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# CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Fall 2001 VAC Supplement includes final regulations published through *Virginia Register* Volume 17, Issue 21, dated July 2, 2001). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 1. Administration</b>			
1 VAC 17-20-10	Amended	17:24 VA.R. 3556	9/12/01
1 VAC 17-20-40	Amended	17:24 VA.R. 3557	9/12/01
1 VAC 17-20-70	Amended	17:24 VA.R. 3557	9/12/01
1 VAC 17-20-110	Amended	17:24 VA.R. 3557	9/12/01
1 VAC 17-20-180	Amended	17:24 VA.R. 3557	9/12/01
1 VAC 17-20-210	Amended	17:24 VA.R. 3557	9/12/01
1 VAC 17-20-250	Amended	17:24 VA.R. 3558	9/12/01
1 VAC 17-20-270	Amended	17:24 VA.R. 3558	9/12/01
1 VAC 17-20-280	Amended	17:24 VA.R. 3558	9/12/01
1 VAC 17-20-310	Amended	17:24 VA.R. 3558	9/12/01
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 5-35-10 through 4 VAC 5-35-50	Repealed	18:14 VA.R. 1800	4/25/02
4 VAC 5-36-10 through 4 VAC 5-36-210	Added	18:14 VA.R. 1800-1827	4/25/02
4 VAC 20-70-120	Amended	18:5 VA.R. 726	12/1/01
4 VAC 20-270-30	Amended	18:14 VA.R. 1827	3/5/02
4 VAC 20-270-40	Amended	18:14 VA.R. 1828	3/5/02
4 VAC 20-270-55	Amended	18:14 VA.R. 1828	3/5/02
4 VAC 20-270-56	Added	18:14 VA.R. 1828	3/5/02
4 VAC 20-380-20	Amended	17:23 VA.R. 3455	7/1/01
4 VAC 20-380-50	Amended	17:23 VA.R. 3455	7/1/01
4 VAC 20-398-10 through 4 VAC 20-398-90	Added	18:6 VA.R. 875-877	11/1/01
4 VAC 20-510-20	Amended	18:5 VA.R. 726	1/1/02
4 VAC 20-560-20	Erratum	18:14 VA.R. 1911	--
4 VAC 20-560-20 emer	Amended	18:14 VA.R. 1904	3/4/02-3/31/02
4 VAC 20-560-50 emer	Amended	18:14 VA.R. 1905	3/4/02-3/31/02
4 VAC 20-610-30	Amended	17:23 VA.R. 3456	7/1/01
4 VAC 20-610-40	Amended	18:8 VA.R. 1103	1/1/02
4 VAC 20-610-60	Amended	18:8 VA.R. 1103	1/1/02
4 VAC 20-620-10 emer	Amended	18:5 VA.R. 740	11/1/01-12/1/01
4 VAC 20-620-10 emer	Amended	18:9 VA.R. 1231	1/1/02-1/30/02
4 VAC 20-620-20 emer	Amended	18:5 VA.R. 740	11/1/01-12/1/01
4 VAC 20-620-20 emer	Amended	18:9 VA.R. 1231	1/1/02-1/30/02
4 VAC 20-620-20	Amended	18:14 VA.R. 1828	3/5/02
4 VAC 20-620-30	Amended	18:8 VA.R. 1104	12/1/01
4 VAC 20-620-40 emer	Amended	18:5 VA.R. 740	11/1/01-12/1/01
4 VAC 20-620-40	Amended	18:8 VA.R. 1105	12/1/01
4 VAC 20-620-40 emer	Amended	18:9 VA.R. 1231	1/1/02-1/30/02
4 VAC 20-620-40	Amended	18:12 VA.R. 1646	1/31/02
4 VAC 20-620-50	Amended	18:14 VA.R. 1828	3/5/02
4 VAC 20-620-60	Amended	18:14 VA.R. 1829	3/5/02
4 VAC 20-620-70	Amended	18:14 VA.R. 1829	3/5/02
4 VAC 20-670-20	Amended	18:1 VA.R. 31	9/15/01
4 VAC 20-670-30	Amended	18:1 VA.R. 31	9/15/01
4 VAC 20-670-40	Amended	18:1 VA.R. 31	9/15/01

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

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4 VAC 20-720-20	Amended	18:3 VA.R. 354	10/1/01
4 VAC 20-720-40 through 4 VAC 20-720-80	Amended	18:3 VA.R. 354-357	10/1/01
4 VAC 20-720-40	Amended	18:9 VA.R. 1190	1/1/02
4 VAC 20-720-46 emer	Added	18:9 VA.R. 1232	1/1/02-1/30/02
4 VAC 20-720-47 emer	Added	18:12 VA.R. 1697	2/1/02-2/28/02
4 VAC 20-720-50	Amended	18:9 VA.R. 1190	1/1/02
4 VAC 20-890-25	Amended	17:23 VA.R. 3457	7/1/01
4 VAC 20-910-45	Amended	18:3 VA.R. 357	10/1/01
4 VAC 20-950-30	Amended	18:14 VA.R. 1829	3/4/02
4 VAC 20-950-40	Amended	18:14 VA.R. 1829	3/4/02
4 VAC 20-950-45	Amended	18:3 VA.R. 357	10/1/01
4 VAC 20-950-45 emer	Amended	18:9 VA.R. 1232	1/1/02-1/30/02
4 VAC 20-950-45	Amended	18:12 VA.R. 1647	1/31/02
4 VAC 20-950-45	Amended	18:14 VA.R. 1830	3/4/02
4 VAC 20-970-30	Amended	18:5 VA.R. 727	1/1/02
4 VAC 25-30 (Forms)	Amended	18:8 VA.R. 1130	--
4 VAC 25-130 (Forms)	Amended	17:23 VA.R. 3473	--
4 VAC 25-130 (Forms)	Amended	18:8 VA.R. 1130	--
4 VAC 50-20-30	Amended	18:14 VA.R. 1831	7/1/02
4 VAC 50-20-50	Amended	18:14 VA.R. 1832	7/1/02
4 VAC 50-20-70	Amended	18:14 VA.R. 1832	7/1/02
4 VAC 50-20-120	Amended	18:14 VA.R. 1834	7/1/02
4 VAC 50-20-220	Amended	18:14 VA.R. 1834	7/1/02
4 VAC 50-20-320	Amended	18:14 VA.R. 1835	7/1/02
<b>Title 5. Corporations</b>			
5 VAC 5-30-10 through 5 VAC 5-30-70	Added	17:22 VA.R. 3312-3315	7/1/01
<b>Title 6. Criminal Justice and Corrections</b>			
6 VAC 20-60-10 through 6 VAC 20-60-90	Amended	18:11 VA.R. 1397-1400	1/1/03
6 VAC 20-60-25	Added	18:11 VA.R. 1398	1/1/03
6 VAC 20-60-100	Added	18:11 VA.R. 1400	1/1/03
6 VAC 20-171-10	Amended	18:15 VA.R. 1955	5/10/02
6 VAC 20-171-50	Amended	18:15 VA.R. 1957	5/10/02
6 VAC 20-171-120	Amended	18:15 VA.R. 1958	5/10/02
6 VAC 20-171-200	Amended	18:15 VA.R. 1958	5/10/02
6 VAC 20-171-220	Amended	18:15 VA.R. 1959	5/10/02
6 VAC 20-171-230	Amended	18:15 VA.R. 1960	5/10/02
6 VAC 20-171-240	Amended	18:15 VA.R. 1961	5/10/02
6 VAC 20-171-250	Amended	18:15 VA.R. 1961	5/10/02
6 VAC 20-171-260	Amended	18:15 VA.R. 1962	5/10/02
6 VAC 20-171-280	Amended	18:15 VA.R. 1963	5/10/02
6 VAC 20-171-310	Amended	18:15 VA.R. 1964	5/10/02
6 VAC 20-171-320	Amended	18:15 VA.R. 1964	5/10/02
6 VAC 20-171-330	Amended	18:15 VA.R. 1965	5/10/02
6 VAC 20-171-340	Amended	18:15 VA.R. 1965	5/10/02
6 VAC 20-171-350	Amended	18:15 VA.R. 1966	5/10/02
6 VAC 20-171-445	Amended	18:15 VA.R. 1968	5/10/02
6 VAC 20-171-450	Amended	18:15 VA.R. 1968	5/10/02
6 VAC 20-171-480	Amended	18:15 VA.R. 1968	5/10/02
6 VAC 20-171-520	Amended	18:15 VA.R. 1969	5/10/02
6 VAC 20-171-530	Amended	18:15 VA.R. 1969	5/10/02
6 VAC 20-171-540	Amended	18:15 VA.R. 1969	5/10/02
<b>Title 8. Education</b>			
8 VAC 20-21-10	Amended	18:9 VA.R. 1191	2/14/02
8 VAC 20-21-10	Amended	18:12 VA.R. 1648	3/28/02
8 VAC 20-21-40	Amended	18:12 VA.R. 1649	3/28/02
8 VAC 20-21-50	Amended	18:9 VA.R. 1192	2/14/02

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8 VAC 20-21-50	Amended	18:12 VA.R. 1650	3/28/02
8 VAC 20-21-80	Amended	18:9 VA.R. 1193	2/14/02
8 VAC 20-21-90	Amended	18:12 VA.R. 1651	3/28/02
8 VAC 20-21-100	Amended	18:12 VA.R. 1651	3/28/02
8 VAC 20-21-120	Amended	18:12 VA.R. 1652	3/28/02
8 VAC 20-21-170	Amended	18:12 VA.R. 1653	3/28/02
8 VAC 20-21-590	Amended	18:12 VA.R. 1653	3/28/02
8 VAC 20-21-660	Amended	18:12 VA.R. 1655	3/28/02
8 VAC 20-21-680	Amended	18:12 VA.R. 1656	3/28/02
8 VAC 20-80-30	Amended	18:12 VA.R. 1657	3/27/02
8 VAC 20-80-40	Amended	18:12 VA.R. 1660	3/27/02
8 VAC 20-80-54	Amended	18:12 VA.R. 1661	3/27/02
8 VAC 20-80-56	Amended	18:12 VA.R. 1664	3/27/02
8 VAC 20-80-60	Amended	18:12 VA.R. 1666	3/27/02
8 VAC 20-80-66	Amended	18:12 VA.R. 1668	3/27/02
8 VAC 20-80-70	Amended	18:12 VA.R. 1671	3/27/02
8 VAC 20-80-76	Amended	18:12 VA.R. 1676	3/27/02
8 VAC 20-120-10 through 8 VAC 20-120-50	Amended	18:8 VA.R. 1106-1108	1/31/02
8 VAC 20-120-60	Repealed	18:8 VA.R. 1108	1/31/02
8 VAC 20-120-70 through 8 VAC 20-120-160	Amended	18:8 VA.R. 1109-1111	1/31/02
8 VAC 20-120-170	Added	18:8 VA.R. 1111	1/31/02
8 VAC 20-160-10	Amended	18:5 VA.R. 728	12/19/01
8 VAC 20-160-30	Amended	18:5 VA.R. 728	12/19/01
8 VAC 20-160-40	Amended	18:5 VA.R. 729	12/19/01
8 VAC 20-630-10 through 8 VAC 20-630-70	Added	18:12 VA.R. 1683-1684	3/28/02
<b>Title 9. Environment</b>			
9 VAC 5-10-20	Amended	18:7 VA.R. 998	2/1/02
9 VAC 5-20-21	Amended	18:7 VA.R. 1004	2/1/02
9 VAC 5-40-160 through 9 VAC 5-40-230	Repealed	18:14 VA.R. 1836-1840	5/1/02
9 VAC 5-40-240	Amended	18:4 VA.R. 586	1/1/02
9 VAC 5-40-250	Amended	18:4 VA.R. 586	1/1/02
9 VAC 5-40-310	Amended	18:4 VA.R. 587	1/1/02
9 VAC 5-40-311	Amended	18:4 VA.R. 587	1/1/02
9 VAC 5-40-460	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-40-890	Amended	18:4 VA.R. 588	1/1/02
9 VAC 5-40-2930	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-40-5210	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-40-5230	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-40-8130	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-40-8150	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-50-160 through 9 VAC 5-50-230	Repealed	18:14 VA.R. 1840-1844	5/1/02
9 VAC 5-50-400	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-50-410	Amended	18:7 VA.R. 1007	2/1/02
9 VAC 5-50-420	Amended	18:7 VA.R. 1011	2/1/02
9 VAC 5-60-60	Amended	18:7 VA.R. 1012	2/1/02
9 VAC 5-60-80	Amended	18:7 VA.R. 1012	2/1/02
9 VAC 5-60-90	Amended	18:7 VA.R. 1012	2/1/02
9 VAC 5-60-100	Amended	18:7 VA.R. 1012	2/1/02
9 VAC 5-60-110	Amended	18:7 VA.R. 1016	2/1/02
9 VAC 5-60-200 through 9 VAC 5-60-270	Added	18:14 VA.R. 1836-1840	5/1/02
9 VAC 5-60-300 through 9 VAC 5-60-370	Added	18:14 VA.R. 1840-1844	5/1/02
9 VAC 5-80-10	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-80-370	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-80-390	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-80-1710	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-80-2000 through 9 VAC 5-80-2090	Amended	18:14 VA.R. 1845-1852	5/1/02

