under § 54.1-3316 of the Code of Virginia.*

~~A. B. The applicant shall achieve a passing score as determined by the board on the licensure examination for licensure as a pharmacist which is approved by the board and which shall consist of an integrated examination of pharmacy practice, pharmacology, pharmacy mathematics, and such other subjects as are necessary to assure that the candidate possesses the necessary knowledge and skills to practice pharmacy. The board will additionally examine the candidates' knowledge of federal and state laws related to pharmacy practice.~~

~~B. C. The passing grade on the integrated pharmacy examination shall be not less than 75. The passing grade on any law examination shall be not less than 75 applicant shall also achieve a passing score as determined by the board on an examination which tests the candidate's knowledge of federal and state laws related to pharmacy practice.~~

~~C. D. When an applicant for licensure by examination fails to meet the passing requirements of subsection B of this section the board-approved integrated pharmacy examination on three occasions, he shall not be readmitted to the examinations examination until he has completed an additional six months of practical experience as a pharmacy interne intern as set forth in 18 VAC 110-20-40.~~

**18 VAC 110-20-70. Requirements for foreign-trained applicants.**

Applicants for licensure who were trained in foreign ~~colleges schools~~ of pharmacy shall meet the following requirements:

1. Obtain from the Foreign Pharmacy Graduate Examination Committee (FPGEC) of the National Association of Boards of Pharmacy (NABP) verification of the following:
  - a. That the applicant is a graduate of a foreign ~~college school~~ of pharmacy.
  - b. That the applicant has received a score acceptable to the board on the Foreign Pharmacy Graduate Equivalency Examination (FPGEE).

c. That the applicant has received a score acceptable to the board on the Test of English as a Foreign Language (TOEFL).

2. Complete the Test of Spoken English (TSE) as given by the Educational Testing Service with a score acceptable to the board.

3. Fulfill the requirements for practical experience as prescribed in 18 VAC 110-20-30 A and B and all of 18 VAC 110-20-40.

4. Fulfill the requirements for the examination and passing grade as prescribed in 18 VAC 110-20-60.

**18 VAC 110-20-90. Requirements for continuing education.**

A. On and after December 31, 1993, a licensee shall be required to have completed a minimum of 1.5 CEU's or 15 contact hours of continuing pharmacy education in an approved program for each annual renewal of licensure. CEU's or hours in excess of the number required for renewal may not be transferred or credited to another year.

B. ~~A~~ A pharmacy education program approved for continuing pharmacy education program is:

1. One that is approved by the American Council on Pharmaceutical Education and carries the provider logo and number of the (ACPE);
2. One that is approved as a Category I Continuing Medical Education (CME) course, the primary focus of which is pharmacy, pharmacology or drug therapy; or
3. One that is approved by the board.

~~C. A licensee is exempt from completing CE requirements and considered in compliance on the first renewal date following his initial licensure.~~

~~D. C. The board may grant an extension of up to one year for the completion of CE requirements upon a written request from the licensee prior to the renewal date pursuant to § 54.1-3314 E of the Code of Virginia. Any subsequent extension shall be granted only for good cause shown. Such an extension shall not relieve the licensee of the requirement for CEU's or hours.~~

~~E. The board may grant an exemption for all or part of the CE requirements due to circumstances beyond the control of the pharmacist, such as temporary disability, mandatory military service, or officially declared disasters.~~

F. D. Licensees are required to attest to compliance with CE requirements on their annual license renewal. Following the renewal period, the board may conduct an audit of licensees to verify compliance. Licensees selected for audit must provide original documents certifying that they have fulfilled their CE requirements by the deadline date as specified by the board.

~~G. E. All licensees are required to maintain original documents verifying the date and subject of the program or activity, the CEU's or contact hours, and certification from an~~

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approved provider. Documentation shall be maintained for a period of two years following renewal in a file available to inspectors at the pharmacist's principal place of practice or, if there is no principal place of practice, at the pharmacist's address of record.

H. F. A pharmacist who holds an inactive license, who has allowed his license to lapse or who has had his license suspended or revoked must submit evidence of completion of CEU's or hours equal to the requirements for the number of years in which his license has not been active.

~~I. Pharmacists who are licensed by other states and who have obtained a minimum of 1.5 CEU's or 15 contact hours of approved CE programs of such other states need not obtain additional hours.~~

## **18 VAC 110-20-100. Approval of continuing education programs and providers.**

A. The board will approve without application or further review any program offered by a ACPE-approved provider and will accept for credit certificates bearing the official ACPE logo and program number.

B. The board may approve an individual CE program ~~or may grant approved provider status~~ under the following provisions:

### ~~1. Approval of an individual CE program.~~

~~a. 1. An approved individual program is a course, activity, or lecture which includes subject matter related to the competency of the practice of pharmacy and which has been approved for CE credit by the board.~~

~~b. 2. In order to receive approval for an individual program, the sponsor or provider must make application prior to the program offering on a form provided by the board. The information which must be provided shall include but not be limited to: name of provider, location, date and time of program, charges to participants, description of program content and objectives, credentials of speaker or author, method of delivery, evaluation procedure, evidence of a pre and post test, credits requested, mechanism for record-keeping, and any such information as the board deems necessary to assure quality and compliance.~~

~~c. 3. The sponsor making application for board approval of an individual program must pay a fee as required in 18 VAC 110-20-20 G of this chapter.~~

~~d. 4. The board shall notify the provider or sponsor within 60 days following the receipt of a completed application of approval or disapproval of a program and the number of credits which may be awarded.~~

### ~~2. Approval of CE provider status.~~

~~a. An approved provider is any person, corporation, school, association, or other entity who has demonstrated an ability to provide qualified CE programs and has met the requirements of the board for approved provider status.~~

~~b. An applicant for approved provider status must have sponsored at least three individually board approved programs for a minimum period of two years immediately preceding the submission of application for approved status.~~

~~c. The application for approved provider status shall include but not be limited to: information on the entity making application, a listing of approved CE programs offered during the last two years, accreditation, methods of promotion and delivery of programs, assessment process, maintenance of records, policy on grievances and tuition, standards for selection of speakers, program goals and objectives, and a description of facilities adequate to meet those objectives.~~

~~d. The application for approved provider status shall be accompanied by a fee as required in 18 VAC 110-20-20 G.~~

~~e. An applicant who has been granted approved provider status is permitted to offer CE programs by submitting to the board information on that offering at least 10 days prior to the program. The approved provider is not required to submit application for approval of each individual program nor to pay the fee for such approval.~~

~~f. An approved provider must have that status renewed every two years, must pay the renewal fee, and must provide information on program offerings to the board for review.~~

~~g. The board may revoke or suspend an approval of a provider or refuse to renew such approval if the provider fails to maintain the necessary standards and requirements.~~

~~3. Certificate of completion.~~ 5. The provider of an approved program shall provide to each participant who completes the required hours and passes the post test a certification with the name of the provider, name of the participant, description of course and method of delivery, number of hours credited, date of completion, and program identification number.

~~4. Maintenance of records.~~ 6. The provider of an approved program shall maintain all records on that program, its participants, and hours awarded for a period of three years and shall make those records available to the board upon request.

~~5. Monitoring of programs.~~ 7. The board shall periodically review and monitor programs. The provider of a CE program shall waive registration fees for a representative of the board for that purpose.

~~6. Changes in programs or providers.~~ 8. Any changes in the information previously provided about an approved program or provider must be submitted or the board may withdraw its approval.

## **18 VAC 110-20-110. Pharmacy permits generally.**

A. A pharmacy permit shall not be issued to a pharmacist to be simultaneously in charge of more than one pharmacy.

B. The pharmacist-in-charge or the pharmacist on duty shall control all aspects of the practice of pharmacy. Any decision overriding such control of the pharmacist-in-charge or other pharmacist on duty ~~by nonpharmacist personnel~~ shall be deemed the practice of pharmacy *and may be grounds for disciplinary action against the pharmacy permit.*

C. When the pharmacist-in-charge ceases practice at a pharmacy or no longer wishes to be designated as pharmacist-in-charge, he shall take a complete and accurate inventory of all Schedule II through V controlled substances on hand and shall immediately return the pharmacy permit to the board.

D. An application for a permit designating the new pharmacist-in-charge shall be filed with the required fee within 14 days on a form provided by the board. It shall be unlawful for a pharmacy to operate without a new permit past the 14-day deadline.

## **18 VAC 110-20-130. ~~Pharmacies~~ Pharmacy closings, going out of business, and change of ownership.**

A. At least 14 days prior to the ~~closing date~~ *a pharmacy closes in accordance with § 54.1-3434.01 of the Code of Virginia or goes out of business, the owner shall notify the board* ~~shall be notified by the pharmacist-in-charge or owner.~~ The *proposed disposition of all Schedule II through VI drugs, prescription dispensing records, patient information records, and other required records shall be reported to the board. If the pharmacy drug stock is and records are to be transferred to another licensee, the pharmacist-in-charge or owner shall inform the board of the name and address of the licensee to whom the drugs and records are being transferred and the date of transfer.*

B. Exceptions to the public notice as required in § 54.1-3434.01 of the Code of Virginia and the notice required in subsection A of this section shall be *approved by the board and may include sudden closing due to fire, destruction, natural disaster, death, property seizure, eviction, bankruptcy, or other emergency circumstances as approved by the board.*

C. In the event of an exception to the notice as required in § 54.1-3434.01 of the Code of Virginia and in subsection A of this section, the pharmacist-in-charge *or owner shall provide notice as far in advance of closing as allowed by the circumstances.*

D. *At least 14 days prior to any change in ownership of an existing pharmacy, the owner shall notify the board of the pending change. Upon any change in ownership of an existing pharmacy, the prescription dispensing records for the two years immediately preceding the date of change of ownership and other required patient information shall be provided to the new owners on the date of change of ownership in substantially the same format as previously used immediately prior to the transfer to provide continuity of*

*pharmacy services. The previous owner shall be held responsible for the proper transfer of records on the date of the transfer. The format of the prescription dispensing records must also comply with the requirements of Chapter 34 (§ 54.1-3400 et seq.) of Title 54.1 of the Code of Virginia, and this chapter. Failure to comply with this chapter during a change in ownership shall be deemed to be a closing of the existing pharmacy for which the existing pharmacy owner shall be required to provide notice to the board and public in accordance with § 54.1-3434.01 of the Code of Virginia and subsection A of this section.*

## **18 VAC 110-20-170. Required minimum equipment.**

The pharmacist-in-charge shall be responsible for maintaining the following equipment:

1. A current [ ~~copy of the United States Pharmacopeia Dispensing Information Reference Book~~ *dispensing information reference source* ].
2. A set of Prescription Balances, sensitive to 15 milligrams, and weights *or an electronic scale.*
3. A copy of the current Virginia Drug Control Act and board regulations.
4. A current copy of the Virginia Voluntary Formulary.
- ~~5. A laminar flow hood for pharmacies engaging in the compounding of sterile product(s).~~
- ~~6.~~ 5. Other equipment, supplies, and references consistent with the pharmacy's scope of practice and with the public safety.

## **18 VAC 110-20-190. Prescription department enclosures.**

A. The prescription departments of each pharmacy shall be provided with enclosures subject to the following conditions:

1. The enclosure shall be constructed in such a manner that it protects the controlled drug stock from unauthorized entry and from pilferage at all times whether or not a pharmacist is on duty.
2. The enclosure shall be of sufficient height as to prevent anyone from reaching over to gain access to the drugs.
3. Entrances to the enclosed area must have a door ~~which extends with no more than a six-inch gap from the floor and which is at least as high as the adjacent counters or adjoining partitions structure.~~ *The requirement for a maximum six-inch gap shall not apply to those pharmacies in existence prior to [insert effective date] February 3, 1999* , with the exception of any pharmacy which experiences a related diversion or theft.
4. Doors to the area must have locking devices which will prevent *unauthorized* entry in the absence of the pharmacist.

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B. The door keys and alarm access code to the dispensing areas shall be subject to the following requirements:

1. Only pharmacists practicing at the pharmacy and authorized by the pharmacist-in-charge shall be in possession of any keys to the locking device on the door to such enclosure.
2. The pharmacist may place a key or the access code in a sealed envelope or other container with the pharmacist's signature across the seal in a safe or vault within the pharmacy or other secured place. This key or code shall only be used to allow entrance to the prescription department by other pharmacists.

C. The prescription department is restricted to pharmacists, ~~externes~~, and ~~internes~~ *interns* who are practicing at the pharmacy. Clerical assistants and other persons designated by the pharmacist may be allowed access by the pharmacist but only during the hours the pharmacist is on duty.

## **18 VAC 110-20-200. Storage of drugs, devices, and controlled paraphernalia.**

A. Prescriptions awaiting delivery. Prescriptions prepared for delivery to the patient may be placed in a secure place outside of the prescription department and access to the prescriptions restricted by the pharmacist to designated clerical assistants. With the permission of the pharmacist, the prepared prescriptions may be transferred to the patient at a time when the pharmacist is not on duty. *If a prescription is delivered at a time when the pharmacist is not on duty, written procedures shall be established and followed by the pharmacy which detail a method of compliance with counseling requirements of § 54.1-3319 of the Code of Virginia.*

B. Dispersion of Schedule II drugs. Schedule II drugs shall either be dispersed with other schedules of drugs or shall be maintained within a locked cabinet, drawer, or safe.

C. Safeguards for controlled paraphernalia. Controlled paraphernalia shall not be placed on open display or in an area completely removed from the prescription department whereby patrons will have free access to such items or where the pharmacist cannot exercise reasonable supervision and control.

D. Expired drugs; security. Any drug which has exceeded the expiration date shall not be dispensed or sold; it shall be separated from the stock used for dispensing. Expired prescription drugs shall be maintained in a designated area within the prescription department until proper disposal.

## **18 VAC 110-20-210. Disposal of Schedule II through V drugs by pharmacies.**

If a pharmacist-in-charge wishes to dispose of unwanted ~~Schedule II through V~~ drugs, he shall use one of the following procedures:

1. Transfer the drugs to another person or entity authorized to possess ~~Schedule II through V~~ or provide for proper disposal of such drugs; or

2. Destroy the drugs ~~according to~~ *by burning in an incinerator in compliance with all applicable local, state, and federal laws and regulations. If Schedule II through V drugs are to be destroyed, the following procedures shall apply.*

a. At least 14 days prior to the destruction date, the pharmacist-in-charge shall provide a written notice to the board office; the notice shall state the following:

(1) Date, time, manner, and place of destruction.

(2) The names of the pharmacists who will witness the destruction process.

b. If the destruction date is to be changed or the destruction does not occur, a new notice shall be provided to the board office as set forth above in ~~this subsection~~ *subdivision 2 of this section.*

c. The actual destruction shall be witnessed by the pharmacist-in-charge and another pharmacist not employed by the pharmacy.

~~d. The drugs shall be destroyed in accordance with all applicable local, state and federal laws and regulations by burning in an incinerator or by other methods approved in advance by the board.~~

~~e. d.~~ The DEA drug destruction form shall be *fully completed and used to make a* as the record of all drugs to be destroyed. *A copy of the destruction form shall be retained at the pharmacy with other inventory records.*

f. Each form shall show the following information:

(1) ~~Legible signatures and license numbers of the pharmacist in charge and the witnessing pharmacist;~~

(2) ~~The method of destruction; and~~

(3) ~~The date of the destruction.~~

~~g. At the conclusion of the destruction of the drug stock:~~

(1) ~~A copy of the completed destruction form shall be sent to Drug Enforcement Administration, Washington Field Division, Tech World Plaza, 800 K Street, N.W., St. 500, Washington, D.C. 20001, Attn: Diversion Control Group.~~

(2) ~~A copy of the completed destruction form shall be sent to the office of the board.~~

(3) ~~A copy of the completed destruction form shall be retained with the pharmacy inventory records.~~

## **18 VAC 110-20-220. General requirements for pharmacies providing radiopharmaceutical services.**

A. A permit to operate a pharmacy providing radiopharmaceutical services shall be issued only to a qualified nuclear pharmacist as *defined in 18 VAC 110-20-230*. In emergency situations, in the pharmacist's absence of the nuclear pharmacist, he may designate one or more other qualified pharmacists to have access to the licensed area. These individuals may obtain single doses of radiopharmaceuticals for the immediate emergency and shall document such withdrawals in the control system.

B. Pharmacies providing ordinary pharmacy services in addition to radiopharmaceutical services shall comply with all regulations applicable to pharmacies in general. Pharmacies providing only radiopharmaceutical services shall comply with all regulations related to physical standards, sanitary conditions and security.

C. The nuclear pharmacy area shall be separate from the pharmacy areas for nonradioactive drugs and shall be secured from unauthorized personnel. All pharmacies handling radiopharmaceuticals shall provide a radioactive storage and product decay area, occupying at least 25 square feet of space, separate from and exclusive of the hot laboratory, compounding, dispensing, quality assurance and office area.

D. A prescription order for a radiopharmaceutical shall be dispensed in a unit-dose package. A pharmacy may furnish the radiopharmaceuticals for office use only to practitioners for an individual patient except for the occasional transfer to a pharmacist.

E. In addition to any labeling requirements of the board for nonradioactive drugs, the immediate outside container of a radioactive drug to be dispensed shall also be labeled with: (i) the standard radiation symbol; (ii) the words "Caution--Radioactive Material"; (iii) the name of the radionuclide; (iv) the chemical form; (v) the amount of radioactive material contained, in millicuries or microcuries; (vi) if a liquid, the volume in milliliters; (vii) the requested calibration time for the amount of radioactivity contained; and (viii) the practitioner's name and the assigned lot number.

F. The immediate inner container shall be labeled with: (i) the standard radiation symbol; (ii) the words "Caution--Radioactive Material"; and (iii) the prescription number.

G. The amount of radioactivity shall be determined by radiometric methods for each individual dose immediately prior to dispensing.

H. Nuclear pharmacies may redistribute approved radioactive drugs if the pharmacy does not process the radioactive drugs in any manner nor violate the product packaging.

## **18 VAC 110-20-230. Qualification as a nuclear pharmacist.**

In order to practice as a nuclear pharmacist, a pharmacist shall possess the following qualifications:

1. Meet Nuclear Regulatory Commission (NRC) standards of training for medically used or radioactive by-product material.
2. Have received a minimum of 200 contact hours of didactic instruction in nuclear pharmacy.
3. Attain a minimum of 500 hours of clinical nuclear pharmacy training under the supervision of a qualified nuclear pharmacist in a nuclear pharmacy providing nuclear pharmacy services, or in a structured clinical nuclear pharmacy training program in an approved college school of pharmacy.
4. Submit to the board an affidavit of experience and training to the board meeting the requirements of subdivisions 1, 2 and 3 of this section; documentation of NRC approval as an authorized nuclear pharmacist; or documentation of certification as a nuclear pharmacist by the American Pharmaceutical Association Board of Pharmaceutical Specialties.