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 5-80-2010	Amended	18:7 VA.R. 1006	2/1/02
9 VAC 5-80-2100	Repealed	18:14 VA.R. 1852	5/1/02
9 VAC 5-80-2110	Amended	18:14 VA.R. 1852	5/1/02
9 VAC 5-80-2120	Amended	18:14 VA.R. 1852	5/1/02
9 VAC 5-80-2150	Amended	18:14 VA.R. 1853	5/1/02
9 VAC 5-80-2160	Repealed	18:14 VA.R. 1853	5/1/02
9 VAC 5-80-2180	Amended	18:14 VA.R. 1853	5/1/02
9 VAC 5-80-2190	Amended	18:14 VA.R. 1853	5/1/02
9 VAC 5-80-2200	Added	18:14 VA.R. 1853	5/1/02
9 VAC 5-80-2210	Added	18:14 VA.R. 1853	5/1/02
9 VAC 5-80-2220	Added	18:14 VA.R. 1853	5/1/02
9 VAC 5-80-2230	Added	18:14 VA.R. 1853	5/1/02
9 VAC 5-80-2240	Added	18:14 VA.R. 1853	5/1/02
9 VAC 10-20-30 through 9 VAC 10-20-100	Amended	18:9 VA.R. 1196-1200	3/1/02
9 VAC 10-20-40	Erratum	18:13 VA.R. 1763	--
9 VAC 10-20-105	Added	18:9 VA.R. 1200	3/1/02
9 VAC 10-20-110 through 9 VAC 10-20-130	Amended	18:9 VA.R. 1200-1207	3/1/02
9 VAC 10-20-130	Erratum	18:13 VA.R. 1764	--
9 VAC 10-20-140	Repealed	18:9 VA.R. 1207	3/1/02
9 VAC 10-20-150	Amended	18:9 VA.R. 1207	3/1/02
9 VAC 10-20-160	Repealed	18:9 VA.R. 1208	3/1/02
9 VAC 10-20-170	Amended	18:9 VA.R. 1208	3/1/02
9 VAC 10-20-171	Added	18:9 VA.R. 1208	3/1/02
9 VAC 10-20-180	Repealed	18:9 VA.R. 1208	3/1/02
9 VAC 10-20-181	Added	18:9 VA.R. 1209	3/1/02
9 VAC 10-20-181	Erratum	18:13 VA.R. 1764	--
9 VAC 10-20-190	Repealed	18:9 VA.R. 1208	3/1/02
9 VAC 10-20-191	Added	18:9 VA.R. 1209	3/1/02
9 VAC 10-20-191	Erratum	18:13 VA.R. 1764	--
9 VAC 10-20-200 through 9 VAC 10-20-210	Repealed	18:9 VA.R. 1208	3/1/02
9 VAC 10-20-211	Added	18:9 VA.R. 1211	3/1/02
9 VAC 10-20-215	Added	18:9 VA.R. 1211	3/1/02
9 VAC 10-20-220	Repealed	18:9 VA.R. 1208	3/1/02
9 VAC 10-20-221	Added	18:9 VA.R. 1211	3/1/02
9 VAC 10-20-225	Added	18:9 VA.R. 1211	3/1/02
9 VAC 10-20-230	Repealed	18:9 VA.R. 1211	3/1/02
9 VAC 10-20-231	Added	18:9 VA.R. 1211	3/1/02
9 VAC 10-20-250	Amended	18:9 VA.R. 1212	3/1/02
9 VAC 10-20-260	Amended	18:9 VA.R. 1212	3/1/02
9 VAC 10-20-270	Repealed	18:9 VA.R. 1212	3/1/02
9 VAC 10-20-280	Repealed	18:9 VA.R. 1212	3/1/02
9 VAC 20-60	Erratum	18:12 VA.R. 1714	--
9 VAC 20-60-14	Amended	18:11 VA.R. 1403	3/13/02
9 VAC 20-60-17	Amended	18:11 VA.R. 1404	3/13/02
9 VAC 20-60-18	Amended	18:3 VA.R. 359	11/21/01
9 VAC 20-60-18	Amended	18:11 VA.R. 1405	3/13/02
9 VAC 20-60-20	Amended	18:11 VA.R. 1405	3/13/02
9 VAC 20-60-30	Amended	18:11 VA.R. 1405	3/13/02
9 VAC 20-60-50	Amended	18:11 VA.R. 1405	3/13/02
9 VAC 20-60-60	Repealed	18:11 VA.R. 1405	3/13/02
9 VAC 20-60-70	Amended	18:11 VA.R. 1405	3/13/02
9 VAC 20-60-80	Amended	18:11 VA.R. 1406	3/13/02
9 VAC 20-60-124	Amended	18:11 VA.R. 1406	3/13/02
9 VAC 20-60-260	Amended	18:11 VA.R. 1406	3/13/02
9 VAC 20-60-261	Amended	18:11 VA.R. 1407	3/13/02
9 VAC 20-60-261	Amended	18:11 VA.R. 1422	3/13/02

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 20-60-262	Amended	18:11 VA.R. 1407	3/13/02
9 VAC 20-60-264	Amended	18:11 VA.R. 1407	3/13/02
9 VAC 20-60-265	Amended	18:11 VA.R. 1409	3/13/02
9 VAC 20-60-266	Amended	18:11 VA.R. 1409	3/13/02
9 VAC 20-60-270	Amended	18:11 VA.R. 1409	3/13/02
9 VAC 20-60-273	Amended	18:11 VA.R. 1412	3/13/02
9 VAC 20-60-315	Amended	18:11 VA.R. 1413	3/13/02
9 VAC 20-60-355	Added	18:11 VA.R. 1413	3/13/02
9 VAC 20-60-430	Amended	18:11 VA.R. 1413	3/13/02
9 VAC 20-60-440	Amended	18:11 VA.R. 1413	3/13/02
9 VAC 20-60-450	Amended	18:11 VA.R. 1413	3/13/02
9 VAC 20-60-480	Amended	18:11 VA.R. 1413	3/13/02
9 VAC 20-60-490	Amended	18:11 VA.R. 1414	3/13/02
Appendix 7.1	Repealed	18:11 VA.R. 1416	3/13/02
Part XI (9 VAC 20-60-960 through 9 VAC 20-60-1250, including Appendix 11.2)	Repealed	18:11 VA.R. 1416	3/13/02
9 VAC 20-60-1260	Amended	18:11 VA.R. 1416	3/13/02
9 VAC 20-60-1270	Amended	18:11 VA.R. 1416	3/13/02
9 VAC 20-60-1280	Amended	18:11 VA.R. 1418	3/13/02
Appendix 12.1	Repealed	18:11 VA.R. 1418	3/13/02
9 VAC 20-60-1285	Added	18:11 VA.R. 1418	3/13/02
9 VAC 20-60-1370	Amended	18:11 VA.R. 1419	3/13/02
9 VAC 20-60-1380	Amended	18:11 VA.R. 1419	3/13/02
9 VAC 20-60-1390	Amended	18:11 VA.R. 1419	3/13/02
9 VAC 20-60-1410	Amended	18:11 VA.R. 1420	3/13/02
9 VAC 20-60-1420	Amended	18:11 VA.R. 1420	3/13/02
9 VAC 20-60-1430	Amended	18:11 VA.R. 1421	3/13/02
9 VAC 20-60-1435	Added	18:11 VA.R. 1421	3/13/02
9 VAC 20-60-1505	Amended	18:11 VA.R. 1421	3/13/02
9 VAC 20-70 Appendices I through VI	Repealed	18:3 VA.R. 377-388	11/21/01
9 VAC 20-70-10	Amended	18:3 VA.R. 359	11/21/01
9 VAC 20-70-41	Repealed	18:3 VA.R. 361	11/21/01
9 VAC 20-70-50 through 9 VAC 20-70-75	Amended	18:3 VA.R. 362-363	11/21/01
9 VAC 20-70-81	Amended	18:3 VA.R. 363	11/21/01
9 VAC 20-70-90	Amended	18:3 VA.R. 363	11/21/01
9 VAC 20-70-111	Amended	18:3 VA.R. 364	11/21/01
9 VAC 20-70-112	Amended	18:3 VA.R. 364	11/21/01
9 VAC 20-70-113	Amended	18:3 VA.R. 365	11/21/01
9 VAC 20-70-150 through 9 VAC 20-70-230	Amended	18:3 VA.R. 366-376	11/21/01
9 VAC 20-70-240	Repealed	18:3 VA.R. 376	11/21/01
9 VAC 20-70-250	Amended	18:3 VA.R. 376	11/21/01
9 VAC 20-70-260	Amended	18:3 VA.R. 377	11/21/01
9 VAC 20-70-280	Repealed	18:3 VA.R. 377	11/21/01
9 VAC 20-70-290	Added	18:3 VA.R. 377	11/21/01
9 VAC 20-130 (Forms)	Added	17:26 VA.R. 3758-3759	--
9 VAC 20-130 (Forms)	Amended	18:6 VA.R. 909	--
9 VAC 20-190-10 through 9 VAC 20-190-80	Added	18:3 VA.R. 389-390	11/21/01
9 VAC 25-31-10	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-30	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-40	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-100	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-120	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-121	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-150	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-190	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-220	Amended	18:9 VA.R. 1213	2/15/02

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-31-230	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-340	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-470	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-500	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-750	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-770 through 9 VAC 25-31-810	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-840	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31-900	Amended	18:9 VA.R. 1213	2/15/02
9 VAC 25-31 (Forms)	Amended	18:6 VA.R. 909	--
9 VAC 25-210-80	Erratum	17:24 VA.R. 3604	--
9 VAC 25-430-20	Amended	17:25 VA.R. 3657	9/26/01
9 VAC 25-430-30	Amended	17:25 VA.R. 3657	9/26/01
9 VAC 25-430-60	Amended	17:25 VA.R. 3657	9/26/01
9 VAC 25-650-10 through 9 VAC 25-650-200	Added	18:4 VA.R. 590-604	12/5/01
9 VAC 25-650-50	Erratum	18:7 VA.R. 1064	--
9 VAC 25-660-10 through 9 VAC 25-660-100	Added	17:22 VA.R. 3316-3327	10/1/01
9 VAC 25-670-10 through 9 VAC 25-670-100	Added	17:22 VA.R. 3328-3344	10/1/01
9 VAC 25-680-30	Erratum	17:24 VA.R. 3604	--
9 VAC 25-680-50	Erratum	17:24 VA.R. 3604	--
9 VAC 25-680-100	Erratum	17:24 VA.R. 3604	--
9 VAC 25-690-30	Erratum	17:24 VA.R. 3604	--
9 VAC 25-690-40	Erratum	17:24 VA.R. 3604	--
<b>Title 10. Finance and Financial Institutions</b>			
10 VAC 5-10-10	Amended	17:22 VA.R. 3345	7/1/01
10 VAC 5-20-30	Amended	17:22 VA.R. 3346	6/27/01
10 VAC 5-20-40	Added	18:9 VA.R. 1214	12/20/01
10 VAC 5-40-30	Added	18:8 VA.R. 1111	12/15/01
<b>Title 12. Health</b>			
12 VAC 5-65	Repealed	18:12 VA.R. 1685	3/27/02
12 VAC 5-66-10 through 12 VAC 5-66-80	Added	18:12 VA.R. 1685-1688	3/27/02
12 VAC 5-66-10 through 12 VAC 5-66-80	Erratum	18:13 VA.R. 1764	--
12 VAC 5-90-80	Amended	18:9 VA.R. 1214	12/18/01
12 VAC 5-218-10 through 12 VAC 5-218-90 emer	Added	18:4 VA.R. 634-637	11/1/01-10/31/02
12 VAC 5-371-40	Amended	18:10 VA.R. 1305	2/28/02
12 VAC 5-408-10 through 12 VAC 5-408-360	Amended	18:8 VA.R. 1112-1120	1/30/02
12 VAC 5-410-70	Amended	18:10 VA.R. 1305	2/28/02
12 VAC 5-420	Repealed	18:10 VA.R. 1305	3/1/02
12 VAC 5-421-10 through 12 VAC 5-421-4070	Added	18:10 VA.R. 1305	3/1/02
12 VAC 5-430	Repealed	18:10 VA.R. 1306	3/1/02
12 VAC 5-431-10 through 12 VAC 5-431-480	Added	18:10 VA.R. 1306-1309	3/1/02
12 VAC 5-475-10 through 12 VAC 5-475-90	Added	18:12 VA.R. 1691	3/27/02
12 VAC 5-520-10	Amended	18:15 VA.R. 1969	5/8/02
12 VAC 5-520-20	Amended	18:15 VA.R. 1969	5/8/02
12 VAC 5-520-30	Amended	18:15 VA.R. 1969	5/8/02
12 VAC 5-520-40 through 12 VAC 5-520-70	Repealed	18:15 VA.R. 1969	5/8/02
12 VAC 5-520-80	Amended	18:15 VA.R. 1969	5/8/02
12 VAC 5-520-90 through 12 VAC 5-520-120	Repealed	18:15 VA.R. 1969	5/8/02
12 VAC 5-520-130 through 12 VAC 5-520-210	Added	18:15 VA.R. 1969	5/8/02
12 VAC 5-581-10 through 12 VAC 5-581-1070	Added	18:10 VA.R. 1309	2/27/02
12 VAC 30-10-631	Added	18:7 VA.R. 1016	1/16/02
12 VAC 30-10-640	Amended	18:7 VA.R. 1016	1/16/02
12 VAC 30-30-10	Amended	18:7 VA.R. 1016	1/16/02
12 VAC 30-40-220	Amended	18:7 VA.R. 1020	1/16/02
12 VAC 30-50-20	Amended	18:7 VA.R. 1022	1/16/02
12 VAC 30-50-30	Amended	18:7 VA.R. 1023	1/16/02
12 VAC 30-50-60	Amended	18:7 VA.R. 1023	1/16/02



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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-50-70	Amended	18:7 VA.R. 1023	1/16/02
12 VAC 30-50-100	Amended	18:6 VA.R. 882	1/2/02
12 VAC 30-50-100	Amended	18:7 VA.R. 1023	1/16/02
12 VAC 30-50-105	Amended	18:6 VA.R. 882	1/2/02
12 VAC 30-50-105	Amended	18:7 VA.R. 1025	1/16/02
12 VAC 30-50-140	Amended	18:6 VA.R. 882	1/2/02
12 VAC 30-50-140	Amended	18:7 VA.R. 1027	1/16/02
12 VAC 30-50-160	Amended	18:10 VA.R. 1311	2/27/02
12 VAC 30-50-165	Added	18:10 VA.R. 1313	2/27/02
12 VAC 30-50-210	Amended	18:4 VA.R. 605	12/5/01
12 VAC 30-50-229.1	Amended	18:7 VA.R. 1028	1/16/02
12 VAC 30-50-260	Amended	18:7 VA.R. 1031	1/16/02
12 VAC 30-60-21	Added	18:6 VA.R. 883	1/2/02
12 VAC 30-60-70	Amended	18:10 VA.R. 1315	2/27/02
12 VAC 30-60-75	Added	18:10 VA.R. 1317	2/27/02
12 VAC 30-60-170	Amended	18:7 VA.R. 1031	1/16/02
12 VAC 30-70-120	Repealed	18:6 VA.R. 883	1/2/02
12 VAC 30-70-201	Amended	18:7 VA.R. 1032	1/16/02
12 VAC 30-70-420	Amended	18:6 VA.R. 883	1/2/02
12 VAC 30-70-420	Amended	18:7 VA.R. 1032	1/16/02
12 VAC 30-70-435	Amended	18:7 VA.R. 1032	1/16/02
12 VAC 30-120-10 emer	Amended	18:12 VA.R. 1698	2/1/02-1/31/03
12 VAC 30-120-40 emer	Amended	18:12 VA.R. 1699	2/1/02-1/31/03
12 VAC 30-120-50 emer	Amended	18:12 VA.R. 1701	2/1/02-1/31/03
12 VAC 30-120-55 emer	Added	18:12 VA.R. 1702	2/1/02-1/31/03
12 VAC 30-120-60 emer	Amended	18:12 VA.R. 1704	2/1/02-1/31/03
12 VAC 30-120-210 emer	Amended	18:5 VA.R. 743	10/17/01-10/16/02
12 VAC 30-120-211 through 12 VAC 30-120-215 emer	Added	18:5 VA.R. 745-751	10/17/01-10/16/02
12 VAC 30-120-220 emer	Amended	18:5 VA.R. 752	10/17/01-10/16/02
12 VAC 30-120-230 emer	Amended	18:5 VA.R. 755	10/17/01-10/16/02
12 VAC 30-120-240 emer	Amended	18:5 VA.R. 758	10/17/01-10/16/02
12 VAC 30-120-241 through 12 VAC 30-120-249 emer	Added	18:5 VA.R. 760-771	10/17/01-10/16/02
12 VAC 30-120-250 emer	Amended	18:5 VA.R. 771	10/17/01-10/16/02
12 VAC 30-120-251 through 12 VAC 30-120-255 emer	Added	18:5 VA.R. 772-777	10/17/01-10/16/02
12 VAC 30-120-258 emer	Added	18:5 VA.R. 777	10/17/01-10/16/02
12 VAC 30-120-259 emer	Added	18:5 VA.R. 778	10/17/01-10/16/02
12 VAC 30-120-360 emer	Amended	18:8 VA.R. 1123	12/1/01-11/30/02
12 VAC 30-120-370 emer	Amended	18:8 VA.R. 1124	12/1/01-11/30/02
12 VAC 30-120-380 emer	Amended	18:8 VA.R. 1126	12/1/01-11/30/02
12 VAC 30-120-385 emer	Repealed	18:8 VA.R. 1127	12/1/01-11/30/02
12 VAC 30-120-390 through 420 emer	Amended	18:8 VA.R. 1127-1129	12/1/01-11/30/02
12 VAC 30-130-20	Amended	18:10 VA.R. 1318	2/27/02
12 VAC 30-141-10 et seq. emer	Added	17:25 VA.R. 3660-3670	8/1/01-7/31/02
12 VAC 30-141-100 emer	Amended	17:26 VA.R. 3757	8/22/01-7/31/02
12 VAC 35-20	Repealed	18:12 VA.R. 1691	3/27/02
12 VAC 35-110	Repealed	18:3 VA.R. 391	11/21/01
12 VAC 35-115-10 through 12 VAC 35-115-250	Added	18:3 VA.R. 392-414	11/21/01
12 VAC 35-115-50	Erratum	17:22 VA.R. 3371	--
12 VAC 35-115-70	Erratum	17:22 VA.R. 3371	--
12 VAC 35-115-250	Erratum	18:6 VA.R. 911	--
12 VAC 35-120	Repealed	18:3 VA.R. 414	11/21/01
12 VAC 35-130	Repealed	18:3 VA.R. 415	11/21/01
12 VAC 35-140	Repealed	18:12 VA.R. 1691	3/27/02
12 VAC 35-150	Repealed	18:12 VA.R. 1691	3/27/02
12 VAC 35-160	Repealed	18:12 VA.R. 1691	3/27/02

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 13. Housing</b>			
13 VAC 5-175-10	Amended	18:7 VA.R. 1033	1/1/02
13 VAC 5-175-20	Amended	18:7 VA.R. 1033	1/1/02
13 VAC 5-175-30	Amended	18:7 VA.R. 1033	1/1/02
13 VAC 5-175-40	Amended	18:7 VA.R. 1034	1/1/02
13 VAC 10-40-30	Amended	17:22 VA.R. 3347	6/20/01
13 VAC 10-40-110	Amended	17:22 VA.R. 3347	6/20/01
13 VAC 10-40-130	Amended	17:22 VA.R. 3347	6/20/01
13 VAC 10-40-190	Amended	17:22 VA.R. 3347	6/20/01
13 VAC 10-40-230	Amended	17:22 VA.R. 3347	6/20/01
13 VAC 10-180-10	Amended	18:10 VA.R. 1318	1/9/02
13 VAC 10-180-50	Amended	18:10 VA.R. 1319	1/9/02
13 VAC 10-180-60	Amended	18:10 VA.R. 1319	1/9/02
13 VAC 10-180-100	Amended	18:10 VA.R. 1328	1/9/02
<b>Title 14. Insurance</b>			
14 VAC 5-80-160 through 14 VAC 5-80-190	Repealed	18:14 VA.R. 1896	3/31/02
14 VAC 5-170-20	Amended	17:24 VA.R. 3559	9/1/01
14 VAC 5-170-30	Amended	17:24 VA.R. 3559	9/1/01
14 VAC 5-170-70	Amended	17:24 VA.R. 3559	9/1/01
14 VAC 5-170-90	Amended	17:24 VA.R. 3559	9/1/01
14 VAC 5-170-105	Amended	17:24 VA.R. 3562	9/1/01
14 VAC 5-170-120	Amended	17:24 VA.R. 3563	9/1/01
14 VAC 5-170-130	Amended	17:24 VA.R. 3565	9/1/01
14 VAC 5-170-150	Amended	17:24 VA.R. 3566	9/1/01
14 VAC 5-170-180	Amended	17:24 VA.R. 3566	9/1/01
Appendix D	Added	17:24 VA.R. 3566	9/1/01
14 VAC 5-200-20 through 14 VAC 5-200-40	Amended	18:6 VA.R. 885	2/1/02
14 VAC 5-200-70	Amended	18:6 VA.R. 885	2/1/02
14 VAC 5-200-75	Added	18:6 VA.R. 885	2/1/02
14 VAC 5-200-80	Amended	18:6 VA.R. 886	2/1/02
14 VAC 5-200-160	Amended	18:6 VA.R. 886	2/1/02
14 VAC 5-200-175	Amended	18:6 VA.R. 886	2/1/02
14 VAC 5-210-70	Amended	18:7 VA.R. 1035	12/1/01
14 VAC 5-300-90	Amended	17:22 VA.R. 3347	8/1/01
14 VAC 5-330-10	Repealed	18:3 VA.R. 415	12/31/01
14 VAC 5-390-20	Amended	18:12 VA.R. 1692	2/1/02
14 VAC 5-390-30	Amended	18:12 VA.R. 1692	2/1/02
14 VAC 5-390-40	Amended	18:12 VA.R. 1692	2/1/02
<b>Title 15. Judicial</b>			
15 VAC 10-10	Amended	18:8 VA.R. 1120	12/3/01
<b>Title 16. Labor and Employment</b>			
16 VAC 25-60-50	Repealed	18:5 VA.R. 729	12/31/01
16 VAC 25-60-60	Repealed	18:5 VA.R. 730	12/31/01
16 VAC 25-60-70	Repealed	18:5 VA.R. 731	12/31/01
16 VAC 25-85-1904.0 through 16 VAC 25-85-1904.09	Amended	18:5 VA.R. 731	1/1/02
16 VAC 25-85-1904.10 (a)&(b)	Amended	18:5 VA.R. 731	1/1/03
16 VAC 25-85-1904.10 (c)	Amended	18:5 VA.R. 731	1/1/02
16 VAC 25-85-1904.11	Amended	18:5 VA.R. 731	1/1/02
16 VAC 25-85-1904.12	Amended	18:5 VA.R. 731	1/1/03
16 VAC 25-85-1904.13 through 16 VAC 25-85-1904.28	Amended	18:5 VA.R. 731	1/1/02
16 VAC 25-85-1904.29 except (b)(7)(vi) second sentence	Amended	18:5 VA.R. 731	1/1/02
16 VAC 25-85-1904.29 (b)(7)(vi) second sentence	Amended	18:5 VA.R. 731	1/1/03
16 VAC 25-85-1904.30 through 1904.46	Amended	18:5 VA.R. 731	1/1/02
16 VAC 25-90-1910.1030	Amended	17:23 VA.R. 3459	9/15/01
16 VAC 25-90-1910.1043	Amended	17:23 VA.R. 3458	9/15/01

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
16 VAC 25-175-1926.750 through 16 VAC 25-175-1926.759	Amended	18:5 VA.R. 732	1/18/02
16 VAC 25-175-1926.760 (d) & (e)	Amended	18:5 VA.R. 732	1/18/02
16 VAC 25-175-1926.761	Amended	18:5 VA.R. 732	1/18/02
16 VAC 25-175-1926.500	Amended	18:5 VA.R. 732	1/18/02
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 5-21-10	Amended	18:7 VA.R. 1036	1/16/02
18 VAC 5-21-20	Amended	18:7 VA.R. 1035	1/1/02
18 VAC 5-21-30 through 18 VAC 5-21-70	Amended	18:7 VA.R. 1038-1042	1/16/02
18 VAC 5-21-90	Amended	18:7 VA.R. 1042	1/16/02
18 VAC 5-21-120	Amended	18:7 VA.R. 1042	1/16/02
18 VAC 5-21-170	Amended	18:7 VA.R. 1043	1/16/02
18 VAC 10-20-10	Amended	18:7 VA.R. 1045	3/1/02
18 VAC 10-20-15	Added	18:7 VA.R. 1046	3/1/02
18 VAC 10-20-20	Amended	18:7 VA.R. 1046	3/1/02
18 VAC 10-20-30	Amended	18:7 VA.R. 1046	3/1/02
18 VAC 10-20-40	Amended	18:7 VA.R. 1046	3/1/02
18 VAC 10-20-55	Added	18:7 VA.R. 1046	3/1/02
18 VAC 10-20-75	Added	18:7 VA.R. 1046	3/1/02
18 VAC 10-20-100	Repealed	18:7 VA.R. 1046	3/1/02
18 VAC 10-20-110 through 18 VAC 10-20-170	Amended	18:7 VA.R. 1046-1049	3/1/02
18 VAC 10-20-180	Repealed	18:7 VA.R. 1049	3/1/02
18 VAC 10-20-190 through 18 VAC 18 VAC 10-20-220	Amended	18:7 VA.R. 1049	3/1/02
18 VAC 10-20-240	Amended	18:7 VA.R. 1049	3/1/02
18 VAC 10-20-250	Repealed	18:7 VA.R. 1049	3/1/02
18 VAC 10-20-260	Amended	18:7 VA.R. 1049	3/1/02
18 VAC 10-20-270	Amended	18:7 VA.R. 1050	3/1/02
18 VAC 10-20-280	Amended	18:7 VA.R. 1050	3/1/02
18 VAC 10-20-280	Erratum	18:10 VA.R. 1342	--
18 VAC 10-20-290	Repealed	18:7 VA.R. 1050	3/1/02
18 VAC 10-20-295	Added	18:7 VA.R. 1050	3/1/02
18 VAC 10-20-300	Amended	18:7 VA.R. 1050	3/1/02
18 VAC 10-20-310	Amended	18:7 VA.R. 1050	3/1/02
18 VAC 10-20-320	Amended	18:7 VA.R. 1050	3/1/02
18 VAC 10-20-340 through 18 VAC 10-20-380	Amended	18:7 VA.R. 1050-1052	3/1/02
18 VAC 10-20-370	Erratum	18:10 VA.R. 1342	--
18 VAC 10-20-400	Amended	18:7 VA.R. 1052	3/1/02
18 VAC 10-20-410	Repealed	18:7 VA.R. 1052	3/1/02
18 VAC 10-20-420 through 18 VAC 10-20-450	Amended	18:7 VA.R. 1052-1053	3/1/02
18 VAC 10-20-480	Repealed	18:7 VA.R. 1053	3/1/02
18 VAC 10-20-490	Amended	18:7 VA.R. 1053	3/1/02
18 VAC 10-20-505	Amended	18:7 VA.R. 1053	3/1/02
18 VAC 10-20-530 through 18 VAC 10-20-570	Amended	18:7 VA.R. 1053-1054	3/1/02
18 VAC 10-20-590 through 18 VAC 10-20-620	Amended	18:7 VA.R. 1054-1055	3/1/02
18 VAC 10-20-640	Amended	18:7 VA.R. 1055	3/1/02
18 VAC 10-20-650	Amended	18:7 VA.R. 1055	3/1/02
18 VAC 10-20-660	Amended	18:7 VA.R. 1055	3/1/02
18 VAC 10-20-680	Amended	18:7 VA.R. 1055	3/1/02
18 VAC 10-20-720	Amended	18:7 VA.R. 1056	3/1/02
18 VAC 10-20-740	Amended	18:7 VA.R. 1056	3/1/02
18 VAC 10-20-750	Amended	18:7 VA.R. 1056	3/1/02
18 VAC 10-20-760	Amended	18:7 VA.R. 1056	3/1/02
18 VAC 10-20-780	Amended	18:7 VA.R. 1056	3/1/02
18 VAC 15-20	Erratum	18:7 VA.R. 1064	--
18 VAC 15-20-10	Amended	18:6 VA.R. 887	1/2/02
18 VAC 15-20-20	Amended	18:6 VA.R. 888	1/2/02

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 15-20-21	Added	18:6 VA.R. 890	1/2/02
18 VAC 15-20-30 through 18 VAC 15-20-90	Amended	18:6 VA.R. 890-893	1/2/02
18 VAC 15-20-100	Repealed	18:6 VA.R. 893	1/2/02
18 VAC 15-20-101	Added	18:6 VA.R. 893	1/2/02
18 VAC 15-20-110	Amended	18:6 VA.R. 893	1/2/02
18 VAC 15-20-120 through 18 VAC 15-20-140	Repealed	18:6 VA.R. 893	1/2/02
18 VAC 15-20-150	Amended	18:6 VA.R. 893	1/2/02
18 VAC 15-20-160 through 18 VAC 15-20-240	Repealed	18:6 VA.R. 893	1/2/02
18 VAC 15-20-250	Amended	18:6 VA.R. 893	1/2/02
18 VAC 15-20-251	Added	18:6 VA.R. 893	1/2/02
18 VAC 15-20-260	Repealed	18:6 VA.R. 893	1/2/02
18 VAC 15-20-270	Amended	18:6 VA.R. 893	1/2/02
18 VAC 15-20-271	Added	18:6 VA.R. 894	1/2/02
18 VAC 15-20-280	Repealed	18:6 VA.R. 894	1/2/02
18 VAC 15-20-290	Amended	18:6 VA.R. 894	1/2/02
18 VAC 15-20-291	Added	18:6 VA.R. 894	1/2/02
18 VAC 15-20-300 through 18 VAC 15-20-320	Repealed	18:6 VA.R. 894	1/2/02
18 VAC 15-20-330	Amended	18:6 VA.R. 894	1/2/02
18 VAC 15-20-331	Added	18:6 VA.R. 894	1/2/02
18 VAC 15-20-332	Added	18:6 VA.R. 894	1/2/02
18 VAC 15-20-340 through 18 VAC 15-20-360	Repealed	18:6 VA.R. 894	1/2/02
18 VAC 15-20-361	Added	18:6 VA.R. 894	1/2/02
18 VAC 15-20-370 through 18 VAC 15-20-390	Repealed	18:6 VA.R. 895	1/2/02
18 VAC 15-20-400 through 18 VAC 15-20-450	Amended	18:6 VA.R. 895	1/2/02
18 VAC 15-20-451 through 18 VAC 15-20-455	Added	18:6 VA.R. 895-896	1/2/02
18 VAC 15-20-455.1	Added	18:6 VA.R. 896	1/2/02
18 VAC 15-20-456 through 18 VAC 15-20-459	Added	18:6 VA.R. 896	1/2/02
18 VAC 15-20-459.1 through 18 VAC 15-20-459.15	Added	18:6 VA.R. 896-897	1/2/02
18 VAC 15-20-460 through 18 VAC 15-20-500	Amended	18:6 VA.R. 897-899	1/2/02
18 VAC 15-20-510	Repealed	18:6 VA.R. 899	1/2/02
18 VAC 15-20-511	Added	18:6 VA.R. 899	1/2/02
18 VAC 15-20-520 through 18 VAC 15-20-610	Amended	18:6 VA.R. 899-900	1/2/02
18 VAC 15-20-620 through 18 VAC 15-20-690	Repealed	18:6 VA.R. 900	1/2/02
18 VAC 15-20-700 through 18 VAC 15-20-880	Amended	18:6 VA.R. 900-907	1/2/02
18 VAC 15-20-890 through 18 VAC 15-20-960	Repealed	18:6 VA.R. 908	1/2/02
18 VAC 25-21-10 through 18 VAC 25-21-70	Amended	18:7 VA.R. 1058	2/1/02
18 VAC 25-21-90	Amended	18:7 VA.R. 1058	2/1/02
18 VAC 25-21-110	Amended	18:7 VA.R. 1058	2/1/02
18 VAC 25-21-180	Amended	18:7 VA.R. 1058	2/1/02
18 VAC 25-21-200	Amended	18:7 VA.R. 1058	2/1/02
18 VAC 25-21-210	Added	18:7 VA.R. 1058	2/1/02
18 VAC 25-21-220	Added	18:7 VA.R. 1059	2/1/02
18 VAC 50-30-10	Amended	17:26 VA.R. 3756	11/1/01
18 VAC 50-30-20	Amended	17:26 VA.R. 3756	11/1/01
18 VAC 50-30-40	Amended	17:26 VA.R. 3756	11/1/01
18 VAC 50-30-50	Amended	17:26 VA.R. 3756	11/1/01
18 VAC 50-30-50	Erratum	18:4 VA.R. 658	--
18 VAC 50-30-90	Amended	17:26 VA.R. 3756	11/1/01
18 VAC 50-30-90	Erratum	18:4 VA.R. 658	--
18 VAC 50-30-200	Amended	17:26 VA.R. 3756	11/1/01
18 VAC 60-10-10 through 18 VAC 60-10-40	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 60-10-60	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 60-10-70	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 60-10-80	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 60-10-100	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 60-20-10 emer	Amended	18:5 VA.R. 780	12/1/01-10/30/02