## **18 VAC 110-20-240. Manner of maintaining records, prescriptions, inventory records.**

A. Each pharmacy shall maintain the inventories and records of drugs as follows:

1. Inventories and records of all drugs listed in Schedules I and II shall be maintained separately from all other records of the pharmacy.
2. Inventories and records of drugs listed in Schedules III, IV, and V may be maintained separately or with records of Schedule VI drugs but shall not be maintained with other records of the pharmacy.
3. All records of Schedule II through V drugs shall be maintained at the same location as the stock of drugs to which the records pertain except that records maintained in an off-site database shall be retrieved and made available for inspection or audit within 48 hours of a request by the board or an authorized agent.
4. In the event that an inventory is taken as the result of a theft of drugs pursuant to § 54.1-3404 of the Drug Control Act, the inventory shall be used as the opening inventory within the current biennial period. Such an inventory does not preclude the taking of the required inventory on the required biennial inventory date.
5. All inventories required by § 54.1-3404 of the Code of Virginia shall be signed and dated by the person taking the inventory and shall indicate whether the inventory was taken prior to the opening of business or after close of business. A 24-hour pharmacy with no opening or closing of business shall clearly document whether the receipt or distribution of drugs on the inventory date occurred before or after the inventory was taken.

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6. All records required by this section shall be filed chronologically.

## B. Prescriptions.

1. A hard copy prescription shall be placed on file for every initial prescription dispensed and be maintained for two years from the date of last refill. All prescriptions shall be filed chronologically by date of initial dispensing.

2. Schedule II drugs. Prescriptions for Schedule II drugs shall be maintained in a separate prescription file.

3. Schedule III through V drugs. Prescriptions for Schedule III through V drugs shall be maintained either in a separate prescription file for drugs listed in Schedules III, IV, and V only or in such form that they are readily retrievable from the other prescriptions of the pharmacy. Prescriptions will be deemed readily retrievable if, at the time they are initially filed, the face of the prescription is stamped in red ink in the lower right corner with the letter "C" no less than one inch high and filed in the prescription file for drugs listed in the usual consecutively numbered prescription file for Schedule VI drugs. *However, if a pharmacy employs an automated data processing system or other electronic recordkeeping system for prescriptions which permits identification by prescription number and retrieval of original documents by prescriber's name, patient's name, drug dispensed, and date filled, then the requirement to mark the hard copy prescription with a red "C" is waived.*

## **18 VAC 110-20-260. Pharmacy repackaging of drug; records required; labeling requirements. (Repealed.)**

~~A. Pharmacies in which bulk reconstitution of injectables, bulk compounding or the prepackaging of drugs is performed shall maintain adequate control records for a period of one year or until the expiration, whichever is greater. The records shall show the name of the drug(s) used, strength, if any, date repackaged, quantity prepared, initials of the pharmacist supervising the process, the assigned control number, the manufacturer's or distributor's name and control number, and an expiration date.~~

~~B. The drug name, strength, if any, the assigned control number, or the manufacturer's or distributor's name and control number, and an appropriate expiration date shall appear on any subsequently repackaged or reconstituted units as follows:~~

~~1. If U.S.P. N.F. Class B or better packaging material is used for oral unit dose packages, an expiration date not to exceed six months or the expiration date shown on the original manufacturing bulk container, whichever is less, shall appear on the repackaged or reconstituted units.~~

~~2. If it can be documented that the repackaged unit has a stability greater than six months, an appropriate expiration date may be assigned.~~

~~3. If U.S.P. N.F. Class C or less packaging material is used for oral, solid medication, an expiration date not to exceed 30 days shall appear on the repackaged or reconstituted units.~~

## **18 VAC 110-20-270. Dispensing of prescriptions; acts restricted to pharmacists; certification of completed prescription.**

A. The following acts shall be performed by a pharmacist, or by a ~~student extern~~ or pharmacy ~~intern~~ *intern*, provided a method for direct monitoring by the pharmacist of such acts ~~of the extern or intern~~ is provided:

~~1. The evaluation of a prescription for its completeness, validity, safety and appropriateness of drug therapy in conformity with provisions of §§ 54.1-3303, 54.1-3319, 54.1-3408, 54.1-3408.1, and 54.1-3410 of the Code of Virginia and to current practices in pharmacy.~~

~~2. The accepting receiving of an oral prescription from a practitioner or his authorized agent and the reducing transcribing of such oral or electronically transmitted prescription to ~~writing~~ hard copy or directly into a data processing system.~~

~~3. The personal supervision of the compounding of extemporaneous preparations.~~

~~4. The conducting of a prospective drug review as required by § 54.1-3319 of the Code of Virginia prior to the dispensing or refilling of any prescription.~~

~~5. The providing of drug information to the public or to a practitioner.~~

~~6. The communication with the practitioner regarding any changes in a prescription, substitution of the drug prescribed, refill authorizations, drug therapy, or patient information.~~

~~7. The direct supervision of those persons assisting the pharmacist in the prescription department under the following conditions:~~

~~a. Only one person who is not a pharmacist may be present in the prescription department at any given time with each pharmacist for the purpose of assisting the pharmacist in preparing and packaging of prescriptions or for the purpose of requesting or receiving refill authorization provided there is no change from the original prescription. If the pharmacy is using persons who hold current certification from PTCB [ or any other nationally recognized certifying body approved by the board ], the ratio may be one pharmacist to three assistants.~~

~~b. In addition to the person or persons authorized in subdivision 7 a of this subsection, personnel authorized by the pharmacist may be present in the prescription department for the purpose of performing clerical functions, to include data entry of prescription and patient information into a computer system or a manual patient profile system.~~

B. After the prescription has been prepared and prior to the delivery of the order, the pharmacist shall inspect the prescription product to verify its accuracy in all respects, and place his initials on the record of dispensing as a certification of the accuracy of, and the responsibility for, the entire transaction.

C. If a pharmacist declines to fill a prescription for any reason other than the unavailability of the drug prescribed, he shall record on the back of the prescription the word "declined"; the name, address, and telephone number of the pharmacy; the date filling of the prescription was declined; and the signature of the pharmacist.

**18 VAC 110-20-280. Transmission of a prescription order by facsimile machine.**

A. Prescription orders for Schedule III through VI drugs may be transmitted to pharmacies by facsimile device (FAX) upon the following conditions:

1. The transmission shall occur only with permission of the patient.
2. A valid faxed prescription ~~must~~ shall contain all required information for a ~~written~~ prescription, including the prescriber's signature. *An authorized agent, as defined in § 54.1-3408 of the Code of Virginia, may transmit an oral prescription by facsimile and may sign the prescription in lieu of the prescriber.*
3. A faxed prescription shall be valid only if faxed from the prescriber's practice location and only if the following additional information is recorded on the prescription prior to faxing:
  - a. Documentation that the prescription has been faxed;
  - b. The date that the prescription was faxed;
  - c. The printed name, address, phone number, and fax number of the authorized prescriber and the pharmacy to which the prescription was faxed; and
  - d. The institution, if applicable, from which the prescription was faxed, including address, phone number and fax number.

B. Prescription orders for Schedule II drugs may only be faxed for information purposes and may not serve as the original written prescription authorizing dispensing, except for orders to be administered to nursing home and home infusion patients in accordance with § 54.1-3408 of the Code of Virginia *and except for prescriptions written for a Schedule II narcotic substance for patients residing in a hospice certified by Medicare under Title XVIII or licensed by the state. The prescriber shall note on the prescription if the patient is a hospice patient, and the prescription shall meet all requirements for a written prescription including the prescriber's signature.*

C. If the faxed prescription is of such quality that the print will fade and not remain legible for the required retention

period, the receiving pharmacist shall copy *or transcribe* the faxed prescription on paper of permanent quality.

*D. Authorizations for refills may be faxed by the prescriber to the pharmacy provided the authorization includes patient name, address, drug name and strength, quantity, directions for use, prescriber's name, prescriber's signature or agent's name, and date of authorization.*

**18 VAC 110-20-290. Dispensing of Schedule II drugs.**

A. A prescription for a Schedule II drug shall be dispensed in good faith but in no case shall it be dispensed more than six months after the date on which the prescription was issued.

B. A prescription for a Schedule II drug shall not be refilled except as authorized under the conditions for partial dispensing as set forth in 18 VAC 110-20-310.

C. In case of an emergency situation, a pharmacist may dispense a drug listed in Schedule II upon receiving oral authorization of a prescribing practitioner, provided that:

1. The quantity prescribed and dispensed is limited to the amount adequate to treat the patient during the emergency period;
2. The prescription shall be immediately reduced to writing by the pharmacist and shall contain all information required in § 54.1-3410 of the Drug Control Act, except for the signature of the prescribing practitioner;
3. If the pharmacist does not know the practitioner, he shall make a reasonable effort to determine that the oral authorization came from a practitioner using his phone number as listed in the telephone directory or other good-faith efforts to ensure his identity; and
4. Within ~~72 hours~~ *seven days* after authorizing an emergency oral prescription, the prescribing practitioner shall cause a written prescription for the emergency quantity prescribed to be delivered to the dispensing pharmacist. In addition to conforming to the requirements of § 54.1-3410 of the Drug Control Act, the prescription shall have written on its face "Authorization for Emergency Dispensing" and the date of the oral order. The written prescription may be delivered to the pharmacist in person or by mail, but if delivered by mail, it must be postmarked within the ~~72-hour~~ *seven-day* period. Upon receipt, the dispensing pharmacist shall attach this prescription to the oral emergency prescription which had earlier been reduced to writing. The pharmacist shall notify the nearest office of the Drug Enforcement Administration and the board if the prescribing practitioner fails to deliver a written prescription to him. Failure of the pharmacist to do so shall void the authority conferred by this paragraph to dispense without a written prescription of a prescribing practitioner.

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## 18 VAC 110-20-330. Labeling of prescription as to content and quantity.

Unless otherwise directed by the prescribing practitioner, any drug dispensed pursuant to a prescription shall bear on the label of the container, in addition to other requirements of §§ 54.1-3410 and 54.1-3463 of the Code of Virginia, the following information:

1. The drug name and strength, when *strength* is applicable:

a. ~~If a trade name drug is dispensed, the trade name of the drug or the generic name of the drug. For any drug product possessing a single active ingredient, the generic name of the drug shall be included on the label [ in addition to any other brand name ].~~

b. ~~If a generic drug is dispensed in place of a trade when a prescription is written for a brand name drug, in addition to the requirements of § 32.1-87 A of the Code of Virginia, one of the following methods shall be used:~~

~~(1) The generic name,~~

~~(2) A name for the product dispensed which appears on the generic manufacturer's label, or~~

~~(3) the label shall contain the generic name followed by the words "generic for" followed by the trade brand name of the drug for which the generic drug is substituted prescribed, and in accordance with § 32.1-87 A of the Code of Virginia, the label shall also contain the generic's brand name or the manufacturer or distributor of the drug dispensed.~~

2. The number of dosage units, or, if liquid, the number of milliliters dispensed.

## 18 VAC 110-20-350. Special packaging.

A. Each drug dispensed to a person in a household shall be dispensed in special packaging except when otherwise directed in a prescription by a practitioner, when otherwise requested by the purchaser, or when such drug is exempted from 16 CFR § 1702.1 et seq. promulgated pursuant to the Poison Prevention Packaging Act of 1970 (15 USC §§ 1471-1476).

B. Each pharmacy may have a sign posted near the prescription department advising the patients that nonspecial packaging may be requested.

C. If nonspecial packaging is requested, ~~documentation~~ a signed release of such request shall be obtained pursuant to § 54.1-3427 of the Code of Virginia and maintained for two years from the date of dispensing.

## 18 VAC 110-20-355. Pharmacy repackaging of drug; records required; labeling requirements.

A. Pharmacies in which bulk reconstitution of injectable, bulk compounding or the prepackaging of drugs is performed shall maintain adequate control records for a period of one year or until the expiration, whichever is greater. The

records shall show the name of the drug(s) used; strength, if any; date repackaged; quantity prepared; initials of the pharmacist supervising the process; the assigned [ lot or ] control number; the manufacturer's or distributor's name and [ lot or ] control number; and an expiration date.

B. The drug name; strength, if any; the assigned [ lot or ] control number or the manufacturer's or distributor's name and [ lot or ] control number; and an appropriate expiration date shall appear on any subsequently repackaged or reconstituted units as follows:

1. If U.S.P.-N.F. Class B or better packaging material is used for oral unit dose packages, an expiration date not to exceed six months or the expiration date shown on the original manufacturing bulk container, whichever is less, shall appear on the repackaged or reconstituted units.

2. If it can be documented that the repackaged unit has a stability greater than six months, an appropriate expiration date may be assigned.

3. If U.S.P.-N.F. Class C or less packaging material is used for oral, solid medication, an expiration date not to exceed 30 days shall appear on the repackaged or reconstituted units.

C. Pharmacies using automated counting devices or dispensers in which drugs are removed from manufacturer's original packaging and placed in bulk bins shall ~~[ label the record for each ]~~ bin ~~[ with ]~~ the drug name; strength, if any; the name of the manufacturer or distributor; [ manufacturer's ] control or lot number; [ any assigned lot or control number ] and an expiration date which does not exceed six months from the date of repackaging and which also does not exceed the manufacturer's expiration date. ~~[ No two separate lot numbers shall be mixed in the same bin; bins shall be emptied prior to being refilled. A drug with two separate manufacturer's or assigned lot or control numbers may be mixed in the same bin provided the expiration date of the older lot is used for the record and provided that the device clears all of the older lot before a third lot is added ].~~

## 18 VAC 110-20-360. Issuing a copy of a prescription that can be refilled.

A. Consistent with federal laws and regulations, a copy of a prescription ~~for a drug which shall be given upon request to another pharmacist provided the drug can be refilled pursuant to § 54.1-3411 of the Code of Virginia, can be refilled at the time the copy is issued shall be given upon request to another pharmacist and provided the patient has given permission for the transfer.~~

B. The transfer of original prescription information for a drug listed in Schedules III through VI for the purpose of refill dispensing is permissible between pharmacies if the transfer is communicated directly between two pharmacists either orally, by facsimile machine or by electronic transmission, and the transferring pharmacist records the following information:



1. Records the word "VOID" on the face of the invalidated prescription;
2. Records on the reverse of the invalidated prescription the name, address, and the Drug Enforcement Administration (DEA), registry number of the pharmacy to which it was transferred, except for a prescription for a Schedule VI drug, and the name of the pharmacist receiving the prescription information; and
3. Records the date of the transfer and the name of the pharmacist transferring the information, or in the case of an electronic transmission, the name of the pharmacist releasing the information.

C. The pharmacist receiving the transferred prescription information shall reduce to writing the following:

1. Write the word "TRANSFER" on the face of the transferred prescription.
2. Provide all information required to be on a prescription and include:
  - a. Date of issuance of original prescription;
  - b. Original number of refills authorized on the original prescription;
  - c. Date of original dispensing;
  - d. Number of valid refills remaining and date of last refill;
  - e. Pharmacy name, address, DEA registry number except for Schedule VI prescriptions, and original prescription number from which the prescription information was transferred; and
  - f. Name of transferring pharmacist.

3. Both the original and transferred prescription shall be maintained for a period of two years from the date of last refill.

D. Nothing in this chapter shall prevent the giving of a prescription marked "For Information Only" to a patient.

E. Pharmacists may use computer systems in lieu of recording on the hard copy prescription provided that the system used clearly meets all requirements of subsections B and C of this section while retaining all previous dispensing information.

F. For prescriptions transferred between pharmacies using a common database, the pharmacy receiving the prescription shall not be required to maintain a hard copy pursuant to 18 VAC 110-20-240 B provided that the system used is capable of generating a hard copy of the transferred prescription upon request or except as required by federal law.

### **18 VAC 110-20-395. Purchase of drugs.**

*Except for an emergency purchase from another pharmacy, a pharmacist may only purchase Schedule II through VI drugs from a wholesale distributor licensed or registered by the board.*

### **18 VAC 110-20-400. Returning of drugs and devices.**

Drugs or devices ~~shall not~~ *may* be accepted for return or exchange by any pharmacist or pharmacy for resale after such drugs and devices have been taken from the premises where sold, distributed, or dispensed ~~unless~~ *provided* such drug or devices are in the manufacturer's original sealed containers or in unit-dose container which meets the U.S.P.-N.F. Class A or Class B container requirement *and provided such return or exchange is consistent with federal law and regulation.*

### **18 VAC 110-20-420. Unit dose dispensing system.**

A. A unit dose drug dispensing system may be utilized for the dispensing of drugs to patients in a hospital or long-term care facility. The following requirements shall apply regardless of whether licensed or unlicensed persons administer medications:

1. Any equipment outside the pharmacy used to house drugs to be administered in a unit dose system shall be fitted with a locking mechanism and be locked at all times when unattended.

2. A signed order by the prescribing practitioner shall accompany the requests for a Schedule II drug, except that a verbal order for a hospital patient for a Schedule II controlled substance may be transmitted to a licensed nurse or pharmacist employed by the hospital who will promptly reduce the order to writing in the patient's chart. Such an order shall be signed by the prescriber within 72 hours.

3. Properly trained personnel may transcribe the ~~physician's~~ *prescriber's* drug orders to a patient profile card, fill the medication carts, and perform other such duties related to a unit dose distribution system provided these are done under the personal supervision of a pharmacist.

4. All dosages and drugs shall be labeled with the drug name, strength, lot number and expiration date when indicated.

5. The patient's individual drug drawer or tray shall be labeled with the patient's name and location.

6. All unit dose drugs intended for internal use shall be maintained in the patient's individual drawer or tray unless special storage conditions are necessary.

7. A back-up dose of a drug of not more than one dose unit may be maintained in the patient's drawer, tray, or special storage area provided that the dose is maintained in the patient's drawer, tray, or special storage area with the other drugs for that patient.

8. A record shall be made and maintained within the pharmacy for a period of one year showing:

- a. The date of filling of the drug cart;
- b. The location of the drug cart;
- c. The initials of person who filled the drug cart; and

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d. The initials of the pharmacist checking and certifying the contents of the drug cart in accordance with the provisions in 18 VAC 110-20-270 B.

9. A patient profile record or medication card will be accepted as the dispensing record of the pharmacy for unit dose dispensing systems only, subject to the following conditions:

a. The record of dispensing must be entered on the patient profile record or medication card at the time the drug drawer or tray is filled.

b. In the case of Schedule II through V drugs, after the patient profile record or medication card has been completed, the card must be maintained for two years.

c. In the case of the computer-based distribution system, a uniformly maintained "fill list" or other document containing substantially the same information may be accepted as the dispensing record for Schedule II through VI drugs. Records of disposition/administration for floor stock drugs as provided in 18 VAC 110-20-460 B will be accepted for drugs distributed as floor stock.

B. In providing unit dose systems to hospitals or long-term care facilities where only those persons licensed to administer are administering drugs, the pharmacy shall dispense not more than a seven-day supply of a drug in a solid, oral dosage form at any one given time.

C. In addition to the requirements listed in subsection A of this section, the following requirements apply to those long-term care facilities in which unlicensed persons administer drugs:

1. The pharmacy providing medications to such facility shall dispense no more than a 72-hour supply of drugs in a solid, oral dosage form at any one given time.

2. The pharmacy shall provide to persons administering medications training specific to the particular unit dose system being used.

3. The pharmacy shall provide a medication administration record to the facility listing each drug to be administered with full dosage directions to include no abbreviations.

4. The drugs in a unit dose system shall be placed in slots within a drawer labeled or coded to indicate time of administration.

## 18 VAC 110-20-470. Emergency room.

All drugs in the emergency department shall be under the control and supervision of the pharmacist-in-charge and shall be subject to the following additional requirements:

1. All drugs kept in the emergency room shall be in a secure place from which unauthorized personnel and the general public are excluded.

2. Oral orders for medications shall be reduced to writing and shall be signed by the practitioner.

3. A medical practitioner may dispense drugs to his patients if in a bona fide medical emergency or when pharmaceutical services are not readily available and if permitted to do so by the hospital; the drug container and the labeling shall comply with the requirements of this chapter and the Drug Control Act.