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 60-20-250 through 18 VAC 60-20-330 emer	Added	18:5 VA.R. 780-782	12/1/01-10/30/02
18 VAC 75-10-10	Amended	17:26 VA.R. 3756	10/10/01
18 VAC 75-10-20	Amended	17:26 VA.R. 3756	10/10/01
18 VAC 75-10-30	Amended	17:26 VA.R. 3756	10/10/01
18 VAC 75-10-40	Amended	17:26 VA.R. 3756	10/10/01
18 VAC 75-10-60	Amended	17:26 VA.R. 3756	10/10/01
18 VAC 75-10-70	Amended	17:26 VA.R. 3756	10/10/01
18 VAC 75-10-80	Amended	17:26 VA.R. 3756	10/10/01
18 VAC 75-10-100	Amended	17:26 VA.R. 3756	10/10/01
18 VAC 85-20-131	Amended	18:4 VA.R. 607	12/5/01
18 VAC 85-110-100	Amended	18:4 VA.R. 607	12/5/01
18 VAC 90-20-36	Added	18:7 VA.R. 1059	1/16/02
18 VAC 90-30-20	Amended	18:15 VA.R. 1970	5/8/02
18 VAC 90-30-100	Amended	18:15 VA.R. 1970	5/8/02
18 VAC 90-30-105	Added	18:15 VA.R. 1970	5/8/02
18 VAC 90-30-220	Amended	18:15 VA.R. 1970	5/8/02
18 VAC 90-40-20	Amended	18:15 VA.R. 1977	5/8/02
18 VAC 90-40-50	Amended	18:15 VA.R. 1977	5/8/02
18 VAC 90-40-55	Added	18:15 VA.R. 1977	5/8/02
18 VAC 90-40-60	Amended	18:15 VA.R. 1977	5/8/02
18 VAC 90-40-130	Amended	18:15 VA.R. 1977	5/8/02
18 VAC 95-10-10 through 18 VAC 95-10-40	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 95-10-60	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 95-10-70	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 95-10-80	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 95-10-100	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 105-10-10 through 18 VAC 105-10-40	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 105-10-60	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 105-10-70	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 105-10-80	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 105-10-100	Amended	17:24 VA.R. 3566	9/12/01
18 VAC 110-20-20	Amended	18:12 VA.R. 1693	3/27/02
18 VAC 110-20-270	Amended	18:12 VA.R. 1693	3/27/02
18 VAC 110-20-280	Amended	18:12 VA.R. 1693	3/27/02
18 VAC 110-20-285	Amended	18:12 VA.R. 1694	3/27/02
18 VAC 110-20-430	Amended	18:12 VA.R. 1694	3/27/02
18 VAC 112-10-10 through 18 VAC 112-10-120	Added	18:5 VA.R. 733	12/19/01
18 VAC 112-20-10	Amended	17:25 VA.R. 3657	9/12/01
18 VAC 112-20-10 emer	Amended	18:3 VA.R. 429	11/1/01-10/31/02
18 VAC 112-20-90	Amended	17:25 VA.R. 3658	9/12/01
18 VAC 112-20-130 emer	Amended	18:3 VA.R. 430	11/1/01-10/31/02
18 VAC 112-20-131 emer	Added	18:3 VA.R. 430	11/1/01-10/31/02
18 VAC 112-20-135 emer	Amended	18:3 VA.R. 431	11/1/01-10/31/02
18 VAC 112-20-135	Amended	18:8 VA.R. 1121	1/30/02
18 VAC 112-20-136 emer	Added	18:3 VA.R. 431	11/1/01-10/31/02
18 VAC 112-20-140 emer	Amended	18:3 VA.R. 431	11/1/01-10/31/02
18 VAC 112-20-150	Amended	18:8 VA.R. 1121	1/30/02
18 VAC 112-20-151	Added	18:8 VA.R. 1121	1/30/02
18 VAC 115-10-10	Amended	18:1 VA.R. 32	10/24/01
18 VAC 115-10-20	Amended	18:1 VA.R. 32	10/24/01
18 VAC 115-10-30	Amended	18:1 VA.R. 32	10/24/01
18 VAC 115-10-40	Amended	18:1 VA.R. 32	10/24/01
18 VAC 115-10-60	Amended	18:1 VA.R. 32	10/24/01
18 VAC 115-10-70	Amended	18:1 VA.R. 32	10/24/01
18 VAC 115-10-80	Amended	18:1 VA.R. 32	10/24/01
18 VAC 115-10-100	Amended	18:1 VA.R. 32	10/24/01

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 125-10-10	Amended	18:12 VA.R. 1694	3/27/02
18 VAC 125-10-20	Amended	18:12 VA.R. 1694	3/27/02
18 VAC 125-10-30	Amended	18:12 VA.R. 1695	3/27/02
18 VAC 125-10-40	Amended	18:12 VA.R. 1695	3/27/02
18 VAC 125-10-60	Amended	18:12 VA.R. 1695	3/27/02
18 VAC 125-10-70	Amended	18:12 VA.R. 1695	3/27/02
18 VAC 125-10-80	Amended	18:12 VA.R. 1695	3/27/02
18 VAC 125-10-100	Amended	18:12 VA.R. 1695	3/27/02
18 VAC 125-30 (Forms)	Amended	18:15 VA.R. 1985	--
18 VAC 125-30-10 through 18 VAC 125-30-50	Amended	18:13 VA.R. 1753-1754	4/10/02
18 VAC 125-30-60	Repealed	18:13 VA.R. 1754	4/10/02
18 VAC 125-30-80	Amended	18:13 VA.R. 1755	4/10/02
18 VAC 125-30-90	Amended	18:13 VA.R. 1755	4/10/02
18 VAC 145-20-10	Amended	18:7 VA.R. 1059	1/16/02
18 VAC 145-20-20 through 18 VAC 145-20-50	Repealed	18:7 VA.R. 1059	1/16/02
18 VAC 145-20-70	Amended	18:7 VA.R. 1059	1/16/02
18 VAC 145-20-80	Repealed	18:7 VA.R. 1059	1/16/02
18 VAC 145-20-90	Amended	18:7 VA.R. 1059	1/16/02
18 VAC 145-20-91	Added	18:7 VA.R. 1060	1/16/02
18 VAC 145-20-100	Amended	18:7 VA.R. 1060	1/16/02
18 VAC 145-20-110	Repealed	18:7 VA.R. 1060	1/16/02
18 VAC 145-20-111	Added	18:7 VA.R. 1060	1/16/02
18 VAC 145-20-120	Amended	18:7 VA.R. 1060	1/16/02
18 VAC 145-20-130	Amended	18:7 VA.R. 1060	1/16/02
18 VAC 145-20-140	Amended	18:7 VA.R. 1060	1/16/02
18 VAC 145-20-150	Repealed	18:7 VA.R. 1060	1/16/02
18 VAC 145-20-151	Added	18:7 VA.R. 1060	1/16/02
18 VAC 145-20-160	Amended	18:7 VA.R. 1060	1/16/02
18 VAC 145-20-170	Amended	18:7 VA.R. 1060	1/16/02
18 VAC 150-10-10 through 18 VAC 150-10-40	Amended	17:24 VA.R. 3567	9/12/01
18 VAC 150-10-60	Amended	17:24 VA.R. 3567	9/12/01
18 VAC 150-10-70	Amended	17:24 VA.R. 3567	9/12/01
18 VAC 150-10-80	Amended	17:24 VA.R. 3567	9/12/01
18 VAC 150-10-100	Amended	17:24 VA.R. 3567	9/12/01
<b>Title 20. Public Utilities and Telecommunications</b>			
20 VAC 5-302-10	Amended	18:9 VA.R. 1222	12/14/01
20 VAC 5-302-20	Amended	18:9 VA.R. 1222	12/14/01
20 VAC 5-302-30	Repealed	18:9 VA.R. 1225	12/14/01
20 VAC 5-302-40	Added	18:9 VA.R. 1226	12/14/01
20 VAC 5-312-10 through 20 VAC 5-312-110	Added	17:22 VA.R. 3351-3364	8/1/01
20 VAC 5-312-10	Amended	18:4 VA.R. 613	10/10/01
20 VAC 5-312-10	Erratum	18:7 VA.R. 1064	--
20 VAC 5-312-70	Amended	18:4 VA.R. 614	10/10/01
20 VAC 5-312-70	Erratum	18:7 VA.R. 1064	--
20 VAC 5-312-80	Amended	18:4 VA.R. 615	10/10/01
20 VAC 5-312-80	Erratum	18:7 VA.R. 1064	--
20 VAC 5-325-10 through 20 VAC 5-325-110	Added	17:23 VA.R. 3464-3466	7/1/01
20 VAC 5-400-10 through 20 VAC 5-400-60	Repealed	18:4 VA.R. 619-628	10/17/01
20 VAC 5-400-90	Repealed	18:9 VA.R. 1228	12/14/01
20 VAC 5-400-100 through 20 VAC 5-400-170	Repealed	18:4 VA.R. 629	10/17/01
20 VAC 5-400-190	Repealed	18:4 VA.R. 630	10/17/01
20 VAC 5-400-200	Repealed	18:4 VA.R. 632	10/17/01
20 VAC 5-401-10 through 20 VAC 5-401-50	Added	18:4 VA.R. 619-620	10/17/01
20 VAC 5-403-10 through 20 VAC 5-403-70	Added	18:4 VA.R. 621-627	10/17/01
20 VAC 5-405-10 through 20 VAC 5-405-130	Added	18:5 VA.R. 735-736	10/23/01
20 VAC 5-407-10 through 20 VAC 5-407-70	Added	18:9 VA.R. 1228-1230	12/14/01

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
20 VAC 5-409-10 through 20 VAC 5-409-70	Added	18:4 VA.R. 627-628	10/17/01
20 VAC 5-411-10 through 20 VAC 5-411-90	Added	18:4 VA.R. 628-629	10/17/01
20 VAC 5-413-10 through 20 VAC 5-413-40	Added	18:4 VA.R. 629	10/17/01
20 VAC 5-415-10	Added	18:4 VA.R. 629	10/17/01
20 VAC 5-415-20	Added	18:4 VA.R. 629	10/17/01
20 VAC 5-419-10 through 20 VAC 5-419-40	Added	18:4 VA.R. 630-632	10/17/01
20 VAC 5-421-10	Added	18:4 VA.R. 632	10/17/01
20 VAC 5-421-20	Added	18:4 VA.R. 632	10/17/01
20 VAC 5-423-10 through 20 VAC 5-423-90	Added	18:14 VA.R. 1899-1902	3/6/02
<b>Title 22. Social Services</b>			
22 VAC 15-10-10	Amended	18:14 VA.R. 1902	5/1/02
22 VAC 15-10-30	Amended	18:14 VA.R. 1902	5/1/02
22 VAC 15-10-40	Amended	18:14 VA.R. 1902	5/1/02
22 VAC 15-10-50	Amended	18:14 VA.R. 1902	5/1/02
22 VAC 15-10-60	Amended	18:14 VA.R. 1902	5/1/02
22 VAC 15-10-70	Amended	18:14 VA.R. 1902	5/1/02
22 VAC 20-30-10 through 22 VAC 20-30-60	Amended	17:23 VA.R. 3466-3468	*
22 VAC 20-30-70	Repealed	17:23 VA.R. 3468	*
22 VAC 20-30-80 through 22 VAC 20-30-140	Amended	17:23 VA.R. 3468-3469	*
22 VAC 20-30-150	Added	17:23 VA.R. 3469	*
22 VAC 40-41-10	Amended	18:12 VA.R. 1696	4/1/02
22 VAC 40-41-20	Amended	18:12 VA.R. 1696	4/1/02
22 VAC 40-41-40	Amended	18:12 VA.R. 1696	4/1/02
22 VAC 40-41-50	Amended	18:12 VA.R. 1696	4/1/02
22 VAC 40-41-55	Added	18:12 VA.R. 1696	4/1/02
22 VAC 40-71-10 emer	Amended	17:24 VA.R. 3568	10/9/01-10/8/02
22 VAC 40-71-20 emer	Amended	17:24 VA.R. 3571	10/9/01-10/8/02
22 VAC 40-71-30 emer	Amended	17:24 VA.R. 3572	10/9/01-10/8/02
22 VAC 40-71-50 emer	Amended	17:24 VA.R. 3572	10/9/01-10/8/02
22 VAC 40-71-60 emer	Amended	17:24 VA.R. 3572	10/9/01-10/8/02
22 VAC 40-71-80 emer	Amended	17:24 VA.R. 3573	10/9/01-10/8/02
22 VAC 40-71-90 emer	Amended	17:24 VA.R. 3573	10/9/01-10/8/02
22 VAC 40-71-110 emer	Amended	17:24 VA.R. 3573	10/9/01-10/8/02
22 VAC 40-71-130 emer	Amended	17:24 VA.R. 3574	10/9/01-10/8/02
22 VAC 40-71-150 through 22 VAC 40-71-180 emer	Amended	17:24 VA.R. 3574-3579	10/9/01-10/8/02
22 VAC 40-71-210 emer	Amended	17:24 VA.R. 3579	10/9/01-10/8/02
22 VAC 40-71-270 emer	Amended	17:24 VA.R. 3579	10/9/01-10/8/02
22 VAC 40-71-275 emer	Added	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-280 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-290 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-310 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-330 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-360 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-410 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-440 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-450 emer	Amended	17:24 VA.R. 3580	10/9/01-10/8/02
22 VAC 40-71-460 emer	Amended	17:24 VA.R. 3581	10/9/01-10/8/02
22 VAC 40-71-480 emer	Amended	17:24 VA.R. 3581	10/9/01-10/8/02
22 VAC 40-71-490 emer	Amended	17:24 VA.R. 3581	10/9/01-10/8/02
22 VAC 40-71-530 through 22 VAC 40-71-600 emer	Amended	17:24 VA.R. 3582-3584	10/9/01-10/8/02
22 VAC 40-71-630 through 22 VAC 40-71-700 emer	Amended	17:24 VA.R. 3584-3589	10/9/01-10/8/02
22 VAC 40-560	Repealed	18:5 VA.R. 736	12/19/01
22 VAC 40-690 (Forms)	Amended	18:7 VA.R. 1061	--

\* Effective date suspended in 18:1 VA.R. 32.

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-705-10 emer	Amended	18:5 VA.R. 784	1/1/02-12/31/02
22 VAC 40-705-40 through 22 VAC 40-705-90 emer	Amended	18:5 VA.R. 786-790	1/1/02-12/31/02
22 VAC 40-705-110 through 22 VAC 40-705-160 emer	Amended	18:5 VA.R. 790-794	1/1/02-12/31/02
22 VAC 40-705-180 emer	Amended	18:5 VA.R. 794	1/1/02-12/31/02
22 VAC 40-705-190 emer	Amended	18:5 VA.R. 794	1/1/02-12/31/02
22 VAC 40-730-10	Erratum	17:25 VA.R. 3679	--
22 VAC 40-790	Repealed	18:5 VA.R. 736	12/19/01
22 VAC 40-880-10	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-30	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-60	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-80	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-110	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-120	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-130	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-170	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-190	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-200 through 22 VAC 40-880-300	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-320	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-330	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-340	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-360	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-380	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-385	Added	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-410	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-430	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-440	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-480 through 22 VAC 40-880-520	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-550	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-560	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-650	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-670	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-680	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-700	Amended	18:14 VA.R. 1903	4/24/02
22 VAC 40-880-720	Added	18:14 VA.R. 1903	4/24/02
22 VAC 45-60	Repealed	18:11 VA.R. 1422	3/13/02
22 VAC 45-70-10 through 22 VAC 45-70-40	Amended	18:11 VA.R. 1423-1424	3/13/02
22 VAC 45-70-50	Repealed	18:11 VA.R. 1424	3/13/02
22 VAC 45-70-60 through 22 VAC 45-70-80	Amended	18:11 VA.R. 1424-1425	3/13/02
22 VAC 45-90	Repealed	18:11 VA.R. 1425	3/13/02
22 VAC 45-110-10 through 22 VAC 45-110-50	Amended	18:11 VA.R. 1425-1426	3/13/02
22 VAC 45-110-60	Repealed	18:11 VA.R. 1426	3/13/02
<b>Title 23. Taxation</b>			
23 VAC 10-110-225 through 23 VAC 10-110-229	Added	18:11 VA.R. 1426-1430	3/13/02
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 20-70-30 emer	Amended	18:3 VA.R. 433	9/21/01-9/20/02
24 VAC 30-40	Repealed	18:3 VA.R. 416	11/21/01
24 VAC 30-41-10 through 24 VAC 30-41-760	Added	18:3 VA.R. 416-427	11/21/01
24 VAC 30-71-160	Amended	18:5 VA.R. 737	12/19/01
24 VAC 30-260-10 et seq.	Repealed	17:25 VA.R. 3658	7/26/01
24 VAC 30-370-10 et seq.	Repealed	17:24 VA.R. 3567	9/12/01
24 VAC 30-520-10	Amended	17:25 VA.R. 3658	7/26/01
24 VAC 30-520-20	Amended	17:25 VA.R. 3658	7/26/01
24 VAC 30-540-10	Added	17:23 VA.R. 3472	6/29/01
24 VAC 30-540-20	Added	17:23 VA.R. 3472	6/29/01
24 VAC 30-540-30	Added	17:23 VA.R. 3472	6/29/01
24 VAC 30-540-40	Added	17:23 VA.R. 3472	6/29/01



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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 12. HEALTH

### STATE BOARD OF HEALTH

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to consider repealing regulations entitled: **12 VAC 5-480. Radiation Protection Regulations**, and promulgating regulations entitled: **12 VAC 5-481. Radiation Protection Regulations**. The purpose of the proposed action is to repeal the current regulation concurrently with the promulgation of a new regulation (12 VAC 5-481). The current regulation was revised in 1987 and is seriously outdated and inconsistent with federal regulations and other national standards. The regulations will include adoption of the Suggested State Regulations for Control of Radiation published by the Conference of Radiation Control Program Directors, Inc., and adoption of the changes made in 1992 to the federal radiation protection standards, Part 10 CFR 20. In addition, the agency will implement legislation enacted in the 1999 and 2000 sessions of the General Assembly regarding civil penalties for violations of radioactive materials licenses and inspections of mammography machines.

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

Statutory Authority: §§ 32.1-12 and 32.1-229 of the Code of Virginia.

Public comments may be submitted until May 24, 2002.

**Contact:** Leslie P. Foldesi, Director, Radiological Health, Department of Health, 1500 E. Main St., Room 240, Richmond, VA 23219, telephone (804) 371-4029, FAX (804) 786-6979, toll-free 1-800-468-0138, e-mail LFOLDESI@vdh.state.va.us.

VA.R. Doc. No. R02-157; Filed April 4, 2002, 11:26 a.m.

### STATE BOARD FOR MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider amending regulations entitled: **12 VAC 35-180. Regulations to Assure the Protection of Participants in Human Research**. The purpose of the proposed action is to update the definitions to

be consistent with the current Code of Virginia. Other revisions will be made to comply with the requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and other applicable federal regulations, as necessary.

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

Statutory Authority: §§ 37.1-10 and 37.1-24.01 of the Code of Virginia.

Public comments may be submitted until May 24, 2002.

**Contact:** Wendy V. Brown, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 225-2252, FAX (804) 371-0092, e-mail wbrown@dmhmrsas.state.va.us.

VA.R. Doc. No. R02-153; Filed March 27, 2002, 10:12 a.m.

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSURE

### BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Audiology and Speech-Language Pathology intends to consider amending regulations entitled: **18 VAC 30-20. Regulations of the Board of Audiology and Speech-Language Pathology**. The purpose of the proposed action is to amend the requirements for licensure, supervision of unlicensed assistants, and standards for practice as a result of the board's periodic review of its regulations. Amendments under consideration include:

1. Modifying the definition of "supervision" to clarify the responsibilities of a licensee in delegating and supervising tasks to an unlicensed person. Also, a definition of an "unlicensed person," similar to the one in the nursing regulations may be added.
2. Recognizing additional accrediting bodies for credentialing candidates for licensure consistent with professional standards and with the authority of the board to approve accrediting bodies.
3. Modifying the requirement for either completion of the qualifying examination or employment for one of the past three years or two of the past five years to remove any unnecessary barrier to licensure.

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# Notices of Intended Regulatory Action

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4. Requiring 1,500 hours of documented practice under supervision of a licensed audiologist or speech-language pathologist as a prerequisite for licensure.
5. Adding provisions to clarify supervisory responsibilities to address concerns about unlicensed practice by assistive personnel.
6. Clarifying the current rule that prohibits diagnosis or treatment solely by written correspondence to cover situations other than written correspondence.
7. Clarifying or deleting unnecessary provisions.

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

Statutory Authority: § 54.1-2400 and Chapter 26 (§ 54.1-2600 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on May 8, 2002.

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

VA.R. Doc. No. R02-144; Filed March 20, 2002, 10:32 a.m.

## BOARD OF MEDICINE

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled: **18 VAC 85-20. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, and Chiropractic.** The purpose of the proposed action is to comply with a statutory mandate for all physician and podiatrists to report information on the physician profile system about the conviction of any felony.

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

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on May 8, 2002.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, or e-mail [wharp@dhp.state.va.us](mailto:wharp@dhp.state.va.us).

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled: **18 VAC 85-101. Regulations Governing the Licensure of Radiologic**

**Technologists and Radiologic Technologists-Limited.** The purpose of the proposed action is to address concerns about the adequacy of training for the limited licensees and to provide greater clarity for the regulated entities.

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

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on May 8, 2002.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, or e-mail [wharp@dhp.state.va.us](mailto:wharp@dhp.state.va.us).

VA.R. Doc. No. R02-145; Filed March 20, 2002, 10:33 a.m.

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled: **18 VAC 85-110. Licensed Acupuncturists.** The purpose of the proposed action is to provide consistency with the national certifying body in the educational requirements and to address concerns about the unnecessary burden placed on applicants with a foreign education in acupuncture. Other amendments are recommended to clarify certain provisions of the regulations.

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

Statutory Authority: § 54.1-2400 and Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on May 8, 2002.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, or e-mail: [wharp@dhp.state.va.us](mailto:wharp@dhp.state.va.us).

VA.R. Doc. No. R02-141; Filed March 20, 2002, 10:32 a.m.

## BOARD OF NURSING

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Nursing intends to consider amending regulations entitled: **18 VAC 90-20. Regulations of the Board of Nursing.** The purpose of the proposed action is to clarify regulations that have been confusing to applicants, regulants or educational programs. Amendments to nursing and nurse aide education program address concerns about the quality of instruction, the reporting of changes in the program, and other issues related to meeting the educational needs of students. To ease the burden of nursing education programs that undergo extensive review for accreditation by a national nursing credentialing body, it is proposed to allow

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# Notices of Intended Regulatory Action

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acceptance of that accreditation for the purpose of continued approval by the board. Additional requirements are proposed to provide specificity about evidence of continued competency necessary for reinstatement of a license, to provide certain grounds for disciplinary action for the protection of patients or clients, to specify the number of hours of training necessary in a medication administration training program, to update the protocol for adult immunizations, and to state in regulation a policy of the board on the delegation of tasks in an operating room.

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

Statutory Authority: § 54.1-2400 and Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on May 8, 2002.

**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9512, or e-mail ndurrett@dhp.state.va.us.

VA.R. Doc. No. R02-143; Filed March 20, 2002, 10:32 a.m.

## BOARDS OF NURSING AND MEDICINE

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Boards of Nursing and Medicine intend to consider amending regulations entitled: **18 VAC 90-30. Regulations Governing the Licensure of Nurse Practitioners.** The purpose of the proposed action is to ensure that the certifying agencies for nurse practitioner specialties are accredited by a reliable entity.

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

Statutory Authority: § 54.1-2400 and Chapters 29 (§ 54.1-2900 et seq.) and 30 (§ 54.1-3000 et seq.) of Title 54.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on May 8, 2002.

**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9512, or e-mail ndurrett@dhp.state.va.us.

VA.R. Doc. No. R02-142; Filed March 20, 2002, 10:32 a.m.



## TITLE 22. SOCIAL SERVICES

### STATE BOARD OF SOCIAL SERVICES

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled: **22 VAC 40-110. Minimum Standards for Licensed Family Day Homes** and promulgating regulations entitled: **22 VAC 40-111. Minimum Standards for Licensed Family Day Homes.** The purpose of the proposed action is to incorporate the repealed Minimum Standards for Licensed Family Day Homes (22 VAC 40-110) into a proposed regulation entitled Minimum Standards for Licensed Family Day Homes (22 VAC 40-111). The text will be reorganized and reworded for clarity as requested by regional licensing staff, child care advocates, and licensed family day home providers. This action is taken as a result of the department's periodic review of regulations.

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

Statutory Authority: §§ 63.1-25 and 63.1-202 of the Code of Virginia.

Public comments may be submitted until May 22, 2002.

**Contact:** Doris Sherrod, Human Services Program Consultant, Division of Licensing Programs, Department of Social Services, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1748, FAX (804) 692-2370 or e-mail dss7@e-mail1.dss.state.va.us.

VA.R. Doc. Nos. R02-149 and R02-150; Filed March 21, 2002, 1:41 p.m.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled: **22 VAC 40-120. Minimum Standards for Licensed Family Day Care Systems.** The purpose of the proposed action is to repeal the current regulation and incorporate the provisions of the repealed regulation and necessary amendments into the proposed regulation, Minimum Standards for Licensed Family Day Systems (22 VAC 40-121). This action is taken as a result of the periodic review.

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

Statutory Authority: §§ 63.1-25, 63.1-195, 63.1-196 and 63.1-202 of the Code of Virginia.

Public comments may be submitted until May 8, 2002.

**Contact:** Doris Sherrod, Human Services Program Consultant, Division of Licensing Programs, Department of Social Services, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1748, FAX (804) 692-2370 or e-mail dss7@dss.state.va.us.

VA.R. Doc. No. R02-148; Filed March 20, 2002, 11:34 a.m.

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# Notices of Intended Regulatory Action

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## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider promulgating regulations entitled: **22 VAC 40-121. Minimum Standards for Licensed Family Day Systems.** The purpose of the proposed action is to promulgate a regulation that incorporates the provisions of the repealed regulation, Minimum Standards for Licensed Family Day Care Systems (22 VAC 40-120) and incorporate amendments. This action is taken as a result of the periodic review where it was determined that the regulation needed extensive changes to improve clarity and readability, to incorporate statutory changes, and to incorporate current health and safety requirements.

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

Statutory Authority: §§ 63.1-25, 63.1-195, 63.1-196 and 63.1-202 of the Code of Virginia.

Public comments may be submitted until May 8, 2002.

**Contact:** Doris Sherrod, Human Services Program Consultant, Division of Licensing Programs, Department of Social Services, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1748, FAX (804) 692-2370 or e-mail dss7@dss.state.va.us.

VA.R. Doc. No. R02-146; Filed March 20, 2002, 11:34 a.m.

## † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled: **22 VAC 40-220. Agency Placement Adoption-Guiding Principles.** The purpose of the proposed action is to repeal 22 VAC 40-220, which addresses agency adoption guiding principles. Provisions of the regulation conflict with current federal law, and another is mandated by the Code of Virginia. The remainder addresses suggested practices, rather than statute.

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

Statutory Authority: §§ 63.1-25 and 63.1-56 of the Code of Virginia.

Public comments may be submitted until May 22, 2002.

**Contact:** Karin Clark, Adoption Program Consultant, Department of Social Services, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1251, FAX (804) 692-1284 or e-mail kac900@email1.state.va.us.

VA.R. Doc. No. R02-152; Filed March 21, 2002, 1:42 p.m.

## † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider adopting regulations entitled: **22 VAC 40-375. Economic and Employment Improvement Program for Disadvantaged Persons.** The purpose of the

proposed action is to adopt regulations to improve employability of disadvantaged persons through education and training. The program also extends eligibility for education and job training services to certain other hard-to-employ persons. The goal of the program is to promote self-sufficiency enabling participants to move from minimum wage jobs to college and to employment and occupations that will facilitate career development and economic independence.

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

Statutory Authority: § 63.1-133.57 of the Code of Virginia.

Public comments may be submitted until May 22, 2002.

**Contact:** William Stith, Program Coordinator, Division of Community Programs, Department of Social Services, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-0382, FAX (804) 225-2202 or e-mail wgs2@email1.dss.state.va.us.

VA.R. Doc. No. R02-151; Filed March 20, 2002, 1:41 p.m.

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-700. Child Protective Services Central Registry Information.** The purpose of the proposed action is to make this regulation consistent with (i) 22 VAC 40-705, which requires "Preponderance of the Evidence" for Founded Disposition and (ii) Virginia Court of Appeals decision, Jackson v. Marshall (1995), barring "Reason to Suspect" disposition.

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

Statutory Authority: §§ 63.1-25 and 63.1-248.1 of the Code of Virginia.

Public comments may be submitted until May 8, 2002.

**Contact:** Jesslyn Cobb, CPS Program Consultant, Department of Social Services, 730 E. Broad St., 2nd Floor, Richmond, VA 23219, telephone (804) 692-1255.

VA.R. Doc. No. R02-147; Filed March 20, 2002, 11:32 a.m.



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# PROPOSED REGULATIONS

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For information concerning Proposed Regulations, see Information Page.