4. A record shall be maintained of all drugs administered in the emergency room.

5. A separate record shall be maintained on all drugs, including drug samples, dispensed in the emergency room. The records shall be maintained for a period of two years showing:

a. Date and time dispensed;

b. Patient's name;

c. ~~Physician's~~ *Prescriber's* name;

d. Name of drug dispensed, strength, dosage form, quantity dispensed, and dose.

## 18 VAC 110-20-500. ~~Certified Licensed emergency medical technician service agencies program.~~ **Certified Licensed emergency medical technician service agencies program.**

The pharmacy may prepare a drug kit for a ~~Certified licensed emergency medical Technician Program services agency~~ **certified licensed emergency medical technician service agency** provided:

1. The pharmacist-in-charge of the hospital *pharmacy* shall be responsible for all controlled drugs contained in this drug kit.

2. The drug kit is sealed in such a manner that it will preclude any possibility of loss of drugs.

3. Drugs may be administered by a technician upon an oral order *or written standing order* of an authorized medical practitioner *in accordance with § 54.1-3408 of the Code of Virginia*. ~~The Oral order orders~~ shall be reduced to writing by the technician and shall be signed by ~~the physician a medical practitioner~~. *Written standing orders shall be signed by the operational medical director for the emergency medical services agency. The technician shall make a record of all drugs administered to a patient. This administration record shall be signed by the medical practitioner who assumes responsibility for the patient at the hospital. If the patient is not transported to the hospital or if the attending medical practitioner at the hospital refuses to sign the record, a copy of this record shall be signed and placed in delivery to the hospital pharmacy who was responsible for that kit exchange by the agency's operational medical director within seven days of the administration.*

4. When the drug kit has been opened, the kit shall be returned to the pharmacy and exchanged for an unopened kit. ~~A The record signed by the physician for~~ of the drugs administered shall accompany the opened kit when exchanged. An accurate record shall be

maintained by the pharmacy on the exchange of the drug kit for a period of one year.

5. The record of the drugs administered shall be maintained as a part of the pharmacy records pursuant to state and federal regulations *for a period of not less than two years*.

### **18 VAC 110-20-540. Emergency drug kit.**

The pharmacist providing services may prepare an emergency kit for a facility in which only those persons licensed to administer are administering drugs under the following conditions:

1. The contents of the emergency kit shall be of such a nature that the absence of the drugs would threaten the survival of the patients.
2. The contents of the kit shall be determined by the provider pharmacist in consultation with the medical and nursing staff of the institutions and shall be limited to drugs for administration by injection or inhalation only, except that Nitroglycerin SL may be included.
3. The kit is sealed in such a manner that it will preclude any possible loss of the drug.
4. The opened kit is maintained under secure conditions and returned to the pharmacy within 72 hours for replenishing.
5. Any drug used from the kit shall be covered by a prescription, signed by the ~~physician~~ *prescriber*, when legally required, within 72 hours.

### **18 VAC 110-20-550. Stat-drug box.**

An additional drug box called a stat-drug box may be prepared by a pharmacy to provide for initiating therapy prior to the receipt of ordered drugs from the pharmacy. A stat-drug box shall be provided to those facilities in which only those persons licensed to administer are administering drugs and shall be subject to the following conditions:

1. The box is sealed in such a manner that will preclude the loss of drugs.
2. When the stat-drug box has been opened, it is returned to the pharmacy.
3. Any drug used from the box shall be covered by a drug order signed by the ~~practitioner~~ *prescriber*, when legally required, within 72 hours.
4. There shall be a listing of the contents of the box maintained in the pharmacy and also attached to the box in the facility. This same listing shall become a part of the policy and procedure manual of the facility served by the pharmacy.
5. The drug listing on the box shall bear an expiration date for the box. The expiration date shall be the day on which the first drug in the box will expire.

6. The contents of the box shall be limited to those drugs in which a delay in initiating therapy may result in harm to the patient.

a. The listing of drugs contained in the stat-drug box shall be determined by the provider pharmacist in consultation with the medical and nursing staff of the long-term care facility.

b. The stat-drug box shall contain no Schedule II drugs.

c. The stat-drug box shall contain no more than one Schedule III through V drug in each therapeutic class and no more than five doses of each.

### **18 VAC 110-20-555. Use of automated dispensing devices.**

*A. An automated dispensing device may be used in place of stat drug boxes or emergency drug kits provided the conditions of subdivisions 1, 2, and 5 of 18 VAC 110-20-540 and subdivisions 3 and 6 of 18 VAC 110-20-550 have been met. In addition to these provisions, the drugs placed in these devices shall be limited to the drugs which would have been stocked in the stat drug boxes and emergency kits, and the quantity of any one drug shall not exceed the total quantity which would have been stored at one facility in all stat boxes and emergency kits combined. No more than a 48-hour supply per each 50 residents per drug may be stocked in the device.*

*B. The use of such devices is limited to those long-term care facilities where only persons holding a license to administer drugs are actually administering. Use of automated dispensing devices in long-term care facilities shall be in compliance with the following:*

*1. Drugs placed in automated dispensing devices shall be in the manufacturer's sealed original packaging or in repackaged containers in compliance with the requirements of 18 VAC 110-20-260 relating to repackaging, labeling, and records.*

*2. Prior to the removal of drugs from the pharmacy, a delivery record shall be generated for all drugs to be placed in an automated dispensing device which shall include the date; drug name, dosage form, and strength; quantity; nursing home; and a unique identifier for the specific device receiving drugs; and initials of the pharmacist checking the order of drugs to be removed from the pharmacy and the records of distribution.*

*3. Drugs may be loaded in the device by a pharmacist or by a person licensed to administer drugs working at the long-term care facility.*

*4. At the time of loading, the delivery record for all Schedule II through V drugs shall be signed by a nurse or other person authorized to administer drugs from that specific device, and the record returned to the pharmacy and maintained in chronological order for a period of two years from date of delivery. [ The delivery record and required signatures may be generated or maintained*

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electronically provided the system being used has the capability of recording an electronic "signature" which is a unique identifier and restricted to the individual receiving the drugs and provided that this record is maintained in a "read-only" format which cannot be altered after the information is recorded. The electronic record shall be readily retrievable, maintained for a period of two years, and the system used shall be capable of producing a hard copy printout of the record upon request. ]

5. At the time of loading any Schedule II through V drug, the person loading will verify that the count of that drug in the automated dispensing device is correct. Any discrepancy noted shall be recorded on the delivery record and immediately reported to the pharmacist in charge, who shall be responsible for reconciliation of the discrepancy or properly reporting of a loss.

6. The provider pharmacy shall have the capability of on-line communication with any automated dispensing devices in a long-term care facility. The pharmacy shall be capable of producing a hard copy record of [ ~~administration~~ distribution ] from the device which shall show patient name, drug name and strength, [ dose withdrawn, ] dose [ to be ] administered, date and time of [ ~~administration~~ withdrawal from the device ], and identity of person [ ~~administering~~ withdrawing ] the drug. Except for emergency or urgent administration during times when a pharmacist is not available, the pharmacist shall review and approve a new order prior to a dose being removed for administration to a patient.

7. [ A ~~pharmacist~~ The pharmacist-in-charge of the provider pharmacy or his designee ] shall conduct at least a [ ~~weekly~~ monthly ] audit and review of all distribution and administration of schedule II through V drugs from each automated dispensing device. The audit shall reconcile the quantities loaded into the device and still on hand with the quantities removed from the device for administration. This audit shall also check for compliance with written procedures for security and use of the automated dispensing devices, accuracy of [ ~~administration~~ distribution ] from the device, and proper recordkeeping. A check by the pharmacy shall be made to ensure that a valid order exists for each dose administered from the automated dispensing device. The hard copy [ ~~administration~~ distribution ] records printed out and reviewed in the audit shall be initialed and dated by the [ ~~pharmacist~~ person ] conducting the audit and maintained in the pharmacy for a period of two years. [ If the person designated by the pharmacist-in-charge to conduct the audit is not a pharmacist, a pharmacist shall review the audit and shall initial and date the record of the audit. These distribution records reviewed in conducting the audit may be maintained electronically provided they can be readily retrieved upon request, provided they are maintained in a "read-only" format which does not allow alteration of the records, and provided a log is maintained for a period of two

years showing the dates of audit and review, the identity of the automated dispensing device being audited, the time period covered by the audit and review, and the initials of all reviewers. ]

8. Automated dispensing devices shall be inspected monthly by pharmacy personnel to verify proper storage, proper location of drugs within the device, expiration dates, the security of drugs and validity of access codes.

9. Personnel allowed access to an automated dispensing device shall have a specific access code which records the identity of the person accessing the device.

10. Proper use of the automated dispensing devices and means of compliance with requirements shall be set forth in the pharmacy's policy and procedure manual.

## 18 VAC 110-20-570. Drugs in infirmaries/first aid rooms.

A. Controlled drugs purchased by an institution, agency, or business within the Commonwealth, having been purchased in the name of a practitioner licensed by the Commonwealth of Virginia and who is employed by an institution, agency, or business which does not hold a pharmacy permit, shall be used only for administering to those persons at that institution, agency, or business.

B. All controlled drugs shall be maintained and secured in a suitable locked storage area, the key to which will be in the possession of the practitioner or nurse who is under the direction and supervision of the practitioner.

C. Such institution, agency, or business shall adopt a specific protocol for the administration of prescription drugs, listing the inventory of such drugs maintained, and authorizing the administering of such drugs in the absence of a practitioner in an emergency situation when the timely prior verbal or written order of a ~~physician~~ prescriber is not possible. Administering of such drugs shall be followed by written orders.

1. For the purpose of this chapter, emergency shall be defined as a circumstance requiring administration of controlled drugs necessary to preserve life or to prevent significant or permanent injury or disability.

2. The protocol shall be maintained for inspection and documentation purposes.

D. A nurse may, in the absence of a practitioner, administer and provide nonprescription drugs in unit dose containers in quantities which in the professional judgment of the nurse will maintain the person at an optimal comfort level until the person's personal practitioner can be consulted. The administering and providing of such medication must be in accordance with explicit instructions of a specific protocol promulgated by the practitioner in charge of the institution, agency, or business.

**18 VAC 110-20-580. Humane societies and animal shelters.**

A humane society or animal shelter, after having obtained the proper permits pursuant to state and federal laws, may purchase, possess and administer any drug approved by the State Veterinarian to euthanize injured, sick, homeless and unwanted domestic pets and animals provided that these procedures are followed:

1. A veterinarian shall provide general supervision for the facility and ~~appropriate~~ shall provide and certify training in accordance with guidelines set forth by the State Veterinarian to the person(s) responsible for administration of the drugs.
2. The person in charge of administration of drugs for euthanasia for the facility shall obtain the required permit and controlled substance registration from the board and shall be responsible for maintaining proper security and required records of all controlled substances obtained and administered.
  - a. If that person ceases employment with the facility or relinquishes his position, he shall immediately return the permit to the board and shall take a complete and accurate inventory of all drugs in stock.
  - b. An application for a new permit shall be filed with the required fee within 14 days on a form provided by the board. At that time, the new responsible person in charge of the facility shall take a complete and accurate inventory of all drugs in stock.
3. Drugs shall be stored in a secure, locked place and only the person(s) responsible for administering may have access to the drugs.
4. Any drug used shall be obtained and administered in the injectable form only.
5. All invoices and order forms shall be maintained for a period of two years.
6. Complete and accurate records shall be maintained for two years on the administration of the drug; the record shall show the name and strength of the drug, date of administration, the species of the animal, the weight of animal, the amount of drug administered and signature of the person administering the drug.

**18 VAC 110-20-590. Drugs in correctional institutions.**

All prescription drugs at any correctional unit shall be obtained only on an individual prescription basis from a pharmacy and subject to the following conditions:

1. All prepared drugs shall be maintained in a suitable locked storage area with only the person responsible for administering the drugs having access.
2. Complete and accurate records shall be maintained of all drugs received, administered and discontinued. The administration record shall show the:
  - a. Prescription number;

- b. Drug name and strength;
- c. Number of dosage units received;
- d. ~~Physician's~~ Prescriber's name; and
- e. Date, time and signature of person administering the individual dose of drug.

3. All unused or discontinued drugs shall be sealed and the amount in the container at the time of the sealing shall be recorded on the drug administration record. Such drugs shall be returned to the provider pharmacy along with the drug administration record within seven days.

- a. The provider pharmacy shall ~~review the conduct random audits of~~ returned drug administration records for accountability of all dosage units dispensed.
- b. The drug administration records shall be filed in chronological order by the provider pharmacy and maintained for a period of one year or, at the option of the facility, the records may be returned by the provider pharmacy to the facility.
- c. Drugs may be returned to the provider pharmacy stock in compliance with the provisions of 18 VAC 110-20-400.
- d. Other drugs shall be disposed of or destroyed by the provider pharmacy in accordance with local, state, and federal regulations.

4. Emergency and stat-drug box. An emergency box and a stat-drug box may be prepared for the facility served by the pharmacy pursuant to 18 VAC 110-20-540 and 18 VAC 110-20-550 of this chapter provided that the facility employs one or more full-time physicians, registered nurses, licensed practical nurses, physician assistants or correctional health assistants.

**18 VAC 110-20-620. ~~Excepted compounds~~ Exempted prescription products.**

The list of ~~excepted compounds~~ exempt prescription products set forth in 21 CFR § 1308.32 is adopted pursuant to the authority set forth in §§ 54.1-3443, 54.1-3450 and 54.1-3452 of the Drug Control Act; the ~~excepted compounds~~ exempted prescription products are drugs which are subject to the provisions of § 54.1-3455 of the Drug Control Act.

**18 VAC 110-20-621. Exempted anabolic steroid products.**

The list of exempt anabolic steroid products set forth in 21 CFR 1308.34 is adopted pursuant to the authority set forth in §§ 54.1-3443, 54.1-3450 and 54.1-3452 of the Drug Control Act; the exempted anabolic steroid products are drugs which are subject to the provisions of § 54.1-3455 of the Drug Control Act.

**18 VAC 110-20-622. Excluded veterinary anabolic steroid implant products.**

The list of excluded veterinary anabolic steroid implant products set forth in 21 CFR 1308.26 is adopted only for

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legitimate veterinary use pursuant to the authority set forth in §§ 54.1-3443, 54.1-3450 and 54.1-3452 of the Drug Control Act; the exempted anabolic steroid products are drugs which are subject to the provisions of § 54.1-3455 of the Drug Control Act when used for implant to cattle or other nonhuman species. These products are not excluded from Schedule III if prescribed, administered, dispensed, or otherwise distributed for human use.

## **18 VAC 110-20-640. Safeguards against diversion of drugs.**

The following requirements shall apply to manufacturers, wholesale distributors, or warehouse of prescription drugs:

1. The holder of the permit shall restrict all areas in which prescription drugs are manufactured, stored, or kept for sale, to only designated and necessary persons.
2. The holder of the permit shall provide reasonable security measures for all drugs in the restricted area.
3. *The holder of the permit, except for those manufacturers or distributors of only medical gases other than nitrous oxide, shall install a device for the detection of breaking subject to the following conditions:*
  - a. *The device shall be a sound, microwave, photoelectric, ultrasonic, or any other generally accepted and suitable device.*
  - b. *The installation shall be hard wired and both the installation and device shall be based on accepted burglar alarm industry standards.*
  - c. *The device shall be maintained in operating order and shall have an auxiliary source of power.*
  - d. *The device shall fully protect all areas where prescription drugs are stored and shall be capable of detecting breaking by any means when activated.*
  - e. *Access to the alarm system shall be restricted to only designated and necessary persons, and the system shall be activated whenever the drug storage areas are closed for business.*

~~3.~~ 4. The holder of the permit shall not deliver any drug to a licensed business at which there is no one in attendance at the time of the delivery nor to any person who may not legally possess such drugs.

~~4.~~ The holder of the permit shall comply with the security requirements set forth in 18 VAC 110-20-180.

~~5.~~ This chapter shall not apply to the holder of a permit to manufacture or distribute only medical gases.

## **18 VAC 110-20-650. Manufacturing of cosmetics. (Repealed.)**

~~The building in which cosmetics are manufactured, processed, packaged and labeled, or held shall be maintained in a clean and orderly manner and shall be of suitable size, construction and location in relation to~~

~~surroundings to facilitate maintenance and operation for their intended purpose. The building shall:~~

- ~~1. Provide adequate space for the orderly placement of equipment and materials used.~~
- ~~2. Provide adequate lighting and ventilation.~~
- ~~3. Provide adequate washing, cleaning, and toilet facilities.~~

## **18 VAC 110-20-680. Medical equipment suppliers.**

~~A. A medical equipment supplier may dispense to the ultimate consumer the following: prescription devices, medicinal oxygen, Schedule VI drugs which have no medicinal properties and are used in the operation and cleaning of medical devices, and hypodermic needles and syringes as authorized by § 54.1-3435.3 of the Drug Control Act supplier's location shall be inspected by the board prior to engaging in business. The location shall be [ of suitable size and construction, shall have adequate lighting and ventilation, shall be ] clean and sanitary, and shall have a system of temperature control to provide for specified storage conditions for any Schedule VI drug or device.~~

~~B. Hypodermic needles and syringes and Schedule VI drugs shall not be placed on open display or in an open area where patrons will have access to such items. No Schedule VI devices shall be placed in an area where responsible parties cannot exercise reasonable supervision and control.~~

~~B- C. A medical equipment supplier shall receive a valid order from a practitioner prior to dispensing and shall maintain this order on file on the premises for a period of two years from date of last dispensing.~~

~~C- D. Medical equipment suppliers shall make a record at the time of dispensing. This record shall be maintained on the premises for two years from date of dispensing and shall include:~~

- ~~1. Name and address of patient;~~
- ~~2. Name and address of physician ordering;~~
- ~~3.~~ 2. Item dispensed and quantity, if applicable; and
4. 3. Date of dispensing.

### DOCUMENT INCORPORATED BY REFERENCE

The United States Pharmacopoeia - National Formulary USP23-NF18, January 1, 1995, United States Pharmacopoeia Convention.

**NOTICE:** The forms used in administering 18 VAC 110-20-10 et seq., Regulations Governing the Practice of Pharmacy, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Board of Pharmacy, 6606 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

## FORMS

Application for Registration as [ ~~an Extern/Interne a Pharmacy Intern~~ ] ( [ ~~eff. 5/93 rev. 12/98~~ ] ).

Application for Licensure as a Pharmacist by Examination (Revised ~~1/96~~ rev. [ ~~6/97~~ 12/98 ] ).

Application [ ~~for to Reactivate~~ ] Pharmacist License [ ~~to be Reactivated~~ ] (rev. [ ~~8/95~~ 12/98 ] ).

Application for Approval of a Continuing Education Program (rev. 6/97).

Application for License to Dispense Drugs (eff. ~~5/93~~ rev. [ ~~6/97~~ 11/98 ] ).

Application for a Pharmacy Permit (rev. [ ~~4/98~~ 10/98 ] ).

Application for a Non-Resident Pharmacy Registration (rev. [ ~~6/97~~ 12/98 ] ).

Application for a Permit as a Medical Equipment Supplier (rev. [ ~~6/97~~ 11/98 ] ).

Application for [ *Permit as* ] a Restricted [ ~~Manufacturer's Permit Manufacturer~~ ] (rev. [ ~~6/97~~ 12/98 ] ).

Application for [ *Permit as* ] a Non-Restricted [ ~~Manufacturer's Permit Manufacturer~~ ] (rev. [ ~~6/97~~ 12/98 ] ).

Application for a Permit as a Warehouser (eff. ~~5/93~~ rev. [ ~~6/97~~ 11/98 ] ).

Application for [ *a* ] License as a Wholesale Distributor (rev. [ ~~6/97~~ 12/98 ] ).

Application for [ *a* ] Non-Resident Wholesale Distributor Registration (Revised ~~1996~~ rev. [ ~~6/97~~ 12/98 ] ).

~~Application for a Controlled Substances Registration.~~

Application for Reinstatement of Controlled Substance Registration [ *Certificate for Non-Practitioners* ] (rev. 6/97).

Renewal Notice and Application [ ; C-45128 ] (rev. 7/97).

[ *Renewal Notice and Application; C-46214* (rev. 7/97). ]

[ *Renewal Notice and Application; C-46216* (rev. 7/97). ]

Application for Controlled Substances Registration Certificate for Nonpractitioners (~~1996~~ rev. 6/97).

Application [ ~~for Reinstatement of~~ *to Reinstatement of* ] Pharmacist License (rev. [ ~~6/97~~ 12/98 ] ).

~~Application for Continuing Education Provider (Revised 1996)~~

*Application for Reinstatement of* [ *a* ] Permit (rev. [ ~~6/97~~ 12/98 ] ).

Application for Permit as a Humane Society (Revised ~~1996~~ rev. [ ~~6/97~~ 11/98 ] ).

Application for Registration as [ ~~an Interne a Pharmacy Intern~~ ] for Graduates of a Foreign College of Pharmacy (rev. [ ~~6/97~~ 12/98 ] ).

Instructions for Graduates of Foreign Schools of Pharmacy (rev. 6/97).

[ ~~Destruction of Controlled Substances Schedule II through V Drugs~~ (rev. 6/97). ]

[ ~~Registrants Inventory of Drugs Surrendered, DEA Form 41 (June 1986)~~. ]

Closing of Pharmacy (rev. 6/97).

[ *Affidavit of Practical Experience, Pharmacy Intern* (rev. 12/98). ]

[ *Application for Controlled Substances Registration Certificate for Optometrists* (eff. 12/98). ]

VA.R. Doc. No. R97-310; Filed December 15, 1998, 9:57 a.m.

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# GOVERNOR

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## **EXECUTIVE ORDER NUMBER THIRTY-FOUR (98)**

### **DELEGATION OF AUTHORITY TO THE SECRETARY OF ADMINISTRATION TO DELEGATE CERTAIN AUTHORITIES RELATED TO THE DECENTRALIZATION OF CAPITAL OUTLAY MANAGEMENT**

Section 4-5.08 of the 1998 Amendments to the 1998 Appropriation Act (Chapter 1, 1998 Special Session) provides for the continuation of the pilot project to evaluate the potential reduction in the time and cost of developing and managing nongeneral fund capital outlay projects at certain institutions of higher education. This section also provides for the delegation of most of the authorities necessary to ensure the institutions have sufficient flexibility to manage their nongeneral fund capital projects. However, some of the Governor's related authorities are already delegated by separate executive order. In order to ensure that this pilot project on the decentralization of nongeneral fund capital project management provides a meaningful evaluation of the potential for saving time and money, these authorities should be further delegated.

By virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, including but not limited to § 2.1-39.1 of the Code of Virginia, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby affirm and delegate the following authorities to the Secretary of Administration and hereby declare that he shall have the authority to delegate further these authorities to the boards of visitors of the participating institutions of higher education as follows:

- From § 2.1-488.4.B of the Code of Virginia, approval of the removal of buildings on state property, with the advice and counsel of the Art and Architectural Review Board and, consistent with the Department of General Services' DEB Directive Number 1, the review of the Department of Historic Resources;
- From § 2.1-504.2 of the Code of Virginia, approval of the acquisition of real estate; and
- From § 11-55 of the Code of Virginia, approval of construction and architectural and engineering contract change orders. The boards of visitors may be authorized by the Secretary to further delegate only the approval of such change orders to any one or more board members, as determined by the boards.

This Executive Order rescinds Executive Order Number Thirty-Two (98), issued by me on September 25, 1998.

This Executive Order shall be effective September 1, 1998, and shall remain in full force and effect until August 31, 2002, unless amended or rescinded by further executive order or by legislation.

Given under my hand and under the Seal of the Commonwealth of Virginia this 16th day of November, 1998.

/s/ James S. Gilmore, III  
Governor

VA.R. Doc. No. R99-70; Filed December 11, 1998, 11:07 a.m.

## **EXECUTIVE ORDER NUMBER THIRTY-FIVE (98)**

### **DELEGATION OF AUTHORITY CONFERRED BY CHAPTER 1 OF THE 1998 ACTS OF ASSEMBLY, SPECIAL SESSION I, CHAPTERS 781, 789, 849, 892, 894 AND 896 OF THE 1992 ACTS OF ASSEMBLY, AND CHAPTER 5 OF THE 1994 ACTS OF ASSEMBLY, SPECIAL SESSION I**

By virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, including, but not limited to, § 2.1-39.1 of the *Code of Virginia*, and subject always to my continuing and ultimate authority and responsibility to act in such matters and to reserve powers, I hereby delegate to the individuals holding the positions named herein the several powers and duties conferred upon me by the provisions of Chapter 1 of the 1998 Acts of Assembly, Special Session I (Appropriation Act for the 1998-2000 Biennium), Chapters 781, 789, 849, 892, 894 and 896 of the 1992 Acts of Assembly (General Obligation Bond Acts), and Chapter 5 of the 1994 Acts of Assembly, Special Session I (Taxation of Retirement Income), as detailed below.

Unless otherwise specified, "Item/Section" references below refer to Chapter 1 of the 1998 Acts of Assembly, Special Session I.

#### **I. Delegations of Authority to Officials in the Office of Administration**

##### *A. To the Secretary of Administration:*

<u>Item/Section</u>	<u>Subject Matter</u>
161 U.2	Approve lease or rental agreement for space in the Botetourt County Education and Training Center.
161 W.2	Approve lease or rental agreement for space in the Virginia Peninsula Work Force Development Center.
161 X.1	Approve conveyance of property at Thomas Nelson Community College to the City of Hampton.
161 Y.2	Approve lease or rental of space at the Phase II facilities of the Norfolk Campus of Tidewater Community College.
195 E.2	Approve Old Dominion University's lease agreement for space for activities related to technology transfer, research and graduate work, pursuant to § 2.1-504.2, <i>Code of Virginia</i> .



205 B.2	Approve the College of William and Mary's lease agreement for space for activities related to technology transfer, research and graduate work, pursuant to § 2.1-504.2, <i>Code of Virginia</i> .	§ 4-4.01 p	Receive reports and comments of the Department of Historic Resources, through the Department of General Services, and make final determination on plans for significant alterations, remodeling, redecoration, and restorations on state-owned registered historical landmarks.
223 A.2	Approve Christopher Newport University's lease agreement for space for activities related to technology transfer, research and graduate work, pursuant to § 2.1-504.2, <i>Code of Virginia</i> .	§ 4-4.01 r	Amend, adjust or waive any project review and reporting procedures of Executive agencies as may reasonably be required to promote the property improvement goals for which the lease agreement was developed, in the case of any lease agreement involving state-owned property controlled by an institution of higher education, where the lease has been entered into consistent with the provisions of § 2.1-511, <i>Code of Virginia</i> .
472 E.1	Approve, with the Secretary of Finance, contracts for private site selection, construction, financing, maintenance and operation of certain prison facilities.		
C-9 B.1	Approve project for construction of central chilled water plant and distribution system at Virginia Commonwealth University.		
C-15.20	Approve conveyance of certain property in Big Stone Gap by the Department of Mines, Minerals and Energy to Wise County.	§ 4-5.09	Approve space planning procedures for leased facilities and waive requirements under which agencies can acquire real property by lease, if such action may, in the opinion of the Governor, avoid an increase in cost or otherwise result in a measurable benefit to the state and funds are available within the appropriations made by Chapter 1.
C-26.60	Approve acceptance by the State Board for Community Colleges of property in the City of Danville for a Regional Center for Applied Technology Training.		
C-26.65	Approve acceptance by the State Board for Community Colleges of property in the City of Danville for improvements for a Child Development Center.	§ 4-6.04 c.1.	Approve basis for charging employees for parking spaces in state-owned facilities and determine the use of parking charges to pay costs of parking.
C-45.30	Approve agreement with Virginia Tech Foundation for lease of Catawba Research Station property in relation to the PPL transgenic livestock company.	§ 4-8.01 c.2	Submit monthly reports on status of employment by the Attorney General of special counsel in certain highway proceedings.
C-75.20	Approve lease of land at Mary Washington College to Central Virginia Educational Telecommunications Corporation, including extension beyond fifty years.	§ 4-8.01 c.3	Submit monthly reports on changes in the level of compensation for job classes contained in compensation and classification plans.
C-107.20	Approval of acquisition of real property in proximity to the Kiptopeke and Shenandoah State Parks.	<i>B. To the Director, Department of General Services:</i> § 2-0 C	Prescribe guidelines for purchase of equipment to be used in structures for which funds are provided.
C-107.40	Approval of expenditure of funds up to \$200,000 for the Pinnacle Natural Area.		
C-133 B	Approve lease with certain counties and cities for development of a regional fire training facility on the property of the Emergency Fuel Storage Facility.	§ 4-4.01 c § 4-4.01 i	Approve preliminary requirements for capital projects. Require capital projects to conform with space planning guides approved by the Governor or General Assembly for any type of construction.

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# Governor

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§ 4-4.01 l	Specify reporting requirements on progress of capital projects, and, if the Governor finds that projects are not making satisfactory progress, take action necessary to ensure that legislative intent is met, as defined in § 4-4.01 l.	276 B.2	Request information from institutions of higher education on specific equipment to be purchased through the Virginia College Building Authority.
§ 4-5.12 a.	May sell or lease surplus real property only under certain conditions. Notify in writing the chairmen of the House Appropriations and Senate Finance Committees not less than thirty days prior to such sale or lease.	472 E.1	Approve, with the Secretary of Administration, contracts for private site selection, construction, financing, maintenance and operation of certain prison facilities.
§ 4-8.01 b.7	Submit reports on waivers of the requirements on agencies acquiring real property by lease to the Chairmen of House Appropriations and Senate Finance Committees.	C-9 C.1	Approve alternative financing for additional student housing at Virginia Commonwealth University.
§ 4-8.01 d.1	Submit reports on progress of capital projects to Chairmen of House Appropriations and Senate Finance Committees on a monthly basis, or at such intervals as specified by said chairmen, or as specified elsewhere in the act.	C-127.10	Authorize initiation of capital projects funded in Items C-113 through C-127 of Chapter 1, upon certification to the Secretary of Finance by the Virginia Public Building Authority that certain conditions have been met, prior to the approval of Form CO-2 for the cited capital projects.
<i>C. To the Director, Department of Personnel and Training:</i>			
§ 4-6.01 h	Approve a plan for statewide employee meritorious service awards program, as provided in § 2.1-114.5.12, Code of Virginia.	C-132.10	Authorize initiation of capital projects funded in Items C-128 through C-132 of Chapter 1, upon certification to the Secretary of Finance by the Virginia Public Building Authority that certain conditions have been met, prior to the approval of Form CO-2 for the cited capital projects.
§ 4-6.02	Establish uniform rules and regulations by which the head of any state agency may authorize, from any funds appropriated to such department, institution or other state agency in Chapter 1 or subsequently made available for the purpose, compensation or expenses or both for employees pursuing approved training courses or academic studies for the purpose of becoming better equipped for their employment in the state service.	C-144	Authorize initiation of the capital project for construction of the National Air and Space Museum Extension of the Smithsonian Institution, upon certification to the Secretary of Finance by the Virginia Public Building Authority that certain conditions have been met, prior to the approval of Form CO-2 for the cited capital project.
<b>II. Delegation of Authority to Officials in the Office of Education</b>			
<i>To the Secretary of Education:</i>			
§ 4-8.01 e.2	Submit reports on status of certain State Council of Higher Education exemptions to policy which prohibits use of funds for certain academic programs.	§ 3-3.02	Direct State Comptroller to restore disputed charges against working capital funds.
<b>III. Delegations of Authority to Officials in the Office of Finance</b>			
<i>A. To the Secretary of Finance:</i>			
		§ 4-1.02 a	Restrain the State Comptroller from making further disbursements, in whole or in part, out of the appropriations to any agency expending its monies for any purposes other than those specified in Chapter 1.
		§ 4-1.05 a.4	Report increases in appropriations from revenues received from leases for communications towers.
		§ 4-1.06 a.1	Approve reappropriation of general fund appropriations unexpended on June 30, 1998, and June 30, 1999, for agencies in the Executive Department.

§ 4-1.06 a.1	Prescribe management standards under which unexpended appropriations may be reappropriated for institutions of higher education and other state agencies.	C-99	Allotment of appropriation for plaza for 2007 commemorative monument at Jamestown.
§ 4-1.06 a.2	Certify that funds are available before payment for reappropriation is made in cases where the General Assembly provided for reappropriation payable from the general fund.	§ 4-1.06 a.1	Unallot funds from reappropriated balances of Executive Department agencies which relate to three categories of unexpended appropriations, with such unallotted amounts to revert to the general fund.
§ 4-1.08	Act on appeals of agency heads regarding allotment of funds from appropriations and authorization of rates of pay.	§ 4-2.01 a.1	Give written approval for agencies soliciting and accepting donations, gifts, grants or contracts under stated conditions.
§ 4-5.01 a	Designate appropriations for payment of claims settled pursuant to § 2.1-127, <i>Code of Virginia</i> .	§ 4-2.01 a.2	Issue written policies for agencies soliciting and accepting donations, gifts and grants under stated conditions.
§ 4-8.01 a.2	Make available annually to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees a report concerning the receipt of any nongeneral funds above amounts specifically appropriated, their sources and the amounts for each agency affected.	§4-2.01 c	Higher education planned excess revenues: receive documented information from institutions of higher education generating and retaining fees collected in excess of rates provided in § 4-2.01 b.
Enactment 2, § 3.C, Chapter 5, 1994 Acts Special Session I	Supplement appropriations for certain state agencies for administrative expenses associated with the payment of claims pursuant to disputes involving taxation of retirement income and report such supplements to the Chairmen of the Assembly House Appropriations and Senate Finance Committees.	§ 4-2.03 b.1	Include estimated agency indirect cost recoveries in the Budget Bill.
		§ 4-3.01 b	Reporting of the unauthorized deficit provisions of the Appropriation Act to the governing boards and heads of state agencies.
		§ 4-4.01 d	Provide prior written approval for architectural or engineering planning, or construction of, or purchase of capital project before it is commenced or revised.
<i>B. To the Director, Department of Planning and Budget:</i>			
276 A.4	Submission through the budget process of the estimated amount of lease payments and corresponding value of equipment, for transfer to the Virginia College Building Authority.	§ 4-4.01 d	Release from any capital project appropriation or reappropriation made pursuant to Chapter 1 such sum (or sums) as may be necessary to pay for the preparation of plans and specifications by architects and engineers, provided certain conditions are met.
276 B.2	Approve emergency acquisitions of instructional and research equipment through the higher education equipment trust fund by institutions of higher education when the General Assembly is not in session, and report such acquisitions to the Chairmen of the House Appropriations and Senate Finance Committees.	§ 4-4.01 d	Approve the estimated costs of architectural or engineering fees paid on completion of the preliminary design for any such project.
§ 2-0 F	Prescribe rules and regulations for expenditures from items identified as "Maintenance Reserve."	§ 4-8.01 b 1-6.	Submit monthly reports on operating appropriations.
C-98	Allotment of appropriation for commemorative monument for 2007 celebration at Jamestown.	§ 4-8.01 c.1	Submit monthly reports on status of changes in positions and employment of state agencies affected to the Chairmen of House Appropriations and Senate Finance Committees.

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# Governor

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- § 4-8.01 d.2 Submit monthly reports on progress of capital projects under Governor's authority in § 4-4.01 j. which addresses projects not included in the Appropriation Act and which meet specific requirements (e.g. auxiliary enterprise, continue effective operation of existing program).
- § 4-8.01 e.1 Submit monthly reports on status of new services requested by agencies and authorized by the Governor.
- § 2 and § 9 of Ch. 781, 789, 849, 892, 894, and 896, 1992 Acts of Assembly Increase or decrease allocations to specific capital projects, within total amounts allocated (§ 2) and increase appropriations for capital projects by the amount of the proceeds of donations, gifts, grants or other nongeneral funds (§ 9).

#### **IV. Delegation of Authority to Officials in the Office of Public Safety**

*To the Secretary of Public Safety:*

- § 4-5.03 Authorize transfer of prison labor, or farm commodities produced, at any state agency to any other state agency.

#### **V. Delegation of Authority to Officials in the Office of Technology**

*To the Director, Department of Information Technology:*

- § 4-5.06 e Approve expenditures for motion picture, television and radio services production and operation.

Should conflicts arise concerning any action authorized by this Executive Order, such matters shall be resolved by the Governor.

This Executive Order rescinds Executive Order Number Seventy-two (97) issued by Governor George Allen on January 24, 1997, and Executive Order Number Twenty-two (98) issued by me.

This Executive Order shall be retroactively effective to July 1, 1998, upon its signing and shall remain in full force and effect until June 30, 2000, unless sooner amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 30th day of November, 1998.

/s/ James S. Gilmore, III  
Governor

VA.R. Doc. No. R99-68; Filed December 9, 1998, 9:48 a.m.

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# GENERAL NOTICES/ERRATA

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## STATE CORPORATION COMMISSION

**EDITOR'S NOTE:** Appendices A and B which are referenced in the following order are not being published. However, these lists are available for public inspection at the State Corporation Commission, Document Control Center, Tyler Building, 1300 East Main Street, 1st Floor, Richmond, Virginia, from 8:15 a.m. to 5 p.m., Monday through Friday.

AT RICHMOND, DECEMBER 3, 1998

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSIONCASE NO.  
PUE980812

Ex Parte: In the matter of  
establishing interim rules  
for retail access pilot programs

### ORDER ESTABLISHING PROCEDURAL SCHEDULE

On March 20, 1998, the State Corporation Commission ("Commission") entered an Order Establishing Investigation in Case No. PUE980138, requiring various parties to perform activities and provide information to assist the Commission in moving forward in the evolving world of electric utility restructuring. Among other things, this Order required Virginia Electric and Power Company ("Virginia Power") and American Electric Power-Virginia ("AEP-VA") to begin work toward implementing retail access pilot programs and studies designed to address, at a minimum, the issues and concerns raised on pages 14 through 15 of the Staff's "Draft Working Model for Restructuring the Electric Utility Industry in Virginia," dated November 7, 1997. The Order mandated that Virginia Power and AEP-VA hold workshops with interested stakeholders to solicit input regarding the proper structure and characteristics of such pilot programs and to file the details, objectives and characteristics of such proposed pilot programs on or before August 1, 1998. The Order noted that any necessary public hearings would be scheduled after this date to consider such proposals.