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## Symbol Key

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

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## TITLE 12. HEALTH

### STATE BOARD OF HEALTH

**REGISTRAR'S NOTICE:** Due to its length, 12 VAC 5-31 filed by the Department of Health is not being published. However, in accordance with § 2.2-4031 of the Code of Virginia, the summary is being published in lieu of the full text. The full text of the regulation is available for public inspection at the office of the Registrar of Regulations and at the Department of Health (see contact information below) and is accessible on the Virginia Register of Regulations website at <http://legis.state.va.us/codecomm/register/vol18/welcome.htm>.

**Title of Regulation:** **12 VAC 5-30. Rules and Regulations Governing Emergency Medical Services (REPEALING).**

**Title of Regulation:** **12 VAC 5-31. Virginia Emergency Medical Services Regulations.**

**Statutory Authority:** §§ 32.1-12 and 32.1-111.4 of the Code of Virginia.

**Public Hearing Date:** May 9, 2002 - 7 p.m.

Public comments may be submitted until June 21, 2002.  
(See Calendar of Events section for additional information)

**Agency Contact:** Dave Cullen, Compliance Manager, Office of Emergency Medical Services, Department of Health, 1538 E. Parham Rd., Richmond, VA 23228, telephone (804) 371-3500, ext. 3512, toll-free 1-800-523-6019, FAX (804) 371-3543 or e-mail [dcullen@vdh.state.va.us](mailto:dcullen@vdh.state.va.us).

**Basis:** Section 32.1-111.3 of the Code of Virginia directs the Board of Health to "develop a comprehensive, coordinated, emergency medical care system in the Commonwealth . . ."

Section 32.1-111.4 of the Code of Virginia vests authority for the regulation of emergency medical services in the State Board of Health. The law specifically requires that the board regulate such services by establishing minimum standards for agencies and for emergency services vehicles by type of service rendered and specify the medical equipment, supplies, vehicle specifications and the personnel required for each classification. The law further requires the use of licensure, certification and inspection for compliance.

These regulations establish minimum standards for agency, vehicle and personnel. The regulations include existing standards; as well as additional requirements agencies must meet to maintain licensure. EMS vehicle classifications are consolidated with the intent of simplifying the permitting process and standardizing the equipment and personnel requirements.

Section 32.1-111.4 of the Code of Virginia, essentially, directs the State Board of Health to prescribe by regulation:

requirements for recordkeeping, supplies, operating procedures and other EMS agency operations; requirements for the sanitation and maintenance of emergency medical services vehicles and their medical supplies and equipment; procedures, including the requirements for forms, to authorize qualified emergency medical services personnel to follow Durable Do Not Resuscitate Orders pursuant to § 54.1-2987.1 of the Code of Virginia; requirements for the composition, administration, duties and responsibilities of the State Emergency Medical Services Advisory Board; requirements, developed in consultation with the Emergency Medical Services Advisory Board, governing the certification and recertification of emergency medical services personnel.

These regulations require licensed EMS agencies to establish protocols and operating procedures for recordkeeping. New certification levels would be established at the Advanced Life Support level to conform to national education and practice standards.

The board, in order to provide consistent interpretation and enforcement of the EMS regulations, has determined that clear definitions of words and terms are required to assist EMS agencies and personnel in their understanding of regulations pertaining to the statewide EMS system. The board also recognizes the need for a specified process to review and grant variance and exemption requests submitted by local EMS agencies and personnel who are unable to meet established minimum statewide system standards.

These regulations allow for the inclusion of additional definitions of terms to address new procedures and equipment developed since the 1990 regulations were promulgated. The need for standardization of EMS vocabulary across the Commonwealth is clear and these regulations address this need.

Section 32.1-111.5 of the Code of Virginia directs the Board of Health to prescribe by regulation the qualifications required for certification and recertification of emergency medical attendants. It also requires that such regulations shall include authorization for continuing education and skills testing, authorization for exemptions of testing and options for sequential skills testing for recertification.

These regulations streamline the recertification process for EMS personnel by allowing recertification through continuing education. An EMS agency's Operational Medical Director would be allowed to exempt qualified EMS personnel from the required written examination for recertification and authorize sequential testing of practical skills throughout the certification period for EMS personnel.

The primary role of the EMS physician is to ensure quality patient care and training. Because of rapidly changing technology and advances in EMS procedures and techniques, all aspects of the organization and provision of basic and advanced life support emergency medical services require the

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## Proposed Regulations

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active involvement and participation of physicians. These regulations establish procedures, standards and responsibilities for state-endorsed emergency medical services physicians who are associated with EMS agencies, personnel and training programs. There is an established line of medical control and accountability over both EMS practice and training. Medical oversight of EMS agencies, personnel and training is intrinsic to the delegated medical practice that authorizes emergency medical services in the Commonwealth. The law requires physician authorization in order for a certified EMS technician to practice or administer medications.

Section 32.1-111.14:1 of the Code of Virginia requires that all persons possessing an automated external defibrillator (AED) must register with the board before placing such equipment in use. The Code of Virginia also directs the Board of Health to establish requirements for AED registration to include training standards for operators, maintenance of the devices, medical direction for registered users. Additionally, these regulations prescribe enforcement actions for those persons who fail to obtain registration.

These regulations establish a statewide registry for AED owners. It would allow for the emergent use of AEDs by registered operators. Minimum training standards, equipment maintenance criteria and medical direction involvement are established. The Code of Virginia specifically exempts a health care facility licensed by the Board of Health or the Board of Mental Health, Mental Retardation and Substance Abuse Services or an adult care residence licensed by the Board of Social Services or any person regulated by a health regulatory board within the Department of Health Professions whose scope of practice encompasses such services, or an emergency medical services agency regulated by the board from the requirements for AED registration.

**Purpose:** The intent of these regulations is to protect the health, safety and welfare of Virginia's citizens and to ensure that a quality standard for the provision of emergency medical services exists throughout the Commonwealth. These regulations consolidate many guidelines and procedures that have historically been separated. It has been 10 years since the Rules and Regulations Governing Emergency Medical Services were revised and adopted by the Board of Health. The provision of EMS is dynamic and these regulations address the many associated changes arising from improved practice and technology and increased public expectations and awareness.

**Substance:** The proposed regulation changes are intended to improve EMS agency and personnel compliance and incorporate the latest emergency patient care techniques, procedures and medical technology. Existing regulations provide for multiple classifications of EMS vehicles, which complicate the deployment of resources by EMS agencies. The intent of this regulation is to simplify specifications for the design and construction of ambulances by establishing a single standard based upon nationally accepted guidelines.

These regulations provide for oversight of EMS training programs through specification of policies and procedures for the qualification and enrollment of students, conduct of courses and administration of EMS certification examinations.

Revision and reorganization of previously issued guidance documents are included to update the administration of EMS education and training programs. For example, the minimum prerequisites to enroll in an EMS certification course would be defined by regulation.

Furthermore, this proposed regulatory action would conform to revisions of national standard training curricula and implement changes in the nature and scope of out-of-hospital patient care techniques. The Emergency Medical Technician - Intermediate and Emergency Medical Technician - Enhanced certification levels, not currently recognized in Virginia, would be adopted as Virginia EMS certification levels. This action would enhance the level of Advanced Life Support in the Virginia EMS system to care for critical patients.

These regulations delineate the qualifications, responsibilities, and authority of physicians serving as Operational Medical Directors and Physician Course Directors. Clear procedures for the endorsement of EMS physicians, requirements for written agreements between EMS physicians and EMS agencies, policies for termination of such written agreements and a mechanism for resolution of conflicts between EMS physicians and EMS agencies are established.

This proposed regulation addresses the fact that survival from sudden cardiac arrest depends directly on rapid access to defibrillation. Every minute of delay in defibrillation reduces the chances of a person surviving sudden cardiac arrest by 10%. Currently, only licensed emergency medical services agencies are permitted to administer cardiac defibrillation in the out-of-hospital setting. These regulations expand that authority to entities that register their devices and meet approved training and operational standards. The need to have adequately trained individuals operating these medical devices was identified by agencies such as the American Heart Association and American Red Cross. These regulations intend to assure equipment standardization, quality assurance and uniformity of training throughout the Commonwealth. The General Assembly determined in § 32.1-111.14:1 of the Code of Virginia that system oversight is necessary to protect the citizens by specifying the conditions under which automated external defibrillators can be used, operated and maintained and authorizing the board to promulgate appropriate regulations.

**Issues:** Issues relevant to the public include: fluidity of the statewide EMS system would be enhanced; Emergency Medical Services for children would be enhanced by increased requirements for pediatric equipment and supplies on ambulances; safety issues concerning EMS personnel and EMS vehicle equipment and marking requirements are identified and addressed specifically; and an Automated External Defibrillation Registry is created.

Issues relevant to the Department of Health: variance approval is delegated to the Office of EMS; terms are defined using Code of Virginia definitions; reporting requirements for EMS agency and personnel would allow for a more consistent communication flow; and clarification of the licensure application and enforcement processes is provided.

Issues relevant to the regulated community and locality: designated Emergency Response Agencies are identified.

Telecommunication issues are complex due to the challenges of implementing new technology and needs for interoperability. Staffing requirements for EMS vehicles present a challenge for rural agencies as the availability of volunteer hours competes with other demands of modern living. A Response Interval Standard and Mobilization Interval Standard are created as performance measures. "Local EMS resource" is identified and defined. "Supplemented transports" are defined and regulated. "Primary service areas" of EMS agencies are identified and defined. "Program site accreditation" for EMS education and training is identified and defined. "Public safety answering point" is defined. "Quality management programs" are identified and defined on a statewide basis. Response Obligation to Locality is created that requires Designated Emergency Response Agencies to assist within their locality. "Special conditions" are defined. Specialized Air Medical Training is created. "Inter-facility wheelchair transport service" is defined and regulated. Virginia EMS Compliance Manual is created and specified. EMS Agency availability (24-hour basis) is required for non-Designated Emergency Response Agencies. Participation in regional trauma triage plans is required.

There are no disadvantages to the Commonwealth or the public associated with the EMS amendments.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 G of the Administrative Process Act and Executive Order Number 25 (98). Section 2.2-4007 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. The Department of Health (Department) proposes to replace its existing regulations regarding emergency medical services (12 VAC 5-30) with the proposed regulations (12 VAC 5-31). The new regulations consolidate and reorganize the text into a more logical, user-friendly manner and reflect improvements in practice standards and technology since the regulations were first promulgated 10 years ago.

Estimated economic impact. Many of the proposed changes to these Emergency Medical Services (EMS) regulations are intended to reduce ambiguity, provide more detailed guidance regarding specific requirements, and improve the department's ability to monitor compliance with these standards. Several of the changes in the proposed regulation address requirements and standards the Department is currently enforcing or are already common practice in the industry. Putting these requirements into regulation should not result in any economic impact.

Some of the proposed changes, such as consolidating EMS vehicle classifications, allowing recertification of personnel

through continuing education, delegating approval of variances and endorsement of EMS physicians to the Office of EMS, and providing definitions of terms used in the text, are intended to simplify and speed up the licensure, permitting, and certification processes. These changes also standardize equipment and personnel standards and allow for consistent interpretation and enforcement of requirements. Operator training and minimum equipment requirements for wheelchair inter-facility transport service providers are removed as they are determined to be unnecessary given that these providers transport passengers only and do not provide any patient care. Since these changes are not expected to negatively affect the quality or quantity of services provided, they are likely to result in a net economic benefit for both providers and recipients of emergency medical services in Virginia.

Other proposed changes do impose new requirements or standards on providers but are intended to reflect improvements in practice standards and technology since the regulations were first promulgated 10 years ago. These changes are individually discussed in more detail below.

**New Certification Levels Established.** Under the proposed regulations, Emergency Medical Technician-Intermediate and Emergency Medical Technician-Enhanced, which are not currently recognized in Virginia, would be adopted as Virginia EMS certification levels. These levels would replace the EMT-Shock Trauma and EMT-Cardiac Tech certification levels, which are not recognized outside of Virginia. Existing EMT personnel will have up to six years to obtain the new certifications. By conforming the Virginia system to national education and practice standards, this change will allow for easier transfer of EMT personnel into and out of Virginia and may enhance the level of Advanced Life Support services available.

**Background Checks Required.** The current regulations specify crimes that disqualify individuals from providing EMT services. However, a background check on applicants is not mandated, although it is common practice by many agencies. The proposed regulations mandate that a background check be completed on all new members no more than 60 days prior to the individual's affiliation with the agency, as well as increase the list of disqualifying crimes to include founded complaints of child or elderly abuse and any crime involving sexual misconduct where the lack of affirmative consent by the victim is an element of the crime. These additional requirements, while they may disqualify some individuals from providing EMS services, will enhance the level of protection provided for EMS patients.

The Virginia State Police (VSP) charges \$15 to complete a background check. Under agreement financed by the Health Department's Office of EMS, however, VSP provides background checks for EMS volunteers at no charge. In addition to the cost of the background check, mandating background checks for all new applicants may increase the workload of the State Police and may necessitate an increase in funding provided by the Office of EMS; the extent of any such increase is not known at this time.

**Update Vehicle Requirements.** The proposed regulations update EMS vehicle equipment requirements based on national and federal guidelines, including the guidelines

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recommended by the Committee on Trauma of the American College of Surgeons.<sup>1</sup> The minimum equipment listings are reformatted in chart form, which are much easier to use and will likely increase compliance. Approximately \$400 to \$500 of required equipment is removed; approximately \$1,000 of equipment is added to the required list, primarily pediatric equipment and supplies. In addition, an automated external defibrillator (AED) is now required on all ambulances. The cost of an AED is approximately \$3,000.

Many EMS agencies already meet or exceed the proposed requirements. For those agencies that do not meet the requirements, several options exist to assist with the purchase of equipment. Nonprofit agencies qualify for matching funds through the Rescue Squad Assistance Fund, which is funded with monies collected annually through motor vehicle registration fees. In addition, \$594,000 was awarded to EMS agencies in September 2000 through the EMS Developmental Block Grant Awards, which funded the purchase of 199 AEDs.

For licensure of an EMS agency that does not use an EMS vehicle, the new regulations require that the individuals must maintain a minimum level of equipment. This can be expected to reduce the possibility of someone holding themselves out as a licensed emergency medical services provider without a minimum level of equipment. The Office of EMS estimates there are less than 25 providers that operate without vehicles. It is not known how many currently do not maintain the required level of supplies.

Several safety issues concerning EMS personnel and EMS vehicle equipment are also addressed in the proposed regulations. Equipment and supplies in the patient compartment must be secured or affixed to protect the crew and patient. There have been several reported incidents of equipment falling on personnel or patients and causing injuries and even death. The cost of complying with this new requirement is not known at this time. Smoking is prohibited in EMS vehicles as well as firearms, with exceptions noted (i.e., law enforcement offices, correctional facility personnel).

Lastly, the new regulations allow for mobile Advanced Life Saving (ALS) packages, which allows any EMS vehicle to be transformed into an ALS vehicle. Currently, EMS vehicles must be classified as ALS or BLS (Basic Life Saving) vehicles. This is common practice by many agencies now, as technology advances have resulted in more mobile equipment. Establishing Advanced Life Support equipment packages allows for fluidity in transfer of staff and equipment that reflects the "everyday and real life" needs of EMS agencies.

**Increased Staffing Levels.** The proposed regulation establishes a requirement for designated emergency response agencies to have a minimum of eight EMS personnel who are qualified to function as an Attendant-In-Charge (AIC). An AIC is someone authorized by the EMS agency's operational medical director to use all the skills and equipment for their level of certification and the type of transport to be performed. The impact of this change is not

known without knowing the current staffing levels of each individual agency.