At the request of Virginia Power and AEP-VA, the time for filing the details, objectives and characteristics of the proposed pilot programs was extended to November 2, 1998, and Virginia Power and AEP-VA filed reports of their proposed pilot programs ("Proposals") accordingly. The Proposals discuss, among other things, the pilot programs' objectives, customer participation parameters, pricing structures, geographical scope, consumer and supplier education issues, supplier participation guidelines, metering and billing issues, pilot program cost recovery, and utility tariffs, terms and conditions.

In its Proposal, Virginia Power also stated that the General Assembly must address several public policy issues prior to implementation of its retail access pilot program. AEP-VA, in its Proposal, requested the Commission to authorize AEP-VA to recover pilot program costs through rates over the two-year period immediately following the end of the pilot

program, and further suggested that the Commission provide for a series of technical conferences to be held to address pilot program technical and implementation issues and to propose standardized pilot program terminology and supplier certification procedures.

Additionally, on May 9, 1997, Columbia Gas of Virginia, Inc. ("CGV") filed in Case No. PUE970455 an application for a general increase in rates, for approval of a performance-based rate regulation methodology, and for approval of the Commonwealth Choice Program, a retail natural gas unbundling pilot program. In its September 30, 1997, Order approving the Commonwealth Choice Program, the Commission required a task force to be set up to develop a proposed generic code of conduct for retail gas unbundling programs and for the task force to file a report by November 1, 1998. On October 29, 1998, the Staff of the Commission filed a Motion for Relief, noting that there would be a similar need for a code of conduct to govern retail access pilot programs for electric utilities and that there would be advantages in developing these codes of conduct concurrently.

Upon consideration whereof, the Commission is of the opinion and finds that it should establish a proceeding to adopt interim rules to govern issues common to both the natural gas and electricity restructuring retail access pilot programs, specifically, certification, codes of conduct, and standards of conduct governing relationships among entities participating in such programs.<sup>1</sup> Commission Staff will select and lead a Task Force to consider these issues and propose interim rules which promptly will be published in a Task Force Report on or about March 9, 1999 and in the Virginia Register of Regulations. We direct the Staff to include on the Task Force as broad a cross-representation of interested market participants as practicable. A Hearing Examiner will conduct an evidentiary proceeding where interested parties and members of the public will have an opportunity to comment on the proposed rules. The Commission recognizes the need for timely resolution of these issues and anticipates that the Hearing Examiner's Report and Recommendation will be filed on or about June 11, 1999. After considering this Report and any comments or exceptions thereto, the Commission will adopt a set of interim rules to guide the utilities' retail access pilot programs. Accordingly,

IT IS ORDERED THAT:

(1) This case be docketed and assigned Case No. PUE980812.

(2) As provided by § 12.1-31 of the Code of Virginia and Rule 7:1 of the Commission's Rules of Practice and Procedure ("the Rules"), 5 VAC 10-520, a Hearing Examiner be assigned to conduct further proceedings on behalf of the Commission.

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<sup>1</sup> By separate orders entered today in Case Nos. PUE980813 and PUE980814, the Commission is considering all other issues relating to the electricity retail access pilot programs proposed by Virginia Power and AEP-VA, respectively.

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## General Notices/Errata

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(3) A public hearing on the above named issues be held at 10:00 a.m. on April 19, 1999, in the Commission's Courtroom, Second Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia.

(4) On or before December 28, 1998, any person desiring to participate as a member of the Task Force to consider and propose interim rules relating to utility supplier, provider, and affiliate codes of conduct and certification issues shall send notification of that person's interest and the reasons therefore to the Task Force Coordinator, c/o Division of Economics and Finance, Virginia State Corporation Commission, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219. Selected Task Force participants will be individually notified of further proceedings.

(5) On or before January 15, 1999, all interested persons desiring to participate further in these proceedings, including any utility companies sponsoring pilot programs, shall file a notice of participation with the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. The notice of participation shall include a statement setting forth the filer's interest in these proceedings. All persons filing a notice of participation will be considered interested parties to this proceeding and will be placed on the service list.

(6) On or before March 9, 1999, the Task Force shall file with the Clerk of the Commission an original and fifteen (15) copies of its Report and shall serve one (1) copy of the Final Report and proposed interim rules on all parties and Commission Staff. The Task Force also shall publish the proposed interim rules in the Virginia Register of Regulations.

(7) On or before April 9, 1999, each interested party shall file with the Clerk an original and fifteen (15) copies of its comments discussing its support for or opposition to the Task Force Report and proposed rules, as well as any other comments pertinent to these proceedings, and an original and fifteen (15) copies of the testimony and exhibits it intends to offer in support of its comments, and shall serve one (1) copy of the comments, testimony, and exhibits on all parties and Commission Staff.

(8) The Commission Staff shall investigate these issues and, on or before April 9, 1999, shall file with the Clerk an original and fifteen (15) copies of the testimony and exhibits that it intends to offer and shall serve one (1) copy on all parties.

(9) On or before December 15, 1998, the Commission shall publish the following notice as classified advertising in newspapers of general circulation throughout the Commonwealth of Virginia.

**NOTICE TO THE PUBLIC OF A PROCEEDING TO SET INTERIM RULES RELATING TO UTILITY SUPPLIER, PROVIDER, AND AFFILIATE CODES OF CONDUCT AND**

### **CERTIFICATION PROCEDURES FOR NATURAL GAS AND ELECTRICITY RETAIL ACCESS PILOT PROGRAMS,**

**CASE NO. PUE980812**

On November 2, 1998, Virginia Electric and Power Company, Inc. ("Virginia Power") and American Electric Power - Virginia ("AEP-VA") each filed with the State Corporation Commission ("Commission") proposals containing the details, objectives and characteristics of their suggested electricity retail access pilot programs ("Proposals"). Additionally, on September 30, 1997, the Commission approved the application of Columbia Gas of Virginia, Inc. ("CGV") to offer its Commonwealth Choice natural gas retail access pilot program.

Accordingly, the Commission is establishing a proceeding to adopt interim rules relating to utility supplier, provider, and affiliate codes of conduct and certification issues for natural gas and electricity retail access pilot programs. Any person desiring to participate on the Task Force shall, on or before December 28, 1998, send notification of his or her interest and the reasons therefore to the Task Force Coordinator, c/o Division of Economics and Finance, Virginia State Corporation Commission, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219. Selected Task Force participants will be individually notified of further proceedings.

The Commission has scheduled a public hearing on April 19, 1999, before a Hearing Examiner in the Commission's second floor courtroom, located in the Tyler Building, 1300 East Main Street, Richmond, Virginia, to hear evidence relevant to the above mentioned interim rules. The interim rules are expected to be published in the Task Force Report on or about March 9, 1999. A copy of the proposed interim rules will be available for public inspection at that time from 8:15 a.m. to 5:00 p.m., Monday through Friday, at the State Corporation Commission, Document Control Center, First Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia.

Any person desiring to comment in writing on the proposed interim rules may do so by directing such comments on or before April 9, 1999, to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Those written comments must refer to Case No. PUE980812. Any person desiring to make a statement at the public hearing concerning the proposed interim rules need only appear in the Commission's second floor courtroom at 9:45 a.m. on the day of the hearing and identify himself or herself as a public witness to the Commission's Bailiff.

On or before January 15, 1999, persons desiring to participate further in these proceedings, including any utility companies sponsoring pilot programs, shall file an original and fifteen (15) copies of a notice of participation with the Clerk of the Commission at the address set forth below and shall serve a copy of the same upon all parties of record and Commission Staff. The notice of participation shall include a statement setting forth the filer's interest in these proceedings. All persons filing a notice of participation shall

be considered interested parties to this proceeding and shall be placed on the service list.

Any person who expects to submit evidence, cross-examine witnesses, or otherwise participate in this proceeding as an interested party also shall file, on or before April 9, 1999, an original and fifteen (15) copies of its comments discussing its support for or opposition to the Task Force Final Report, as well as any other comments pertinent to these proceedings, and an original and fifteen (15) copies of the prepared testimony and exhibits the interested party plans to offer at the April 19, 1999, hearing, with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, referring to Case No. PUE980812, and shall simultaneously send a copy thereof to all other interested parties and Commission Staff. Any corporate entity or other entity described in Rule 4:8 that wishes to submit evidence, cross-examine witnesses or otherwise participate as a Protestant must be represented by legal counsel in accordance with the requirements of Rule 4:8 of the Commission's Rules of Practice and Procedure.

Interested parties should obtain a copy of the Commission's December 3, 1998 Order for full details of the procedural schedule established for this proceeding. Copies of this Order may be obtained from the Clerk of the Commission at the address listed below.

All written communications to the Commission, except those relating to participation on the Task Force, should be directed to the Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and should refer to Case No. PUE980812.

Individuals with disabilities who require an accommodation to participate in the hearing may contact the Commission at 1-800-552-7945 (voice) or 1-804-371-9026 (TDD) at least seven (7) days before the scheduled hearing date.

### VIRGINIA STATE CORPORATION COMMISSION

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: all Virginia Electric Cooperatives and Electric Utilities as set out in Appendix A to this order; the additional service list attached as Appendix B to this Order; the PUA Service List as set out in Appendix C to this Order; Pamela Johnson, Esquire, Virginia Electric and Power Company, P.O. Box 26666, Richmond, Virginia 23261; Michael Quinan, Esquire, and Anthony Gambardella, Esquire, Woods, Rogers & Hazlegrove, P.L.C., 823 East Main Street, Suite 1200, Richmond, Virginia 23219; Edward L. Flippen, Esquire, Mays & Valentine, P.O. Box 1122, Richmond, Virginia 23218-1122; Rodney W. Anderson, Esquire, Columbia Gas of Virginia, Inc., P.O. Box 117, Columbus, Ohio 43216-0017; Edward L. Petrini, Esquire, Christian & Barton, 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; Mark Darrell, Esquire, Columbia Gas Of Virginia, Inc., 9001 Arboretum Parkway, Richmond, Virginia 23235; Kodwo Ghartey-Tagoe, Esquire, Mays & Valentine, P.O. Box 1122, Richmond, Virginia 23218-1122; Penny Sellers, Esquire, Christian & Barton, L.L.P., 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; Randall S. Rich, Esquire, Bracewell &

Patterson, L.L.P., 2000 K Street, N.W., Suite 500, Washington, D.C. 20006-1872; James R. Kibler, Jr., Esquire, Mezzullo & McCandlish, P.O. Box 796, Richmond, Virginia 23218; Susan G. George, Esquire, Consolidated Natural Gas Company, 625 Liberty Avenue, Pittsburgh, Pennsylvania 15222; Don W. Lovett, Hanover Technical Sales, Inc., P.O. Box 70, Battery Park, Virginia 22304; Rebecca Poe Henderson, CNG Transmission Corporation, P.O. Box 2450, Clarksburg, West Virginia 26302-2450; John F. Dudley, Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; John A. Pirko, Esquire, LeClair Ryan, 4201 Dominion Boulevard, Glen Allen, Virginia 23060; Joelle Ogg, Esquire, John & Hengerer, 1200 17th Street, N.W., Suite 600, Washington, D.C. 20036; Kris Errickson, Duke Energy Trading, Marketing, 10777 Westchase Center, #650, Houston, Texas 77042; Mr. K.N. Kappatos, Old Dominion Electric Cooperative, P.O. Box 2310, Glen Allen, Virginia 23058-2310; Marleen L. Brooks, Allegheny Power, 10435 Downsville Pike, Hagerstown, Maryland 21740-1766; Barry L. Thomas, Director/Regulation, American Electric & Power, P.O. Box 2021, Roanoke, Virginia 24022-2121; Louis R. Monacell, Esquire, Christian & Barton, 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; Carter Glass, Esquire, Mays & Valentine, P.O. Box 1122, Richmond, Virginia 23218-1122; JoAnne L. Nolte, Esquire, Durette, Irvin & Bradshaw, P.C., Twentieth Floor, Main Street Centre, 600 East Main Street, Richmond, Virginia 23219; John Canfield, Esquire, and John H. Bucy, II, Bucy/Canfield, 106 East 6th Street, Suite 900, Austin, Texas 78701-3638; Mary E. Tighe, V.P., Eastern Power Distribution, 2800 Eisenhower Avenue, Alexandria, Virginia 22314; Frann G. Francis, Esquire, AOBA of Metro Washington, 1050 17th Street, N.W., Suite 300, Washington, D.C. 20036; Gary L. Groner, Director, Energy Supply/Policy, AlliedSignal, Inc., 101 Columbia Road, P.O. Box 2006, Morristown, New Jersey 07962-2006; Guy T. Tripp, III, Esquire, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; Mr. Mike A. Draper, C.F. Sauer Company, 2000 West Broad Street, Richmond, Virginia 23220-5786; Edward L. Petrini, Esquire, Christian & Barton, 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; R. Peter Lalor, Commonwealth Power Corporation, 3 Koger Center, Suite 213, Norfolk, Virginia 23502; William S. Bilenky, Esquire, 8133 Forest Hill Avenue, Suite 101, Richmond, Virginia 23235; Kenneth G. Hurwitz, Venable, Baetjer, Howard & Civiletti, LLP, 1201 New York Avenue, N.W., Washington, D.C. 20005-3917; Jean Ann Fox, Vice President, Virginia Citizens Consumer Council, 114 Coachman Drive, Yorktown, Virginia 23693; Donald A. Fickenscher, Vice President, General Counsel and Corporate Secretary, Virginia Natural Gas, Inc., 5100 East Virginia Beach Boulevard, Norfolk, Virginia 23502-3488; Jeffrey M. Gleason, Esquire, Southern Environmental Law Center, 201 West Main Street, Suite 14, Charlottesville, Virginia 22902; Marc C. Hebert, Esquire, Enron Capital & Trade Resource, 2000 K Street, N.W., Suite 500, Washington, D.C. 20006-1872; Kerri L. Boyer, Esquire, Multitrade of Pittsylvania, 5301 Wisconsin Avenue, N.W., Washington,

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## General Notices/Errata

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D.C. 20015; Dennis R. Bates, Esquire, Senior Assistant County Attorney, Fairfax County, 12000 Government Center Parkway, Suite 549, Fairfax, Virginia 22035-0064; Jon L. Praed, Esquire, Latham & Watkins, 1001 Pennsylvania Avenue, N.W., Washington, D.C. 20004; Robert L. Daileader, Jr., Esquire, Ogden Martin Systems of Alexandria, One Thomas Circle, Suite 700, Washington, D.C. 20005-5802; Johnson Kanady, III, Esquire, VMH, Inc., 100 Shockoe Slip, Richmond, Virginia 23219-4140; Frederick H. Ritts, Esquire, Philip Morris USA, 1025 Thomas Jefferson Street, Washington, D.C. 20007; Donald R. Hayes, Senior Attorney, Washington Gas Light Company, 1100 H Street, N.W., Washington, D.C. 20080; Kenworth E. Lion, Jr., Esquire, Lion Law Offices, 6501 Mechanicsville Turnpike, Suite 105, Mechanicsville, Virginia 23111; David Boies, Esquire, Doswell Limited Partnership, 5301 Wisconsin Avenue, N.W., Washington, D.C. 20015; Archibald Wallace, III, Sands, Anderson, Marks & Miller, P.O. Box 1998, Richmond, Virginia 23218-1998; Evans B. Brasfield, Esquire, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; William G. Thomas, Esquire, 510 King Street, Suite 200, Alexandria, Virginia 22314; Michael L. Sarahan, Office of City Attorney, 900 East Broad Street, Suite 300, Richmond, Virginia 23219; Lisa Yoho, Enron Corporation, 1775 I Street, N.W., Suite 800, Washington, D.C. 20006; Mary A. Hamm, Northern Virginia Electric Cooperative, 10323 Lomond Drive, Manassas, Virginia 20109; James C. Roberts, Esquire, Mays & Valentine, P.O. Box 1122, Richmond, Virginia 23218-1122; and to the Commission's Division of Energy Regulation.

### DEPARTMENT OF ENVIRONMENTAL QUALITY

#### Notice of Public Comment on Muddy Creek TMDL

The Department of Environmental Quality and the Department of Conservation and Recreation seek written comments from interested persons on the draft Total Maximum Daily Load (TMDL) for fecal coliform bacteria on a 10.36 mile segment of Muddy Creek. This impaired segment is located in Rockingham County and extends from the headwaters of Muddy Creek to the confluence with Dry River. Muddy Creek is identified in Virginia's 1998 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for fecal coliform bacteria.

Section 303(d) of the federal Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require the development and implementation of TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

The public comment period will end on Friday, February 5, 1999. Copies of the draft TMDL for fecal coliform bacteria on Muddy Creek can be requested from the person listed below. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Mr. Charles Martin, Department of Environmental Quality, P.O. Box 10009,

Richmond, Virginia, 23240-0009, telephone (804) 698-4462, FAX (804) 698-4136, or e-mail [chmartin@deq.state.va.us](mailto:chmartin@deq.state.va.us).

### Proposed Consent Special Order Town of South Boston

The State Water Control Board proposes to issue a Consent Special Order to the town of South Boston with regard to violations of the town's VPDES permit for the wastewater treatment plant. The proposed order requires the town to implement corrective actions for inflow/infiltration in the wastewater collection system, complete construction of the lime feed system and submit and implement an approvable plan and schedule to upgrade and expand the wastewater treatment facilities which serve the town in order to bring the plant into compliance with the VPDES permit.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive written comments relating to the proposed Consent Special Order until February 3, 1999. Comments should be addressed to Cynthia Akers, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 23060-6295. A copy of the order may be obtained in person or by mail from the above office.

### VIRGINIA CODE COMMISSION

#### Notice to State Agencies

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

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

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

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

#### FORMS:

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



- RR08

## ERRATA

### STATE BOARD OF HEALTH

Title of Regulations: 12 VAC 5-90-10 et seq. Regulations for Disease Reporting and Control.

Publication: 15:6 VA.R. 880-892 December 7, 1998

Corrections to Final Regulation:

Page 882, 12 VAC 5-90-10, column 2, definition of "Waterborne outbreak," line 3 after "or" insert "other"

Page 888, 12 VAC 5-90-90, subsection F, line 1 after "hospitals," strike "nursing homes, homes for adults" and insert "nursing facilities or nursing homes, adult care residences"

Page 888, 12 VAC 5-90-90, subsection F, line 4 after "hospital," strike "nursing home, home for adults" and insert "nursing facility or nursing home, adult care residence"

### DEPARTMENT OF STATE POLICE

Title of Regulation: 19 VAC 30-70-1 et seq. Motor Vehicle Safety Inspection Rules and Regulations.

Publication: 15:2 VA.R. 177-211 October 12, 1998.

Corrections to Final Regulation:

Page 191, Illustrations for Proper Installation of Reflectors, after "At least" delete "24 inches" insert "15 inches"; page 192, illustration, after "At least" delete "24 inches" insert "15 inches"


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# CALENDAR OF EVENTS

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## Symbol Key


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

 Location accessible to handicapped

 Teletype (TTY)/Voice Designation

## NOTICE


Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation.

For additional information on open meetings and public hearings held by the standing committees of the legislature during the interim, please call Legislative Information at (804) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY , or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."


VIRGINIA CODE COMMISSION

## EXECUTIVE

### BOARD FOR ACCOUNTANCY

**January 19, 1999 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Conference Room 5W, Richmond,  
Virginia. 

The board will conduct routine business. A public comment period will be held at the beginning of the meeting.