**Program Site Accreditation.** The proposed regulation also sets requirements for program site accreditation to verify that a training program has demonstrated the ability to meet criteria established by the Office of EMS to conduct Basic and/or Advanced Life Support certification classes. This may initially reduce the number of providers and could increase the costs of obtaining training. However, since low quality courses appear to have lower success rates, the overall cost of obtaining training may remain the same or may even decrease. The level of EMS care provided may increase if personnel receive higher quality training as a result of this change.

**Automated External Defibrillator Registry.** Previously, only licensed emergency medical service agencies were permitted to administer cardiac defibrillation in the out-of-hospital setting. The Code of Virginia expanded that authority to entities that register their devices and meet approved training and operation standards. The proposed regulations establish a statewide registry for AED owners and sets requirements that address training standards for operators, maintenance of the devices, medical direction for registered users, and enforcement actions for individuals who fail to obtain registration. Currently, approximately 200 AEDs are included in the registry. Every minute of delay in defibrillation reduces the chances of a person surviving cardiac arrest by 10%. By providing the necessary oversight, the proposed regulations may provide significant benefits to individuals who suffer cardiac arrests at locations equipped with automated external defibrillators.

**Summary of economic impact.** The following table summarizes the anticipated effects resulting from the proposed changes to this regulation. While the overall net economic impact is not measurable at this time, it is likely to be positive.

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<sup>1</sup> Committee on Trauma, American College of Surgeons, "Essential Equipment for Ambulances," March 1994.



**Estimated Economic Impacts of the Proposed Changes to Virginia Emergency Medical Services Regulations (12 VAC 5-31)**

Proposed Change	Estimated Number Affected	Estimated Cost	Estimated Benefit
New certification levels established	There are currently 1,804 certified EMT-Shock Trauma providers and 2,918 certified EMT-Cardiac Tech providers	Coursework in excess of what would have been required for recertification of current levels	Easier transfer of EMS personnel into and out of Virginia; may possibly enhance the level of advanced life support services available
Background checks required	All new applicants	No charge for EMS agencies requesting background checks; Some additional time required of Virginia State Police staff	Prevent possible abuses by EMT personnel
List of disqualifying crimes expanded	All new applicants, any currently certified individuals the Department becomes aware of	May disqualify some individuals from providing EMT services	
Vehicle equipment standards revised	There is no information currently available on how many EMS agencies do not meet the proposed requirements	\$1,000 per permitted vehicle to purchase additional required equipment, \$3,000 to purchase AED	Proposed equipment listings are in line with national and federal guidelines and may enhance services provided, especially for children
Staffing requirements increased	Not known at this time	Not known at this time	May improve level of care provided if agencies are currently understaffed
Program site accreditation required	All providers of Basic and/or Advanced Life Support certification classes	Unknown - overall costs may increase, remain the same or even decrease	May improve level of EMS care if personnel receive higher quality training
AED registry	All AED owners and operators	Unknown - includes costs of training and maintaining the registry	Likely to increase use of AEDs; ensure competency of operators

Businesses and entities affected. There are approximately 800 licensed EMS agencies in Virginia and 33,000 certified EMS providers that will be affected by the proposed regulation.

Localities particularly affected. The proposed regulation will not uniquely affect any particular localities.

Projected impact on employment. The proposed regulation is not expected to have any significant impact on employment.

Effects on the use and value of private property. The proposed regulation is not expected to have any significant effects on the use and value of private property.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Department of Health concurs with the economic impact assessment prepared by the Department of Planning and Budget regarding the proposed chapter entitled Virginia Emergency Medical Services Regulations, 12 VAC 5-31, to replace 12 VAC 5-30.

Summary:

*The existing regulations are being repealed and replaced by a proposed regulation that consolidates the Commonwealth's regulations regarding emergency medical*

*services in a logical and "user-friendly" manner, removes unnecessary requirements, and updates regulatory provisions so that vital improvements in practice and technology are reflected, thus providing Virginians with an enhanced level of emergency medical services.*

VA.R. Doc. No. R01-71; Filed April 3, 2002, 11:41 a.m.

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

Title of Regulation: **12 VAC 35-190. Regulations Establishing Procedures for Voluntarily Admitting Persons Who Are Mentally Retarded to State Mental Retardation Facilities (amending 12 VAC 35-190-10 and 12 VAC 35-190-30; adding 12 VAC 35-190-21, 12 VAC 35-190-41, and 12 VAC 35-190-51; repealing 12 VAC 35-190-20, 12 VAC 35-190-40, and 12 VAC 35-190-50).**

Statutory Authority: §§ 37.1-10 and 37.1-65.1 of the Code of Virginia.

Public Hearing Date: June 5, 2002 - 6:30 p.m.

Public comments may be submitted until June 21, 2002. (See Calendar of Events section)

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for additional information)

**Agency Contact:** Wendy V. Brown, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 225-2252, FAX (804) 371-0092, or e-mail [wbrown@dmhmrsas.state.va.us](mailto:wbrown@dmhmrsas.state.va.us).

**Basis:** Section 37.1-10 of the Code of Virginia confers authority to the board to "...make, adopt and promulgate such rules as may be necessary to carry out the provisions of this title..." Section 37.1-65.1 of the Code of Virginia requires the board to promulgate regulations establishing procedures and standards for approving admissions to facilities for the mentally retarded.

**Purpose:** Amendments to the existing regulations are necessary to describe the requirements and procedures for individuals requesting admission into a mental retardation training facility; to clearly define due process protections afforded to persons with mental retardation who are being admitted to a training center and to their families; and to assure consistency with statutory requirements, current practice and terminology. This amendment will protect the health and welfare of Virginia citizens by ensuring that those who need admission will have accurate and legal guidance for seeking such admissions. With the proposed amendments, the regulations will generally meet its major goals by (i) specifying the requirements that must be met to access voluntary admission in a mental retardation training center; and (ii) assuring that procedures for obtaining such services are minimally intrusive for individuals seeking services and their families with minimal cost to the training centers.

**Substance:** Parts of regulations, which provide procedural guidance, have been clarified and updated to be consistent with statutory requirements and current practice and terminology. These revisions have been developed to be consistent with other relevant agency regulations. The most substantive changes include:

1. Insertion of a new definition for "case management community services board (CSB)" and the revision of the provisions for admissions and discharges to indicate that the case management CSB is responsible for processing admissions and developing the discharge plan, as provided in §§ 37.1-98 and 37.1-197.1 of the Code of Virginia;
2. Addition of definitions for "commissioner," "discharge plan," "guardianship," and "legally authorized representative," which are needed to clarify the regulatory provisions;
3. Elimination of definitions for "clinical psychologist," "less restrictive alternative," "physician," "respite care," "responsible person," and "transfers," which are terms that are not used in the text of the regulations and are therefore unnecessary;
4. Revision of the definition for "facility" to clarify that state operated training centers for persons with mental retardation are the only type of facility that is included in the scope of these regulations;
5. Elimination of the current section 12 VAC 35-190-40 describing the criteria for judicial certification for eligibility for

admission to training centers, which repeats criteria specified in state law;

6. Addition of procedures to request reconsideration from the commissioner of any decision to deny a request for voluntary admission to a training center (new section 12 VAC 35-190-41).

**Issues:** The changes are intended to clarify the requirements and procedures for voluntary admissions in accordance with the current law. These regulations have not been revised since they were promulgated in 1976. The provisions do not reflect current terminology and changes in the practice that have occurred since that time. By providing specific and accurate guidance, the amendments should reduce confusion and facilitate the process for requesting admissions and help promote timely discharges from state training centers, consistent with the current law. This should be advantageous to citizens who request such admissions, and to the CSBs and state facilities that process such applications for admission. The amendments should have no disadvantages to the public or the Commonwealth.

## Department of Planning and Budget's Economic Impact

**Analysis:** The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 G of the Administrative Process Act and Executive Order Number 25 (98). Section 2.2-4007 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. The Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS) proposes to update its Regulations Establishing Procedures for the Voluntary Admission of Persons Who Are Mentally Retarded to State Mental Retardation Facilities, which has not been revised since its promulgation in 1976. In addition to editorial changes, the updated regulation will include the following:

1. Revised definitions of certain terms and the elimination of definitions for terms that are not used in the text of the regulation;
2. Removal of the sections describing the criteria for judicial certification as the criteria is already specified in the Code of Virginia;
3. A new definition for "case management community service board (CSB)" that indicates the case management CSB is responsible for arranging admissions and discharges from state training centers as required by §§ 37.1-98 and 37.1-197.1 of the Code of Virginia, which were implemented in the early 1980s; and

4. A provision formalizing the process for an applicant to seek reconsideration from the Commissioner of any decision to deny admission to a training center.

Estimated economic impact. The proposed changes to this regulation do not represent any changes in the current policies regarding voluntary admissions to state training centers. Aside from making the regulation more consistent with current practice and terminology and existing statutory requirements, there are not likely to be any significant economic effects as a result of the proposed changes.

Businesses and entities affected. The proposed changes are not expected to impact the number of admissions or discharges to state training centers and therefore should not impact facility expenditures. There are five state training facilities in Virginia. In CY 2001, there were 21 voluntary admissions to these state training centers.

Localities particularly affected. The proposed changes will not uniquely affect any particular localities.

Projected impact on employment. Since the proposed changes do not represent any change in current practice, they will not have any impact on employment in Virginia.

Effects on the use and value of private property. Since the proposed changes do not represent any change in current practice, they will not have any effects on the use and value of private property in Virginia.

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

Summary:

*The proposed amendments revise provisions relating to voluntary admission to residential training facilities for the mentally retarded to require the case management community services board to be responsible for arranging admissions to and discharges from state training centers; update definitions of terms; and generally update the existing provisions to be consistent with current practice and statutory requirements. The proposed amendments also include provisions for an applicant to seek reconsideration from the commissioner of any decision to deny admission to a training center.*

**12 VAC 35-190-10. Definitions.**

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

*"Admission" means placement of an individual in a residential facility for ~~the mentally retarded individuals with mental retardation~~ as defined in this chapter so that the facility becomes the individual's primary residence and primary locus of his care, treatment, and training. ~~Specifically excluded from this definition of admission are respite care and transfers as defined in this section.~~*

*~~"Clinical psychologist" means an individual possessing a doctorate or master's degree from an accredited program with~~*

~~specialized training and one year's experience in treating the mentally retarded.~~

*"Case management community services board (CSB)" means a citizens board established pursuant to § 37.1-195 of the Code of Virginia that serves the area in which an adult resides or in which a minor's parent, guardian or legally authorized representative resides. The case management CSB is responsible for case management, liaison with the facility when an individual is admitted to a state training center, and predischarge planning. If an individual, or the parents, guardian or legally authorized representative on behalf of an individual, chooses to reside in a different locality after the individual's discharge from the facility, the community services board serving that locality becomes the case management CSB and works with the original case management CSB, the individual receiving services and the state facility to effect a smooth transition and discharge.*

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

*"Discharge plan" or "predischarge plan" means a written plan prepared by the case management CSB in consultation with the state facility pursuant to § 37.1-197.1 of the Code of Virginia. This plan is prepared when the individual is admitted to the facility and documents the planning for services after discharge.*

*~~"Facility" means a state institutions, hospitals, or training centers with a rated capacity of more than 16 beds and devoted to, or having, facilities for the residential care, treatment and training of mentally retarded persons center for individuals with mental retardation under the supervision and management of the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services.~~*

*~~"Less restrictive alternative" means a program, facility, or other setting which is of a less confining or structured setting than institutional care and which can adequately provide for the individual's care, treatment, and training in a less confining manner than that provided in an institutional program.~~*

*"Guardianship" means:*

*For Minors - An adult who is either appointed by the court as a legal guardian of said minor or exercises the rights and responsibilities of legal custody by delegation from a biological or adoptive parent, upon provisional adoption or otherwise by operation of law.*

*For Adults - a person appointed by the court who is responsible for the personal affairs of an incapacitated adult under the order of appointment. The responsibilities may include making decisions regarding the individual's support, care, health, safety, habilitation, education and therapeutic treatment. Refer to definition of "incapacitated person" at § 37.1-134.6 of the Code of Virginia.*

*"Legally authorized representative" means a person permitted by law or regulations to give informed consent for disclosure of information and give informed consent to treatment, including medical treatment and participation in human*

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~~research on behalf of an individual who lacks the mental capacity to make these decisions.~~

~~"Mental retardation" means substantial subaverage general intellectual functioning which originates during the developmental period and is associated with impairment in adaptive behavior.~~

~~"Physician" means a medical doctor licensed to practice medicine in the Commonwealth with specialized training or one year's experience in treating mentally retarded individuals.~~

~~"Respite care" means the placement of an individual into a facility for the mentally retarded for a period not exceeding 24 consecutive days or more than 75 days in a calendar year when that placement is solely for the purpose of providing temporary care so that parents, guardians, or other persons responsible for the individual may be relieved of that responsibility because of medical or other emergency conditions of the responsible persons or to allow the responsible persons to take a vacation. It shall be the responsibility of the director of a facility to clearly state in the respite admission letter the temporary nature and purpose of such a respite admission and to obtain the agreement of the parents, guardian, or persons responsible for the individual's care to these conditions before accepting the individual into the facility.~~

~~"Responsible person" means those persons having a legitimate concern for the health, safety, and welfare of the person under consideration for admission including, but not limited to relatives, state or local agencies, or the person or persons having responsibility for the primary care of the individual.~~

~~"Transfers" means the transfer of an individual already admitted to a state facility to another state facility by order of the commissioner.~~

## **12 VAC 35-190-20. Proceedings for judicial certification; application. (Repealed.)**

~~The initiation for a proceeding for judicial certification shall begin when the parent, guardian, or other responsible person or persons submits a completed application for admission to the facility serving the mentally retarded from that geographic section of the Commonwealth in which the applicant or his parent or guardian is currently residing.~~

~~The date of the application will be deemed to be the date upon which the facility receives the completed application and supporting documentation listed in 12 VAC 35-190-30.~~

## **12 VAC 35-190-21. Application for admission process.**

~~A. Requests for admission to a facility shall be processed through the case management CSB. A parent, guardian, or legally authorized representative seeking admission to a facility for an individual with mental retardation shall apply first to the CSB that serves the area where the applicant, his parent, guardian, or legally authorized representative is currently residing.~~

~~B. If the case management CSB determines that the services for the individual are not available in the community or the individual chooses to obtain services in the state facility, the~~

~~CSB shall forward a prescreening report, pursuant to § 37.1-65.1 B of the Code of Virginia, to the facility serving individuals with mental retardation from that geographic section of the state in which the applicant or his parent, guardian, or legally authorized representative is currently residing.~~

~~The prescreening report shall include at a minimum:~~

- ~~1. An application for services;~~
- ~~2. A medical history indicating the presence of any current medical problems as well as the presence of any known communicable disease. In all cases, the application shall include any currently prescribed medications as well as any known medication allergies;~~
- ~~3. A social history and current status;~~
- ~~4. A psychological evaluation that has been performed in the past three years unless the facility director or designee determines that sufficient information as to the applicant's abilities and needs is included in other reports received;~~
- ~~5. A current individualized education plan for school-aged applicants unless the facility director or designee determines that sufficient information as to the applicant's abilities and needs is included in other reports received;~~
- ~~6. A vocational assessment for adult applicants unless the facility director or designee determines that sufficient information as to the applicant's abilities and needs is included in other reports received; and~~
- ~~7. A completed discharge plan outlining the services to be provided upon discharge and anticipated date of discharge.~~