**Contact:** David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8505, FAX (804) 367-2475 or (804) 367-9753/TTY 

### BOARD OF AGRICULTURE AND CONSUMER SERVICES


**† March 4, 1999 - 9 a.m.** -- Open Meeting  
Department of Agriculture and Consumer Services,  
Washington Building, 1100 Bank Street, 2nd Floor, Board  
Room, Richmond, Virginia. 

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

**Contact:** Roy E. Seward, Secretary to the Board, Department of Agriculture and Consumer Services, P.O. Box 1163, Room 211, Richmond, VA 23218, telephone (804) 786-3535 or FAX (804) 371-7679.

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES


### Virginia State Apple Board

**† January 11, 1999 - 11 a.m.** -- Open Meeting  
Hotel Roanoke, 110 Shenandoah Avenue, Roanoke,  
Virginia. 

A meeting to review past minutes, tax collections, and 1999 General Assembly participation to pass the proposed Code of Virginia changes to the apple law. The board will entertain public comments at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Nancy L. Israel at least five days before the meeting date so that suitable arrangements can be made.

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

### Virginia Horse Industry Board

**† February 5, 1999 - 10 a.m.** -- Open Meeting  
Embassy Suites Hotel, 2925 Emerywood Parkway, 6th Floor,  
Commonwealth Suites, Richmond, Virginia. 

A meeting to review and discuss budget items and marketing plans and projects. The board will entertain public comments at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any special accommodations in order to participate at the meeting should contact Andrea S. Heid at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Andrea S. Heid, Equine Marketing Specialist/Program Manager, Virginia Horse Industry Board, Washington Bldg., 1100 Bank St., Suite 1004, Richmond,

VA 23219, telephone (804) 786-5842 or FAX (804) 371-7786.

## Pesticide Control Board

† **January 14, 1999 - 9 a.m.** -- Open Meeting  
Department of Agriculture and Consumer Services,  
Washington Building, 1100 Bank Street, Board Room 204,  
Richmond, Virginia. ♿

A general business meeting. Portions of the meeting may be held in closed session pursuant to § 2.1-344 of the Code of Virginia. The public will have an opportunity to comment on any matter not on the board's agenda beginning at 9 a.m. Any person who needs any accommodations in order to participate at the meeting should contact Dr. Marvin A. Lawson at least seven days before the meeting date so that suitable arrangements can be made.

**Contact:** Dr. Marvin A. Lawson, Program Manager, Office of Pesticide Services, Department of Agriculture and Consumer Services, 1100 Bank St., Room 401, P.O. Box 1163, Richmond, VA 23218, telephone (804) 371-6558 or toll-free 1-800-552-9963.

## Virginia Plant Pollination Advisory Board

† **February 5, 1999 - 10 a.m.** -- Open Meeting  
Department of Agriculture and Consumer Services,  
Washington Building, 1100 Bank Street, 1st Floor  
Conference Room, Richmond, Virginia. ♿

A regular meeting to receive reports from members on the past year's activity in their respective disciplines as it relates to apiculture, pollination, education and the production of food and fiber in the Commonwealth. The board will also consider matters for the future in the aforementioned categories. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person needing special assistance in order to participate at the meeting should contact Robert G. Wellemeyer at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Robert G. Wellemeyer, Secretary-Treasurer, Virginia Plant Pollination Advisory Board, 234 West Shirley Ave., Warrenton, VA 20186, telephone (540) 347-6380, FAX (540) 347-6384, or (804) 371-6344/TTY ☎

## Virginia Sweet Potato Board

† **February 9, 1999 - 7 p.m.** -- Open Meeting  
Little Italy Restaurant, 10227 Rogers Drive, Nassawadox,  
Virginia. ♿

The board will discuss promotion, research and education programs, the annual budget and other business that may come before the board. The board will entertain public comment at the conclusion of all

other business for a period not to exceed 30 minutes. Any person who needs any special accommodations in order to participate at the meeting should contact J. William Mapp at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** J. William Mapp, Program Director, Virginia Sweet Potato Board, P.O. Box 26, Onley, VA 23418, telephone (757) 787-5867 or FAX (757) 787-5973.

## Virginia Winegrowers Advisory Board

† **January 19, 1999 - 10 a.m.** -- Open Meeting  
Edelmann Scott, Inc., 1111 East Main Street, Suite 1601,  
Richmond, Virginia. ♿

The marketing committee review the board's marketing projects and make recommendations for future projects. The committee will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodations in order to participate at the meeting should contact Mary E. Davis-Barton at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Mary E. Davis-Barton, Secretary, Virginia Winegrowers Advisory Board, Department of Agriculture and Consumer Services, 1100 Bank St., Suite 1010, Richmond, VA 23219, telephone (804) 371-7685 or FAX (804) 786-3122.

† **January 26, 1999 - 10 a.m.** -- Open Meeting  
Department of Agriculture and Consumer Services,  
Washington Building, 1100 Bank Street, 2nd Floor,  
Conference Room, Richmond, Virginia. ♿

A meeting to include committee reports, the treasurer's report and ABC report. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodations in order to participate at the meeting should contact Mary E. Davis-Barton at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Mary E. Davis-Barton, Secretary, Virginia Winegrowers Advisory Board, Department of Agriculture and Consumer Services, 1100 Bank St., Room 1010, Richmond, VA 23219, telephone (804) 371-7685 or FAX (804) 786-3122.

## STATE AIR POLLUTION CONTROL BOARD

**January 7, 1999 - 10 a.m.** -- Open Meeting  
State Capitol, Capitol Square, House Room 4, Richmond,  
Virginia.

A regular meeting of the board.

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# Calendar of Events

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**Contact:** Cindy M. Berndt, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378.

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**January 20, 1999 - 9 a.m.** -- Public Hearing  
Department of Environmental Quality, 629 East Main Street,  
Training Room, First Floor, Richmond, Virginia.

**February 5, 1999** -- Public comments may be submitted  
until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **Regulations for the Control and Abatement of Air Pollution (G-97): 9 VAC 5-40-10 et seq. Existing Stationary Sources; 9 VAC 5-50-10 et seq., New and Modified Stationary Sources; and 9 VAC 5-60-10 et seq., Hazardous Air Pollutant Sources.** The regulation amendments concern provisions covering hazardous pollutants and are summarized below:

With certain exemptions, stationary sources which emit hazardous pollutants and which fall into specified applicability limits shall comply with the specified standard and shall employ a control strategy to achieve that standard. Unlike most other regulations, these contain no definitive emission limits in the emission standards themselves. These regulations do, however, provide significant ambient air concentration guidelines as a mechanism for the board to require the owner, on a case-by-case basis, to reduce emissions after analysis and review by the agency. Subject sources shall also observe the provisions governing the submittal of information, the determination of ambient air concentrations, the compliance options and schedules, and the public participation procedures.

**Request for Comments:** The purpose of this notice is to provide the public with the opportunity to comment on the proposed regulation and the costs and benefits of the proposal.

**Localities Affected:** There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

**Location of Proposal:** The proposal, an analysis conducted by the department (including a statement of purpose, a statement of estimated impact and benefits of the proposed regulation, an explanation of need for the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches) and any other supporting documents may be examined by the public at the department's Office of Program Development (eighth floor), 629 East Main Street, Richmond, Virginia, and the department's regional offices

(listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Southwest Regional Office  
Department of Environmental Quality  
355 Deadmore Street  
Abingdon, Virginia  
Ph: (540) 676-4800

West Central Regional Office  
Department of Environmental Quality  
3019 Peters Creek Road  
Roanoke, Virginia  
Ph: (540) 562-6700

Lynchburg Satellite Office  
Department of Environmental Quality  
7705 Timberlake Road  
Lynchburg, Virginia  
Ph: (804) 582-5120

Valley Regional Office  
Department of Environmental Quality  
4411 Early Road  
Harrisonburg, Virginia 22801  
Ph: (540) 574-7800

Fredericksburg Satellite Office  
Department of Environmental Quality  
300 Central Road, Suite B  
Fredericksburg, Virginia  
Ph: (540) 899-4600

Northern Regional Office  
Department of Environmental Quality  
13901 Crown Court  
Woodbridge, Virginia  
Ph: (703) 583-3800

Piedmont Regional Office  
Department of Environmental Quality  
4949-A Cox Road  
Glen Allen, Virginia  
Ph: (804) 527-5020

Tidewater Regional Office  
Department of Environmental Quality  
5636 Southern Boulevard  
Virginia Beach, Virginia  
Ph: (757) 518-2000

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

Public comments may be submitted until 4:30 p.m., February 5, 1999, to the Director, Office of Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

**Contact:** Kathleen R. Sands, Policy Analyst, Office of Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4413 or FAX (804) 698-4510.

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**January 20, 1999 - 9 a.m.** -- Public Hearing  
Department of Environmental Quality, 629 East Main Street,  
Training Room, First Floor, Richmond, Virginia.

**February 5, 1999** -- Public comments may be submitted  
until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **Regulations for the Control and Abatement of Air Pollution (J-97): 9 VAC 5-80-10 et seq., Permits for Stationary Sources.** The regulation concerns new source review for sources of hazardous air pollutants (HAPs). The regulation applies to the construction or reconstruction of a major source of HAPs. Electric utility steam generating units and research and development activities are specifically exempt.

The regulation encompasses permitting for all potential major sources of HAPs in addition to those affected by § 112(g) of the federal Clean Air Act. Thus, a major source for this rule may be a § 112(g) source, a § 112(i) source, or a 40 CFR Part 61 source.

The regulation addresses the following subjects: applicability; general requirements; permit application requirements; application information required; action on permit applications; public participation; standards and conditions for granting permits; application review and analysis; compliance determination and verification by performance testing; permit invalidation, rescission, revocation and enforcement; existence of permit no defense; compliance with local zoning requirements; transfer of and changes to permits; administrative and minor permit amendments; significant amendment procedures; reopening for cause; requirements for constructed or reconstructed major sources subject to a subsequently promulgated MACT standard or MACT requirements

Request for Comments: The purpose of this notice is to provide the public with the opportunity to comment on the proposed regulation and the costs and benefits of the proposal.

Localities Affected: There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

Location of Proposal: The proposal, an analysis conducted by the department (including a statement of purpose, a statement of estimated impact and benefits of the proposed regulation, an explanation of need for the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches) and any other supporting documents may be examined by the public at the department's Office of Program Development (eighth floor), 629 East Main Street, Richmond, Virginia, and the department's regional offices

(listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Southwest Regional Office  
Department of Environmental Quality  
355 Deadmore Street  
Abingdon, Virginia  
Ph: (540) 676-4800

West Central Regional Office  
Department of Environmental Quality  
3019 Peters Creek Road  
Roanoke, Virginia  
Ph: (540) 562-6700

Lynchburg Satellite Office  
Department of Environmental Quality  
7705 Timberlake Road  
Lynchburg, Virginia  
Ph: (804) 582-5120

Valley Regional Office  
Department of Environmental Quality  
4411 Early Road  
Harrisonburg, Virginia 22801  
Ph: (540) 574-7800

Fredericksburg Satellite Office  
Department of Environmental Quality  
300 Central Road, Suite B  
Fredericksburg, Virginia  
Ph: (540) 899-4600

Northern Regional Office  
Department of Environmental Quality  
13901 Crown Court  
Woodbridge, Virginia  
Ph: (703) 583-3800

Piedmont Regional Office  
Department of Environmental Quality  
4949-A Cox Road  
Glen Allen, Virginia  
Ph: (804) 527-5020

Tidewater Regional Office  
Department of Environmental Quality  
5636 Southern Boulevard  
Virginia Beach, Virginia  
Ph: (757) 518-2000

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

Public comments may be submitted until 4:30 p.m., February 5, 1999, to the Director, Office of Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.


**Contact:** Kathleen R. Sands, Policy Analyst, Office of Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4413 or FAX (804) 698-4510.

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# Calendar of Events

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## BOARD FOR ASBESTOS AND LEAD


**February 23, 1999 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Conference Room 5W, Richmond,  
Virginia. 

A meeting to conduct routine business. Public comment will be received at the beginning of the meeting.

**Contact:** David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2176, FAX (804) 367-2475 or (804) 367-9753/TTY 

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


### State Management Team

**† January 7, 1999 - 9:15 a.m.** -- Open Meeting  
St. Joseph's Villa, 8000 Brook Road, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)


A meeting to discuss recommendations for policy and procedure to the State Executive Council on the Comprehensive Services Act. A 15-minute public comment period will begin at 9:45 a.m.

**Contact:** Elisabeth Hutton, Secretary, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 371-4099.


## AUCTIONEERS BOARD

**† January 12, 1999 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)


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

**Contact:** Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., 5th Floor, Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or (804) 367-9753/TTY 


## BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

**† January 5, 1999 - 10 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Room 3, Richmond, Virginia. 


A meeting of the Advisory Committee on Support Personnel to discuss alternatives to the regulation of support personnel.

**Contact:** Senita Booker, Senior Program Support Technician, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-7390, FAX (804) 662-9523 or (804) 662-7197/TTY 


## BOARD FOR BARBERS

**January 11, 1999 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4th Floor, Conference Room 4  
West, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)


A meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases.

**Contact:** Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY 


## BOARD FOR BRANCH PILOTS

**† January 21, 1999 - 9 a.m.** -- Open Meeting  
Virginia Pilot Association, 3329 Shore Drive, Virginia Beach,  
Virginia.   
(Interpreter for the deaf provided upon request)

A meeting to review and discuss regulations pertaining to impairments. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

**Contact:** Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., 5th Floor, Richmond, VA 23230-4917, telephone (804) 367-8514 or (804) 367-9753/TTY 

## CEMETERY BOARD

**† January 6, 1999 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

A general meeting of the subcommittee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8552, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

† **January 6, 1999 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A general meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8552, FAX (804) 367-2475 or (804) 367-9753/TTY ☎

## CHILD DAY-CARE COUNCIL

† **January 14, 1999 - 9:30 a.m.** -- Open Meeting  
Department of Social Services, 730 East Broad Street, Theater Row Building, Lower Level, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The council will meet to discuss issues and concerns that impact child day centers, camps, school age programs, and preschool/nursery schools. Public comment will be received at noon. Please call for possible change in meeting time.

**Contact:** Rhonda Harrell, Division of Licensing Programs, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1775 or FAX (804) 692-2370.

## STATE CHILD FATALITY REVIEW TEAM

† **January 27, 1999 - 10 a.m.** -- Open Meeting  
400 East Jackson Street, Richmond, Virginia. ♿

A meeting to discuss recommendations based upon a review of 1996 deaths. Topics will include SIDS autopsy and toxicology for children. The meeting will be closed for confidential case reviews from 11 a.m. to 3 p.m.

**Contact:** Suzanne J. Keller, Coordinator, State Child Fatality Review Team, 400 East Jackson St., Richmond, VA 23219, telephone (804) 786-1047, FAX (804) 371-8595 or toll-free 1-800-447-1708.

## STATE BOARD FOR COMMUNITY COLLEGES

**January 20, 1999 - 2:30 p.m.** -- Open Meeting  
Virginia Community College System, James Monroe Building, 101 North 14th Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The following committees will meet at 2:30 p.m. on the 15th and 16th floors via telephonic conference call:  
Academic and Student Affairs Committee  
Audit Committee  
Budget and Finance Committee

The following committees will meet at 3:30 p.m. on the 16th floor via telephonic conference call:  
Facilities Committee  
Personnel Committee

**Contact:** Dr. Joy S. Graham, Assistant Chancellor, Public Affairs, State Board for Community Colleges, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, or (804) 371-8504/TTY ☎

**January 21, 1999 - 9 a.m.** -- Open Meeting  
Virginia Community College System, James Monroe Building, 101 North 14th Street, 16th Floor, Commonwealth Classroom, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Central Virginia Community College, 3506 Wards Road, Lynchburg, Virginia. ♿ (Interpreter for the deaf provided upon request)

Northern Virginia Community College, 6901 Sudley Road, Manassas, Virginia. ♿ (Interpreter for the deaf provided upon request)

Southside Virginia Community College, 109 Campus Drive, Alberta, Virginia. ♿ (Interpreter for the deaf provided upon request)

Virginia Highlands Community College, Route 372 off Rt. 140, Abingdon, Virginia. ♿ (Interpreter for the deaf provided upon request)

Thomas Nelson Community College, 99 Thomas Nelson Drive, Hampton, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting via compressed video network.

**Contact:** Dr. Joy S. Graham, Assistant Chancellor, Public Affairs, State Board for Community Colleges, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, or (804) 371-8504/TTY ☎

## COMPENSATION BOARD

**January 12, 1999 - 2 p.m.** -- Open Meeting  
† **January 28, 1999 - 11 a.m.** -- Open Meeting  
202 North 9th Street, Ninth Street Office Building, 10th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Monthly board meeting.

**Contact:** Cindy P. Waddell, Administrative Staff Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786 or FAX (804) 371-0235.

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# Calendar of Events

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## DEPARTMENT OF CONSERVATION AND RECREATION

### Virginia Cave Board

† **January 9, 1999 - 1 p.m.** -- Open Meeting  
Selu Conference Center, Radford, Virginia.

A regular meeting to discuss issues relating to cave and karst conservation. A public comment period has been set aside on the agenda.

**Contact:** Lawrence R. Smith, Natural Area Protection Manager, Department of Conservation and Recreation, Division of Natural Heritage, 217 Governor St., 3rd Floor, Richmond, VA 23219, telephone (804) 786-7951, FAX (804) 371-2674 or (804) 786-2121/TTY ☎

### Falls of the James Scenic River Advisory Board

**January 7, 1999 - Noon** -- Open Meeting

**February 4, 1999 - Noon** -- Open Meeting

City Hall, 900 East Broad Street, Planning Commission Conference Room, 5th Floor, Richmond, Virginia. ♿  
(Interpreter for the deaf provided upon request)

A meeting to discuss river issues. A public comment period will follow the business meeting.

**Contact:** Richard G. Gibbons, Environmental Program Manager, Department of Conservation and Recreation, Division of Planning and Recreation Resources, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-4132, FAX (804) 371-7899 or (804) 786-2121/TTY ☎

## BOARD FOR CONTRACTORS

† **January 5, 1999 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A regular meeting of the Tradesman Committee to consider items of interest relating to the Tradesmen Section of the Board for Contractors. Special interest will be on the LPGas Fitter statute that goes into effect on July 1, 1999.

**Contact:** George Bridewell, Administrator, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2607 or FAX (804) 367-2474.

† **January 5, 1999 - 1 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Manufactured Housing Committee to review matters involved in the licensing of modular/mobile/manufactured building contractors centering on the manufactured housing installers.

**Contact:** George Bridewell, Administrator, Board for Contractors, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2607 or FAX (804) 367-2474.

† **January 13, 1999 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A regularly scheduled meeting of the board to address policy and procedural issues; review and render case decisions on matured complaints against licensees; and discuss other matters which may require board action. The meeting is open to the public; however, a portion of the board's business may be discussed in executive session. The department fully complies with the Americans with Disabilities Act. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Geralde W. Morgan.

**Contact:** Geralde W. Morgan, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-2785, FAX (804) 367-2474 or (804) 367-9753/TTY ☎

## BOARD OF DENTISTRY

† **January 6, 1999 - 1:30 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

An ad hoc committee will meet with the Department of Health's dental division director to address oral health procedures administered to school children. Public comment will be received.

**Contact:** Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

† **January 6, 1999 - 3 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Legislative/Regulatory Committee to review petitions for rulemaking. Public comment will be received at the beginning of the meeting.

**Contact:** Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

† **January 7, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)



A business meeting to receive committee reports, and to review consent orders, minutes, and general requests made to the board. The board will also receive an explanation of Executive Order 28 (98). Public comment will be received at the beginning of the meeting.

**Contact:** Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

† **January 8, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A panel of the board will conduct formal hearings in the matter of disciplinary cases. No public comment will be received.

**Contact:** Marcia J. Miller, Executive Director, Board of Dentistry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906, FAX (804) 662-9943 or (804) 662-7197/TTY ☎

## VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP

### Virginia Tourism Corporation

**January 5, 1999 - 11 a.m.** -- Open Meeting  
Virginia Economic Development Partnership, 901 East Byrd Street, Riverfront Plaza, West Tower, 19th Floor, Board Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Board of Directors to discuss strategic planning and budgets related to the Virginia Tourism Corporation. The agenda is available upon request. Public comment will be taken at the beginning of the meeting.

**Contact:** Judy H. Bulls, Assistant to the President and CEO, Virginia Tourism Corporation, 901 East Byrd St., Richmond, VA 23219, telephone (804) 371-8174, FAX (804) 786-1919 or (804) 371-0327/TTY ☎

**January 6, 1999 - 10 a.m.** -- Open Meeting  
Virginia Economic Development Partnership, 901 East Byrd Street, Riverfront Plaza, West Tower, 19th Floor, Board Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Motion Picture Development Committee of the Virginia Tourism Corporation Board to discuss and finalize the production incentive plan. The agenda is available upon request. Public comment will be taken at the beginning of the meeting.

**Contact:** Judy H. Bulls, Assistant to the President and CEO, Virginia Tourism Corporation, 901 East Byrd St., Richmond, VA 23219, telephone (804) 371-8174, FAX (804) 786-1919 or (804) 371-0327/TTY ☎

## BOARD OF EDUCATION

**January 7, 1999 - 8 a.m.** -- Open Meeting  
Department of Education, James Monroe Building, 101 North 14th Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The Board of Education and the Board of Vocational Education will hold a regularly scheduled meeting. The agenda is available upon request.

**Contact:** Dr. James E. Laws, Jr., Executive Assistant, Department of Education, Monroe Bldg., 101 N. 14th St., P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, FAX (804) 225-2524 or toll-free 1-800-292-3820.

## LOCAL EMERGENCY PLANNING COMMITTEE - CHESTERFIELD COUNTY

**January 7, 1999 - 5:30 p.m.** -- Open Meeting  
6610 Public Safety Way, Chesterfield, Virginia.

A regular meeting.

**Contact:** Lynda G. Furr, Emergency Services Coordinator, Chesterfield Fire Department, P.O. Box 40, Chesterfield, VA 23832, telephone (804) 748-1236.

## DEPARTMENT OF ENVIRONMENTAL QUALITY

**January 5, 1999 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, 5th Floor, Conference Room, Richmond, Virginia. ♿

The department is establishing an ad hoc advisory group to assist DEQ staff in considering whether to propose amendments to the water quality standards to address four Environmental Protection Agency (EPA) issues of concern which were unresolved during the 1997 triennial review of the regulation: application of EPA dissolved conversion factors to numerical criteria for metals, provision of specific protection to endangered and threatened species in mixing zones, updates to the listing of endangered species, and application of the antidegradation policy to all state activities (including nonpoint source activities). Other meetings of the advisory group have been scheduled at the same location and meeting time on January 11, January 20, February 3, and February 9 and 10, 1999; however, these dates are not firm and are subject to change if weather conditions prevent travel on these dates. Persons interested in attending the meetings of this committee should confirm the dates with Jean W. Gregory.

**Contact:** Jean W. Gregory, Environmental Program Manager, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4113, FAX (804) 698-4522 or toll-free 1-800-592-5482.

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# Calendar of Events


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† **January 6, 1999 - 7 p.m.** -- Public Hearing  
City Council Chambers, C.T. Yancey Municipal Building, 250 South Wayne Avenue, Room 210, Waynesboro, Virginia.

A public hearing on the draft post-closure permit for Genicom Corporation in Waynesboro.

**Contact:** Glenn von Gonten, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4231.

## Virginia Ground Water Protection Steering Committee

† **January 19, 1999 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. 

A regularly scheduled meeting. Anyone interested in ground water protection issues is encouraged to attend. To obtain a meeting agenda, contact Mary Ann Massie.

**Contact:** Mary Ann Massie, Environmental Program Planner, Department of Environmental Quality, P. O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4042 or FAX (804) 698-4032.

## VIRGINIA FIRE SERVICES BOARD

**January 14, 1999 - 7 p.m.** -- Public Hearing  
Salem Civic Center, 1001 Roanoke Boulevard, Parlor A, Salem, Virginia.


**February 11, 1999 - 7:30 p.m.** -- Public Hearing  
Virginia Air National Guard Base, Sandston, Virginia.

**February 25, 1999 - 7:30 p.m.** -- Public Hearing  
Doubletree Hotel, 1900 Pavilion Drive, Virginia Beach, Virginia.

A public hearing to discuss fire training and policies. The hearing is open to the public for comments and input. Comments will be heard at the beginning of the meeting.


**Contact:** Troy H. Lapetina, Executive Director, Department of Fire Programs, James Monroe Bldg., 101 N. 14th St., 18th Floor, Richmond, VA 23219, telephone (804) 371-0220.


## BOARD OF FORESTRY

† **January 11, 1999 - Noon** -- Open Meeting  
Department of Forestry, Fontaine Research Park, 900 Natural Resources Drive, Charlottesville, Virginia.   
(Interpreter for the deaf provided upon request)


Introduction to and overview of programs and the budget process.

**Contact:** Barbara A. Worrell, Administrative Staff Specialist, Department of Forestry, P.O. Box 3758, Charlottesville, VA


22903-0758, telephone (804) 977-6555, FAX (804) 977-7749 or (804) 977-6555/TTY 

† **January 12, 1999 - 8:30 a.m.** -- Open Meeting  
Department of Forestry, Fontaine Research Park, 900 Natural Resources Drive, Charlottesville, Virginia.   
(Interpreter for the deaf provided upon request)


A meeting to conduct organizational activities, election of officers, and conduct general business.


**Contact:** Barbara A. Worrell, Administrative Staff Specialist, Department of Forestry, P.O. Box 3758, Charlottesville, VA 22903, telephone (804) 977-6555, FAX (804) 977-7749 or (804) 977-6555/TTY 

## BOARD OF FUNERAL DIRECTORS AND EMBALMERS


**January 7, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

A general board meeting. Public comment will be received during the first 15 minutes of the meeting.

**Contact:** Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9523 or (804) 662-7197/TTY 


**January 25, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. 

A meeting of the Special Conference Committee to hold informal hearings. Public comment will not be received.

**Contact:** Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9523 or (804) 662-7197/TTY 

## DEPARTMENT OF GENERAL SERVICES

### Design-Build/Construction Management Review Board

**January 18, 1999 - 11 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

A meeting of the board to review requests submitted by localities for the use of the design-build or construction management type of contract. Public comments will be taken. The chairman may cancel the meeting if there is no business for the board's consideration. Please contact Sandra H. Williams at the Division of Engineering and Buildings to confirm meeting date and time.

**Contact:** Sandra H. Williams, Administrative Assistant, Department of General Services, Division of Engineering and Buildings, 805 E. Broad St., Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934 or (804) 786-6152/TTY ☎

## BOARD FOR GEOLOGY

† **January 21, 1999 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia. ♿

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least two weeks in advance of the meeting. The department fully complies with the Americans with Disabilities Act.

**Contact:** William H. Ferguson, II, Board Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2406, FAX (804) 367-2475, or (804) 367-9753/TTY ☎

## DEPARTMENT OF HEALTH

**January 22, 1999 - 10 a.m.** -- Public Hearing  
Department of Health, 1500 East Main Street, Main Street Station, Room 223, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A public hearing to review and receive comments on the Department of Health's 1999 Comprehensive Plan for HIV Care Grant moneys under Title II of the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (as amended in 1996). See the General Notices section of this issue of the Register for details.

**Contact:** Kathryn A. Hafford, R.N., MS, Assistant Director, Health Care Services, Department of Health, P.O. Box 2448, Room 112, Richmond, VA 23219, telephone (804) 225-4845, FAX (804) 225-3517 or toll-free 1-800-533-4148.

## Biosolids Use Information Committee

† **January 21, 1999 - 1 p.m.** -- Open Meeting  
UVA Richmond Center, 7740 Shrader Road, Suite E,  
Richmond, Virginia. ♿

A meeting immediately following the 10 a.m. Biosolids Use Regulations Advisory Committee meeting to evaluate specific concerns relating to the land application and agricultural use of biosolids, including the final Biosolids Use Regulations and the land application, marketing or distribution of biosolids.

**Contact:** C. M. Sawyer, Director, Division of Wastewater Engineering, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-1755 or FAX (804) 786-5567.

## Biosolids Use Regulations Advisory Committee

† **January 21, 1999 - 10 a.m.** -- Open Meeting  
UVA Richmond Center, 7740 Shrader Road, Suite E,  
Richmond, Virginia. ♿

A meeting to discuss issues concerning the implementation of the Biosolids Use Regulations involving land application, distribution or marketing of biosolids.

**Contact:** C. M. Sawyer, Director, Division of Wastewater Engineering, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-1755 or FAX (804) 371-2891.

## BOARD OF HEALTH PROFESSIONS

**January 6, 1999 - 10 a.m.** -- Public Hearing  
Department of Health Professions, 6606 West Broad Street,  
5th Floor, Conference Room 1, Richmond, Virginia.

**January 22, 1999** -- Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Health Professions intends to consider amending regulations entitled: **18 VAC 75-20-10 et seq. Regulations Governing Practitioner Self-Referral.** The purpose of the proposed amendments is to simplify the process for administration of the Practitioner Self-Referral Act (§ 54.1-2410 et seq. of the Code of Virginia) and to eliminate a standing committee of the board to consider applications for advisory opinions or exceptions to the Act.

Statutory Authority: § 54.1-2412 of the Code of Virginia.

**Contact:** Elizabeth A. Carter Ph.D., Deputy Executive Director, Board of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9915 or FAX (804) 662-9114.

## BOARD FOR HEARING AID SPECIALISTS

**January 26, 1999 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4th Floor, Conference Room 4  
West, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review and other matter requiring board action, including disciplinary cases.

**Contact:** Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY ☎

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# Calendar of Events

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## STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

**January 19, 1999 - 8:30 a.m.** -- Open Meeting  
State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, 9th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

**February 16, 1999 - 8:30 a.m.** -- Open Meeting  
Martha Washington College, Fredericksburg, Virginia. (Interpreter for the deaf provided upon request)

Committee meetings followed by the council meeting at 1 p.m.

**Contact:** Pamela H. Landrum, Administrative Staff Assistant, State Council of Higher Education, James Monroe Bldg., 101 N. 14th St., 9th Floor, Richmond, VA 23219, telephone (804) 225-2602 or FAX (804) 371-7911.

## HOPEWELL INDUSTRIAL SAFETY COUNCIL

**January 5, 1999 - 9 a.m.** -- Open Meeting

**February 2, 1999 - 9 a.m.** -- Open Meeting  
Hopewell Community Center, 100 West City Point Road, Hopewell, Virginia. (Interpreter for the deaf provided upon request)

Local Emergency Preparedness Committee meeting on emergency preparedness as required by SARA Title III.

**Contact:** Robert Brown, Emergency Services Coordinator, 300 N. Main St., Hopewell, VA 23860, telephone (804) 541-2298.

## STATEWIDE INDEPENDENT LIVING COUNCIL

**January 13, 1999 - 10 a.m.** -- Open Meeting  
Department for the Visually Handicapped, 395 Azalea Avenue, Library and Resource Center, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A quarterly meeting.

**Contact:** Jim Rothrock, Statewide Independent Living Council Staff, 1802 Marriott Rd., Richmond, VA 23229, telephone (804) 673-0119, FAX (804) 282-7112, toll-free 1-800-552-5019/Voice/TTY , or e-mail jarothrock@aol.com.

## VIRGINIA ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

**January 12, 1999 - 9:30 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Meeting Room C, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct regular business, including consideration of recommendations from the State Song Subcommittee and the Visual Quality Committee, and to

decide on any legislative initiatives for 1999 that the commission may undertake.

**Contact:** Adele MacLean, Secretary, Virginia Advisory Commission on Intergovernmental Relations, 805 E. Broad St., Room 702, Richmond, VA 23219, telephone (804) 786-6508, FAX (804) 371-7999 or (804) 786-1860/TTY

## COMMISSION ON LOCAL GOVERNMENT

**January 11, 1999 - 10 a.m.** -- Open Meeting  
Commission on Local Government, Eighth Street Office Building, 805 East Broad Street, Room 702, Richmond, Virginia.

A regular meeting of the commission.

**Contact:** Barbara Bingham, Administrative Assistant, Commission on Local Government, Eighth Street Office Bldg., 805 E. Broad St., Room 702, Richmond, VA 23219-1924, telephone (804) 786-6508, FAX (804) 371-7999 or (804) 786-1860/TTY

## MARINE RESOURCES COMMISSION

**January 26, 1999 - 9:30 a.m.** -- Open Meeting

**February 23, 1999 - 9:30 a.m.** -- Open Meeting

**March 23, 1999 - 9:30 a.m.** -- Open Meeting  
Marine Resources Commission, 2600 Washington Avenue, Room 403, Newport News, Virginia. (Interpreter for the deaf provided upon request)

The commission will hear and decide the following marine environmental matters at 9:30 a.m.: permit applications for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of local wetland board decisions; and policy and regulatory issues. The commission will hear and decide the following fishery management items at approximately noon: regulatory proposals and fishery management plans; fishery conservation issues; licensing; and shellfish leasing. Amendments to 4 VAC 20-720-10 et seq., Pertaining to Restrictions on Oyster Harvest, will be considered at the December 21 meeting only. Meetings are open to the public. Testimony will be taken under oath from parties addressing agenda items on permits and licensing. Public comments will be taken on resource matters, regulatory issues and items scheduled for public hearing.

**Contact:** LaVerne Lewis, Secretary to the Commission, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607-0756, telephone (757) 247-2261, toll-free 1-800-541-4646 or (757) 247-2292/TTY

## BOARD OF MEDICAL ASSISTANCE SERVICES


**January 5, 1999 - 10 a.m.** -- Open Meeting

Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, Virginia.


A meeting to discuss medical assistance services policy and to take action on issues pertinent to the board.


**Contact:** Amy M. Atkinson, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854 or FAX (804) 371-4981.

## BOARD OF MEDICINE


**January 6, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


The Advisory Committee on Acupuncturists will discuss regulatory review of 18 VAC 85-110-10 et seq., Licensed Acupuncturists, and such other issues which may be presented. The committee will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY 

**January 6, 1999 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Advisory Committee on Radiologic Technologists will review public comments and make recommendations to the board regarding 18 VAC 85-101-10 et seq., Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.


**Contact:** Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY 

**January 7, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


The Advisory Board on Occupational Therapy will review public comments and make recommendations to the board regarding the regulatory review of 18 VAC 85-80-10 et seq., Regulations for Certification of Occupational Therapists, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.


**Contact:** Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717,

telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY 


**January 7, 1999 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


The Advisory Board on Respiratory Care will review public comments and make recommendations to the board regarding the regulatory review of 18 VAC 85-40-10 et seq., Regulations Governing the Practice of Respiratory Therapy Practitioners, and such other issues which may be presented.

**Contact:** Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY 


**January 8, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Advisory Board on Physical Therapy will review public comments and make recommendations to the board regarding the regulatory review of 18 VAC 85-31-10 et seq., Regulations Governing the Practice of Physical Therapy, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY 

**January 8, 1999 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Board Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Advisory Committee on Physician Assistants will review public comments and make recommendations to the board regarding the regulatory review of 18 VAC 85-50-10 et seq., Regulations Governing the Practice of Physician Assistants, and such other issues which may be presented. The committee will entertain public comments during the first 15 minutes on agenda items.

**Contact:** Warren W. Koontz, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY 

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# Calendar of Events

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## Informal Conference Committee

† **January 5, 1999 - 12:30 p.m.** -- Open Meeting  
† **January 6, 1999 - 8 a.m.** -- Open Meeting  
† **January 12, 1999 - 8 a.m.** -- Open Meeting  
† **January 19, 1999 - 8 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.

**January 7, 1999 - 10 a.m.** -- Open Meeting  
Roanoke Airport Marriott, 2801 Hershberger Road, Roanoke, Virginia.

† **January 13, 1999 - 9 a.m.** -- Open Meeting  
Sheraton Inn, 2801 Plank Road, Fredericksburg, Virginia.

† **January 28, 1999 - 9 a.m.** -- Open Meeting  
Clarion Hotel, Pembroke Corporate Center, 4453 Bonney Road, Virginia Beach, Virginia.

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

**Contact:** Karen W. Perrine, Deputy Executive Director, Board of Medicine, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-7693, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

## MOTOR VEHICLE DEALER BOARD

† **January 18, 1999 - 9 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Committees of the board will meet as follows:  
Transaction Recovery Fund Committee - 9 a.m.  
Licensing Committee - 10 a.m.  
Special joint committee meeting of Licensing and Dealer Practices Committees - 11 a.m.  
Dealer Practices Committee - 1 p.m.  
Advertising Committee - 3 p.m.

**Contact:** Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100 or FAX (804) 367-1053.

† **January 19, 1999 - 8:30 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Committees and the full board will meet as follows:  
Finance Committee - 8:30 a.m. -- Room 702  
Franchise Law Committee - 9 a.m. -- Executive Conference Room, 7th Floor  
Full board - 9:30 a.m. -- Room 702

**Contact:** Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100 or FAX (804) 367-1053.

## VIRGINIA MUSEUM OF FINE ARTS

**January 5, 1999 - 8 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main Lobby, Conference Room, Richmond, Virginia. ♿

A monthly work session of the Executive Committee.

**Contact:** Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221-2466, telephone (804) 367-0553 or FAX (804) 367-2633.

## VIRGINIA MUSEUM OF NATURAL HISTORY

† **January 28, 1999 - 9 a.m.** -- Open Meeting  
The Jefferson Hotel, Franklin and Adams Street, Richmond, Virginia. ♿

A meeting of the Board of Trustees to include reports from the development, executive, finance, legislative, marketing, nominating, outreach, personnel, planning and facilities, and research and collections committees. Public comment will be received following approval of the minutes of the November meeting.

**Contact:** Rhonda J. Knighton, Executive Assistant, Virginia Museum of Natural History, 1001 Douglas Ave., Martinsville, VA 24112, telephone (540) 666-8600 or (540) 666-0360, or (540) 666-8638/TTY ☎

## BOARD OF NURSING HOME ADMINISTRATORS

† **January 6, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. ♿

A board meeting to discuss general business. Public comments will be received for 15 minutes prior to the beginning of the meeting.

**Contact:** Senita Booker, Administrative Staff Assistant, Board of Nursing Home Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9523 or (804) 662-7197/TTY ☎


## OLD DOMINION UNIVERSITY

† **January 25, 1999 - 3 p.m.** -- Open Meeting  
Old Dominion University, Webb University Center, Norfolk, Virginia. ♿ (Interpreter for the deaf provided upon request)


A monthly meeting of the Executive Committee of the governing board to discuss business of the University as determined by the Rector and President of the University. The meeting is subject to cancellation.

**Contact:** Donna W. Meeks, Secretary to the Board of Visitors, 204 New Administration Building, Norfolk, VA 23529, telephone (757) 683-3072 or FAX (757) 683-5679.


## BOARD FOR OPTICIANS

† **February 12, 1999 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


An open meeting to discuss regulatory review, disciplinary cases and other matters requiring board action.

**Contact:** Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TTY 


## BOARD OF OPTOMETRY

† **January 15, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


Special conference hearings. This is a public meeting; however, public comment will not be received.


**Contact:** Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-7098 or (804) 662-7197/TTY 

## VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES

† **February 17, 1999 - 1 p.m.** -- Open Meeting  
202 North Ninth Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Executive Committee will meet to discuss business and prepare for the February 18 board meeting.

**Contact:** Thomas Ariail, Business Manager, Virginia Board for People with Disabilities, 202 N. Ninth St., 9th Floor, Richmond, VA 23219, telephone (804) 786-0016/TTY , FAX (804) 786-1118 or toll-free 1-800-846-4464.


† **February 18, 1999 - 9 a.m.** -- Open Meeting  
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The full board will meet at 9 a.m. The Education, Community Living and Employment Committees will meet at 12:30 p.m. to discuss business and prepare for the afternoon business meeting. The board will reconvene at 2:45 p.m. to hold a public comment period.


Consumers, family members, and service providers are encouraged to comment on the needs and issues facing people with disabilities in Virginia.

**Contact:** Thomas Ariail, Business Manager, Virginia Board for People with Disabilities, 202 N. Ninth St., 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118 or toll-free 1-800-846-4464.


## BOARD OF PHARMACY

† **January 12, 1999 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 

A meeting of the Special Conference Committee to conduct informal conferences. Public comment will not be received.


**Contact:** Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9911, FAX (804) 662-9313 or (804) 662-7197/TTY 

## VIRGINIA RACING COMMISSION

† **January 20, 1999 - 9:30 a.m.** -- Open Meeting  
Tyler Building, 1300 East Main Street, Richmond, Virginia. 

A monthly meeting of the commission including a segment for public participation and a review of proposed regulation, 11 VAC 10-60-10 et seq., Participants, and the public comments received by the commission.


**Contact:** William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Rd., New Kent, VA 23124, telephone (804) 966-7400 or FAX (804) 966-7418.

† **February 17, 1999 - 9:30 a.m.** -- Open Meeting  
Tyler Building, 1300 East Main Street, Richmond, Virginia. 

A monthly meeting of the commission including a segment for public participation and a report from Colonial Downs.

**Contact:** William H. Anderson, Policy Analyst, Virginia Racing Commission, 10700 Horsemen's Rd., New Kent, VA 23124, telephone (804) 966-7400 or FAX (804) 966-7418.

## REAL ESTATE BOARD

† **January 11, 1999 - 8:30 a.m.** -- Open Meeting  
Department of Alcoholic Beverage Control, Alexandria Regional Office, 501 Montgomery Street, Alexandria, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to conduct informal fact-finding conferences pursuant to the Administrative Process Act (§ 9-6.14:11 of the Code of Virginia). Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two

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# Calendar of Events

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weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

**Contact:** Debbie A. Amaker, Legal Assistant, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8582, FAX (804) 367-2179, or (804) 367-9753/TTY ☎

† **January 14, 1999 - 8 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A general business meeting of the Education Committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, or (804) 367-9753/TTY ☎

† **January 14, 1999 - 8 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A general business meeting of the Fair Housing Committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, or (804) 367-9753/TTY ☎

**January 14, 1999 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY ☎

**January 14, 1999 - 2 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A general business meeting of the Time-Share Advisory Committee. Persons desiring to participate in the meeting and requiring special accommodations or

interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8526, FAX (804) 367-2475, or (804) 367-9753/TTY ☎

## BOARD OF REHABILITATIVE SERVICES

**January 28, 1999 - 9:30 a.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly business meeting.

**Contact:** Barbara G. Tyson, Administrative Staff Assistant, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box 300 K, Richmond, VA 23288-0300, telephone (804) 662-7010, toll-free 1-800-552-5019 or 1-800-662-7000/TTY ☎

## RICHMOND HOSPITAL AUTHORITY

† **January 22, 1999 - 11 a.m.** -- Open Meeting  
Richmond Nursing Home, 1900 Cool Lane, 2nd Floor Classroom, Richmond, Virginia. ♿

A monthly board meeting of the Board of Commissioners to discuss nursing home operations and related matters.

**Contact:** Marilyn H. West, Chairman, Richmond Hospital Authority, P.O. Box 548, 700 E. Main St., Suite 904, Richmond, VA 23219-0548, telephone (804) 782-1938.

## STATE BOARD OF SOCIAL SERVICES

† **January 27, 1999 - 9 a.m.** -- Open Meeting  
Department of Social Services, 730 East Broad Street, Theater Row Building, Richmond, Virginia. ♿

A work session and formal business meeting. Public comment will be received at 9:30 a.m.

**Contact:** Pat Rengnerth, Administrative Staff Specialist, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1826, FAX (804) 692-1949, toll-free 1-800-552-3431, or toll-free 1-800-552-7096/TTY ☎

## VIRGINIA COMMERCIAL SPACE FLIGHT AUTHORITY


† **January 12, 1999 - 10 a.m.** -- Open Meeting  
Old Dominion University, Webb Center, Norfolk, Virginia. ♿ (Interpreter for the deaf provided upon request)



A quarterly meeting of the governing board to discuss business of the authority as determined by the chairman and executive director of the authority.


**Contact:** Robert G. Templin, Jr., Center for Innovative Technology, 2214 Rock Hill Rd., Suite 600, Herndon, VA 20170, telephone (703) 689-3010 or FAX (703) 689-3001.

## COMMONWEALTH TRANSPORTATION BOARD

† **January 20, 1999 - 2 p.m.** -- Open Meeting  
Department of Transportation, 1401 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A work session of the board and the Department of Transportation staff.


**Contact:** Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.

† **January 21, 1999 - 10 a.m.** -- Open Meeting  
Department of Transportation, 1401 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A monthly meeting of the board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system and any other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for public comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact Department of Transportation Public Affairs at (804) 786-2715 for schedule.

**Contact:** Shirley J. Ybarra, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675.


## TREASURY BOARD

**January 21, 1999 - 9 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, Treasury Board Room, 3rd Floor, Richmond, Virginia. 

A regular business meeting.

**Contact:** Gloria J. Hatchel, Administrative Assistant, Department of the Treasury, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 371-6011.


## BOARD FOR THE VISUALLY HANDICAPPED

**January 19, 1999 - 1 p.m.** -- Open Meeting  
Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A quarterly meeting to receive information regarding department activities and operations, review expenditures from the board's institutional fund, and discuss other issues raised by board members.

**Contact:** Katherine C. Proffitt, Executive Secretary Senior, Board for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3140, FAX (804) 371-3351, toll-free 1-800-622-2155, or (804) 371-3140/TTY 


## VIRGINIA WAR MEMORIAL FOUNDATION

**January 12, 1999 - Noon** -- Open Meeting  
Virginia War Memorial, 621 South Belvidere Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting of the Board of Trustees.

**Contact:** Sandra H. Williams, Administrative Assistant, Department of General Services, 805 E. Broad St., Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934 or (804) 786-6152/TTY 


## BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

**January 8, 1999 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia. 

The board will conduct routine business. A public comment period will be held at the beginning of the meeting.

**Contact:** David E. Dick, Assistant Director, Board for Waste Management Facility Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-2475 or (804) 367-9753/TTY 

## VIRGINIA WASTE MANAGEMENT BOARD

† **January 8, 1999 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Technical Advisory Committee to discuss the development of the proposed Regulation for Transportation of Solid and Medical Wastes on State Waters, 9 VAC 20-170-10 et seq.

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# Calendar of Events

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**Contact:** Lily Choi, Environmental Engineer Senior, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4054 or FAX (804) 698-4032.

## STATE WATER CONTROL BOARD

**January 8, 1999 - 10 a.m.** -- Public Hearing  
Department of Environmental Quality, Piedmont Regional Office Training Room, 4949-A Cox Road, Glen Allen, Virginia.

**January 25, 1999** -- Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled: **9 VAC 25-190-10 et seq. Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Nonmetallic Mineral Mining.** The purpose of the proposed amendment is to reissue a general VPDES permit for nonmetallic mineral mining for another five-year period. The current general permit expires on June 30, 1999. Minor modifications to the general permit have also been made.

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


**Contact:** Michael B. Gregory, Environmental Engineer Senior, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4065 or FAX (804) 698-4032.

† **January 19, 1999 - 7 p.m.** -- Public Hearing  
Wickham Building, 7497 County Complex Road, Hanover, Virginia.

A public hearing to receive comments on the proposed issuance of a VPDES permit to the County of Hanover for the proposed Totopotomoy Wastewater Treatment Plant.


**Contact:** Allan Brockenbrough, Department of Environmental Quality, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5027.

## BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS


**January 14, 1999 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5W, Richmond, Virginia. 

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


**Contact:** David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad

St., Richmond, VA, telephone (804) 367-8505, FAX (804) 367-2475 or (804) 367-9753/TTY 

## STATEWIDE WORKFORCE TRAINING COUNCIL


**January 11, 1999 - 10 a.m.** -- Open Meeting  
Virginia Community College System, James Monroe Building, 101 North 14th Street, 15th Floor, Godwin-Hamel Board Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The first meeting of the Statewide Workforce Training Council.


**Contact:** Dr. Joy S. Graham, Assistant Chancellor, Public Affairs, State Board for Community Colleges, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 225-2126, FAX (804) 371-0085, or (804) 371-8504/TTY 

## LEGISLATIVE


### JOINT COMMITTEE STUDYING THE STATUS AND NEEDS OF AFRICAN-AMERICAN MALES IN VIRGINIA (SJR 189, 1998)

† **January 12, 1999 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least seven days prior to the meeting.

**Contact:** Patricia J. Lung, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 

### COMMISSION ON THE CONDITION AND FUTURE OF VIRGINIA'S CITIES (HJR 432)

† **January 5, 1999 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting of the commission will be held at 2 p.m. Subcommittees will meet as follows:

Subcommittee #1 - Summit  
General Assembly Building, 5th Floor West Conference Room - 10 a.m.

Subcommittee #2 - Legal and Governing Structures  
State Capitol, House Room 1 - 10 a.m.

Subcommittee #3 - Finances and Fiscal Issues  
State Capitol, House Room 4 - 11:30 a.m.

Subcommittee #4 - Services and Needs  
General Assembly Building, 4th Floor Conference Room  
- 10 a.m.

Questions regarding the meeting should be directed to Jeff Sharp or Nikki Rovner, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact Barbara Regen at least 10 working days prior to the meeting.

**Contact:** Barbara L. Regen, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## **SPECIAL JOINT SUBCOMMITTEE OF THE SENATE COMMITTEE ON EDUCATION AND HEALTH AND THE HOUSE COMMITTEE ON HEALTH, WELFARE AND INSTITUTIONS TO STUDY THE CERTIFICATE OF PUBLIC NEED**

† **January 12, 1999 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least 10 working days prior to the meeting.

**Contact:** Brian B. Taylor, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

## **JOINT COMMISSION ON HEALTH CARE**

† **January 6, 1999 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Individuals requiring interpreter services or other special assistance should contact Kimberly Rockhold at least 10 working days prior to the meeting, or access information on the joint commission at <http://legis.state.va.us/jchc/jchchome.htm>.

**Contact:** Kimberly Rockhold, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎ or Joint Commission on Health Care (804) 786-5445.

## **COMMISSION ON ACCESS AND DIVERSITY IN HIGHER EDUCATION IN VIRGINIA (HJR 226, 1998)**

† **January 14, 1999 - 8 a.m.** -- Open Meeting  
General Assembly Building, 910 Capitol Square, House Room C, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Please call Brenda Edwards, Division of Legislative Services, (804) 786-3591, with any questions regarding the agenda. Individuals requiring interpreter services or special assistance should contact Dawn Smith at least 10 working days prior to the meeting.

**Contact:** Dawn B. Smith, Committee Operations, House of Delegates, State Capitol, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## **JOINT SUBCOMMITTEE STUDYING REMEDIATION (HJR 62, 1998)**

† **January 4, 1999 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. Questions regarding the meeting should be addressed to Brenda Edwards, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other special assistance should contact the committee operations office at least 10 working days prior to the meeting. Persons making audiovisual presentation to the committee should call for specifications.

**Contact:** Dawn B. Smith, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

## **JOINT COMMISSION ON TECHNOLOGY AND SCIENCE AND HOUSE COMMITTEE ON SCIENCE AND TECHNOLOGY**

**January 13, 1999 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The full commission and House Committee will review, sign, and file the Joint Commission's legislative package for the 1999 Session. The proposed agenda will be posted on the commission's webpage at <http://legis.state.va.us/jcots/jcots.htm> one week before the meeting.

**Contact:** Diane E. Horvath, Director, Joint Commission on Technology and Science, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169 or e-mail [DHorvath@leg.state.va.us](mailto:DHorvath@leg.state.va.us).

## **CHRONOLOGICAL LIST**

### **OPEN MEETINGS**

**January 4, 1999**

† Remediation, Joint Subcommittee Studying

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# Calendar of Events

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## January 5

- † Audiology and Speech-Language Pathology, Board of
- † Cities, Commission on the Condition and Future of Virginia's
- † Contractors, Board for
  - Manufactured Housing Committee
  - Tradesman Committee
- Economic Development Partnership, Virginia
  - Virginia Tourism Corporation
- Environmental Quality, Department of
  - Ad Hoc Advisory Group
- Hopewell Industrial Safety Council
- Medical Assistance Services, Board of
- † Medicine, Board of
  - Informal Conference Committee
- Museum of Fine Arts, Virginia
  - Executive Committee

## January 6

- † Cemetery Board
- † Dentistry, Board of
  - Ad Hoc Committee
  - Legislative/Regulatory Committee
- Economic Development Partnership, Virginia
  - Motion Picture Development Committee
- † Health Care, Joint Commission on
- Medicine, Board of
  - Advisory Committee on Acupuncturists
  - Advisory Committee on Radiologic Technologists
  - Informal Conference Committee
- † Nursing Home Administrators, Board of

## January 7

- Air Pollution Control Board, State
- † At-Risk Youth and Their Families, Comprehensive Services for
  - State Management Team
- Conservation and Recreation, Department of
  - Falls of the James Scenic River Advisory Board
- † Dentistry, Board of
- Education, Board of
- Emergency Planning Committee, Local - Chesterfield County
- Funeral Directors and Embalmers, Board of
- Medicine, Board of
  - Informal Conference Committee
  - Advisory Board on Occupational Therapy
  - Advisory Board on Respiratory Care

## January 8

- † Dentistry, Board of
- Medicine, Board of
  - Advisory Board on Physical Therapy
  - Advisory Committee on Physician Assistants
- † Waste Management Board, Virginia
  - Technical Advisory Committee
- Waste Management Facility Operators, Board for

## January 9

- † Conservation and Recreation, Department of
  - Virginia Cave Board

## January 11

- † Agriculture and Consumer Services, Department of
  - Virginia State Apple Board
- Barbers, Board for
- † Forestry, Board of
- Local Government, Commission on
- † Real Estate Board
- Workforce Training Council, Statewide

## January 12

- † African-American Males in Virginia, Joint Subcommittee Studying the Status and Needs of
- † Auctioneers Board
- † Certificate of Public Need, Joint Subcommittee of the Senate Committee on Education and Health and the House Committee on Health, Welfare and Institutions to Study the
- Compensation Board
- Intergovernmental Relations, Virginia Advisory Commission on
- † Medicine, Board of
  - Informal Conference Committee
- † Pharmacy, Board of
- † Space Flight Authority, Virginia Commercial War Memorial Foundation, Virginia
  - Board of Trustees

## January 13

- † Contractors, Board for
- Independent Living Council, Statewide
- † Medicine, Board of
  - Informal Conference Committee
- Technology and Science, Joint Commission on and House Committee on Science and Technology

## January 14

- † Agriculture and Consumer Services, Department of
  - Pesticide Control Board
- † Child Day-Care Council
- † Higher Education in Virginia, Commission on Access and Diversity in
- † Real Estate Board
  - Education Committee
  - Fair Housing Committee
  - Time-Share Advisory Committee
- Waterworks and Wastewater Works Operators, Board for

## January 15

- † Optometry, Board of

## January 18

- General Services, Department of
  - Design-Build/Construction Management Review Board
- † Motor Vehicle Dealer Board
  - Advertising Committee
  - Dealer Practices Committee
  - Licensing Committee
  - Transaction Recovery Fund Committee

## January 19

- Accountancy, Board for

- † Agriculture and Consumer Services, Department of
  - Virginia Winegrowers Advisory Board Marketing Committee
- † Environmental Quality, Department of
  - Ground Water Protection Steering Committee
- Higher Education for Virginia, State Council of
- † Medicine, Board of
  - Informal Conference Committee
- † Motor Vehicle Dealer Board
  - Finance Committee
  - Franchise Law Committee
- Visually Handicapped, Board for the

## January 20

- Community Colleges, State Board for
  - Academic and Student Affairs Committee
  - Audit Committee
  - Budget and Finance Committee
  - Facilities Committee
  - Personnel Committee
- † Racing Commission, Virginia
- † Transportation Board, Commonwealth

## January 21

- † Branch Pilots, Board for
- Community Colleges, State Board for
- † Geology, Board for
- † Health, Department of
  - Biosolids Use Information Committee
  - Biosolids use Regulations Advisory Committee
- † Transportation Board, Commonwealth
- Treasury Board

## January 22

- † Richmond Hospital Authority
  - Board of Commissioners

## January 25

- Funeral Directors and Embalmers, Board of
  - Special Conference Committee
- † Old Dominion University
  - Board of Visitors

## January 26

- † Agriculture and Consumer Services, Department of
  - Virginia Winegrowers Advisory Board
- Hearing Aid Specialists, Board for
- Marine Resources Commission

## January 27

- † Child Fatality Review Team, State
- † Social Services, State Board of

## January 28

- † Compensation Board
- † Medicine, Board of
  - Informal Conference Committee
- † Museum of Natural History, Virginia
  - Board of Trustees
- Rehabilitative Services, Board for

## February 2

- Hopewell Industrial Safety Council

## February 4

- Conservation and Recreation, Department of
  - Falls of the James Scenic River Advisory Board

## February 5

- † Agriculture and Consumer Services, Department of
  - Virginia Horse Industry Board
  - Virginia Plant Pollination Advisory Board

## February 9

- † Agriculture and Consumer Services, Department of
  - Virginia Sweet Potato Board

## February 12

- † Opticians, Board for

## February 16

- Higher Education for Virginia, State Council of

## February 17

- † People with Disabilities, Board for
  - Executive Committee
- † Racing Commission, Virginia

## February 18

- † People with Disabilities, Board for

## February 23

- Asbestos and Lead, Board for
- Marine Resources Commission

## March 4

- † Agriculture and Consumer Services, Board of

## March 23

- Marine Resources Commission

## PUBLIC HEARINGS

### January 6, 1999

- † Environmental Quality, Department of
- Health Professions, Board of

### January 8

- Water Control Board, State

### January 14

- Fire Services Board, Virginia

### January 19

- † Water Control Board, State

### January 20

- Air Pollution Control Board, State

### January 22

- Health, Department of
  - Division of STD/AIDS

### February 11

- Fire Services Board, Virginia

### February 25

- Fire Services Board, Virginia

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