## **12 VAC 35-190-30. Determination of suitability for admission.**

~~A. Within 30 calendar working days from the receipt of the completed application and supporting documentation prescreening report, the director of the facility, or his designee, shall provide a written statement to the applicant, his parent, guardian, or other responsible person or persons in whose name the applicant is seeking admission of the findings of the consideration of the application for admission to that facility notify the case management CSB in writing of the determination on the admission request.~~

~~B. Determination of suitability for admission by the director shall be based upon the following criteria and shall be so stated in his written statement decision:~~

- ~~1. The individual has a primary diagnosis of mental retardation;~~
- ~~2. That The diagnosis of mental retardation has been made by an interdisciplinary team of qualified mental retardation professionals upon review of a social history, psychological evaluation, relevant medical information, and any other material deemed appropriate by the facility to make such a diagnosis the completed prescreening report; and~~
- ~~3. That the individual is incapable of requesting his own admission to the facility;~~

~~4. That 3. The facility has available space, training, treatment, and habilitation services appropriate to meet the needs of the individual; and.~~

~~5. That the combination of services required by the individual is not available in a less restrictive environment.~~

~~If the director finds that the applicant is not suitable for admission to the facility, he shall state the reasons therefore and, if possible, recommend alternative locations for needed services.~~

~~In order for the director to make the above findings, the individual may be admitted to the facility for observation and evaluation for a period not to exceed 48 hours.~~

~~In the event that the parent, guardian, or other responsible person or persons making application for admission disagrees with the findings of the director, he may, in the name of the applicant, request a review of the decision by the Commissioner of the Department of Mental Health and Mental Retardation.~~

~~Notice of the appeal shall be initiated by the parent, guardian, or other responsible person or persons in the form of a written request for such review submitted to the commissioner.~~

~~The commissioner will notify the parent, guardian, or other responsible person or persons of the findings of his review within 30 calendar days from the date of receipt of the notice of appeal.~~

~~C. If the director finds that the applicant is not suitable for admission to the facility, he shall state the reasons for his decision and may recommend alternative locations for needed services.~~

### **12 VAC 35-190-40. Procedural guidelines for admission to facilities. (Repealed.)**

~~The intent of the provisions of § 37.1-65.1 of the Code of Virginia shall be deemed to have been met under the following conditions:~~

~~1. When the facility provides to the parent, guardian, or other responsible person or persons and to the court the statement of the applicant's suitability for admission as outlined in 12 VAC 35-190-30.~~

~~2. When the parent, guardian, or other responsible person or persons shall present a signed written statement to the court that the applicant is alleged to be mentally retarded, that he has applied for admission to the facility, and that the parent, guardian, or other responsible person is willing to release to the facility the primary care, treatment, and training of the applicant for the duration of the admission period;~~

~~3. When the judge hearing the matter has made a finding that the applicant is incapable of requesting his proposed admission pro se;~~

~~4. When the judge hearing the matter has made a finding that the facility has approved the proposed admission pursuant to 12 VAC 35-190-30;~~

~~5. When the judge hearing the matter has made a finding that there is no less restrictive alternative to institutional~~

~~confinement consistent with the best interests of the person who is subject of the proceedings; and~~

~~6. When the judge hearing the matter has made a finding that the person is in need of institutional training and treatment.~~

~~The judge shall issue a written certificate stating that the individual is eligible for admission. Such certification shall also specify findings listed in subdivision 3 of this section. This certificate shall be transmitted to the parent, guardian, or other responsible person or persons whose responsibility shall be to submit such certificate to the facility prior to admission of the applicant.~~

~~The judge may on his own motion summon any physician, clinical psychologist, or other qualified mental retardation professional to evaluate the person who was the subject of the proceedings to assist the court in its findings.~~

### **12 VAC 35-190-41. Requests for reconsideration of the director's determination.**

~~In the event that (i) the case management CSB making the request for admission, or (ii) a person seeking admission to a facility, disagrees with the determination of the director, the CSB, or person seeking admission, or both may request a reconsideration of the determination by submitting a request in writing to the commissioner within 10 days of receiving such determination. Upon receipt of a request for reconsideration, the commissioner shall notify the facility director and the facility director shall forward the prescreening report package and related information to the commissioner within 48 hours. The commissioner shall also provide an opportunity for the person requesting reconsideration to submit for review any additional information or reasons why the admission should be approved. The commissioner shall render a written decision on the request for reconsideration within 30 calendar days of the receipt of the request and notify all involved parties. The commissioner's decision shall be binding.~~

### **12 VAC 35-190-50. Procedural guidelines for admission to state training centers. (Repealed.)**

~~A parent, guardian, or other responsible person or persons, including state agencies or persons concerned with the health, safety, and welfare of an individual, who believes a person, such as their child or a ward of the Department of Welfare, should be admitted to a state training center for mentally retarded persons should first contact the training center either by telephone or letter. The local community mental health and mental retardation services board or the state Department of Mental Health and Mental Retardation can help identify the appropriate training center to call. The training center where the person may be admitted will then spell out the correct procedures to follow, including such information needed to determine eligibility for admission.~~

~~The state training center must then determine three things:~~

~~1. Is the person mentally retarded? Mental retardation is defined as a disability in which a person functions at a substantial subaverage intellectual level which originated during his developmental period (birth to 18 years), combined with problems in adaptive behavior (inability to care for his own needs such as dressing, eating, toileting,~~

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and often inappropriate social behavior). Tests and information to determine whether a person is mentally retarded may be gathered by the staff of the training center. Many times schools, community service boards, local associations for retarded citizens, or other agencies will help a family or an agency gather the information needed;

2. Does the person need institutionalization? Most mentally retarded persons can receive proper care and training in their community. However, sometimes the degree of retardation or associated problems a person may have are so great that the person may require institutional care; and

3. Does the institution have the space and the ability to provide the type of care and programs that the mentally retarded person needs? Some training centers do not provide some types of care, (for example, 24-hour skilled nursing service). In these cases the training center will work with the parents or agency in finding a more appropriate place for the person to receive the care he needs, including the possibility of the placement in another training center. If the institution makes the decision that it can admit a person, they will commonly make an agreement with the parents that the person will receive certain treatment over a specified period of time. It is the goal of training centers in Virginia to prepare a person for return to community living whenever possible. Sometimes the training center staff may feel that they need to observe the person to make a more informed judgment. In that event, a person may be held at the institution for up to 48 hours.

The training center, after making its determination, then contacts, in writing, the parent or guardian with their findings.

If the institution finds that the person is mentally retarded, that he requires institutionalization, and that the institution can provide the programs and care that he needs, the parents or guardian can then petition the district court in their area for a judicial certification to voluntarily admit the mentally retarded person to the facility. The judge must be provided with the information gathered about this person at the institution as well as a letter from the director saying that the person is eligible for admission.

The judge must then decide the following:

1. Whether to accept the institution's findings about the mentally retarded person;
2. Whether to order another evaluation of the mentally retarded person. This may be done by a licensed physician or a clinical psychologist appointed by the judge; and
3. Whether there is any less restrictive alternative to care and treatment other than being admitted to a state training facility, such as a group home for mentally retarded persons or a day care program in the community. The judge may request advice from local community services boards or other community agencies.

If the judge finds that there are no less restrictive alternatives, he shall issue a written order that the mentally retarded person is eligible for voluntary admission to a state training facility.

This procedure does not guarantee that admission to a state training center will be automatic. Space at the institution may not be available or new programs in the community may have been started depending on the amount of time spent on the due process procedure for an individual. In the event space is unavailable at an institution, the person will be placed on a waiting list.

This procedure does not constitute an involuntary commitment. It is a due process procedure for voluntary admission to ensure that a mentally retarded person's rights are protected.

## **12 VAC 35-190-51. Procedure for admission.**

*Upon receipt of written notification from the facility director that an individual is suitable for admission, the case management CSB will inform the individual or the individual's parent, guardian or legally authorized representative of this decision and assist the parent, guardian or legally authorized representative in initiating a judicial proceeding pursuant to § 37.1-65.1 of the Code of Virginia. When the judge has certified that the individual is eligible for admission to a facility in accordance with § 37.1-65 C 3 of the Code of Virginia, a date for admission to the facility will be established.*

VA.R. Doc. No. R01-173; Filed March 27, 2002, 10:13 a.m.

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

### **BOARD OF MEDICINE**

Title of Regulation: **18 VAC 85-80. Regulations Governing the Practice of Occupational Therapy (amending 18 VAC 85-80-10, 18 VAC 85-80-35, 18 VAC 85-80-40, and 18 VAC 85-80-60 through 18 VAC 85-80-110; adding 18 VAC 85-80-26 and 18 VAC 85-80-45; repealing 18 VAC 85-80-120).**

Statutory Authority: §§ 54.1-2400, 54.1-2956.1, and 54.1-2956.2 of the Code of Virginia.

Public Hearing Date: May 9, 2002 - 9 a.m.

Public comments may be submitted until June 21, 2002.

(See Calendar of Events section for additional information)

Agency Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6606 West Broad Street, Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.state.va.us.

Basis: Section 54.1-2400 of the Code of Virginia establishes the general powers and duties of health regulatory boards including the responsibility to promulgate regulations, levy fees, administer a licensure and renewal program, and discipline regulated professionals.

Sections 54.1-2956.1 and 54.1-2956.2 of the Code of Virginia set forth statutory provisions for the licensure and practice of occupational therapists.

**Purpose:** Licensed occupational therapists and health care facilities often have a dilemma about what tasks constitute the practice of occupational therapy and what tasks may be appropriately delegated. The purpose of the proposed amendments is to provide more specificity about delegation, emphasizing the responsibility of the licensee for the patient and the outcome of treatment. While the proposed regulation is specific enough to prohibit the initial assessment, evaluation or development of a treatment plan, it is general enough to permit delegation of tasks based on the knowledge and skills of the unlicensed assistant. It also requires that delegated tasks or procedures must be communicated on a patient-specific basis with specific, clear instruction and expectations.

Since the licensed occupational therapist is responsible for the unlicensed personnel who work under his supervision, he must use his judgment about whether a task can safely and properly be performed. No delegation of tasks may occur if such delegation may jeopardize the health, safety and welfare of the patient. By providing greater regulatory clarity on delegation, the board intends to protect patients from inappropriate treatment by unlicensed, unsupervised individuals engaged in activities that may be interpreted as the licensed practice of occupational therapy.

**Substance:** The board is recommending amendments to its regulations for the licensure of occupational therapists in order to address concerns about the adequacy of supervision for unlicensed assistants and to provide greater clarity on appropriate delegation of tasks. An amendment will also clarify for applicants the time period in which they may practice prior to getting the results of the licensure examination.

**Issues:** The primary issue that arose in the review of these regulations related to the appropriate use of unlicensed assistants in practice. The Code of Virginia permits practice by unlicensed assistants but also restricts the practice of occupational therapy as defined in § 54.1-2900 to persons who hold a license from the board. Licensees often have a dilemma about what tasks constitute practice and what tasks may be appropriately delegated. By further specifying the regulation on supervision and delegation of tasks to unlicensed persons, the board intends to provide greater clarity and protection for the public.

Advantages and disadvantages to the public. There are no disadvantages to patients receiving occupational therapy services; they are better protected by more specific rules on delegation of tasks to unlicensed persons. Amended regulations will make it clear that the initial assessment of a patient and the development of a treatment plan shall only be done by the licensed OT. Only those routine tasks that can properly and safely be performed by unlicensed personnel can be delegated and shall be delegated on a patient-specific basis. The licensed individual remains responsible for the services provided and for the treatment of the patient.

Advantages and disadvantages to the agency or the Commonwealth. There are no disadvantages to the agency;

the amended regulation does not impose a new responsibility on the board and does not involve additional cost or staff time. In part, the amended regulation intends to clarify certain sections that have generated phone calls and questions to staff. If the board is successful in clarifying those provisions, the agency could benefit from fewer inquiries from applicants and licensees.

#### Department of Planning and Budget's Economic Impact

**Analysis:** The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 G of the Administrative Process Act and Executive Order Number 25 (98). Section 2.2-4007 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. The Board of Medicine (the board) is proposing new language to clarify the types of occupational therapy tasks that can be and cannot be delegated to unlicensed personnel by the licensed occupational therapists. The board is also proposing new language to clarify which titles can be used by the graduates from an occupational therapy program who are not licensed at the time, the duration of their practice under the designated titles, and that the designated titles must be used on any identification or signature in the course of their practice.

Introduction. Occupational therapy practices are subject to these regulations. A recent survey<sup>1</sup> of occupational therapists conducted by the Department of Health Professions (DHP) indicates that practitioners in Virginia provide their services at school settings, skilled nursing facilities, acute care facilities, outpatient therapy settings, adult rehabilitation facilities, industrial and pediatric rehabilitation facilities, vocational training facilities, academia, and home health facilities.

A number of occupational therapy services may be performed by unlicensed assistants under the supervision of a licensed occupational therapist. However, the types of tasks that can be delegated to unlicensed personnel are not listed in the current regulations. According to DHP, this has been creating a dilemma for occupational therapy licensees and health care facilities about what tasks may be appropriately delegated to unlicensed assistants in practice.

There are two main groups of unlicensed assistants with respect to their knowledge on occupational therapy prior to starting an employment. These groups are occupational therapy assistants and occupational therapy aides. The DHP study indicates that occupational therapy assistants either have an associate degree or a certificate from an approved

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<sup>1</sup> Virginia Board of Health Professions, 2000, "Study on the Appropriate Level of Regulation for Certified Occupational Therapy Assistants Pursuant to SJR 153 (2000)."

# Proposed Regulations

occupational therapy program prior to their employment. Throughout the United States, most assistants further establish their credentials by taking the exam offered by the National Board of Certification in Occupational Therapy, Inc., (NBCOT) to be able to use the title and a registered trademark "Certified Occupational Therapy Assistant." Occupational therapy aides, on the other hand, develop their skills and knowledge during their employment.

It can be inferred from the DHP study that Virginia is one of the few states that do not regulate occupational therapy assistants. Out of 49 states, only three did not have licensure, certification, or registration regulations for the assistants. While most states have regulations for assistants, assistants as well as aides are not regulated in Virginia. Thus, from a regulatory perspective, there is no distinction between the two groups. However, the two groups differ in other aspects.

One difference is in wages. The following table provides average compensation received by the occupational therapists, assistants, and aides in this industry. The table reveals that the median and mean<sup>2</sup> hourly wages of licensed occupational therapists in Virginia are significantly higher than what is paid to unlicensed occupational therapy assistants and aides. This provides incentives for the therapists to delegate some of their tasks to assistive personnel. If both groups of the assistive personnel can perform the same tasks equally well, the benefits for the occupational therapist from task delegation are greater for the aides because they are paid lower wages relative to assistants. The median hourly wage paid to the assistants is \$5.50 higher than what is paid to aides. However, the decision to hire must also incorporate the differences in additional revenues each assistive personnel generate. These wage differentials can be taken as an indication that the productivity of assistants, on average, is greater than that of aides. This is consistent with the earlier finding that the knowledge of assistants, on average, is better than that of aides.

Table: Compensation and Employment in Virginia's Occupational Therapy Profession

Occupation Title	Wage Estimates			Estimated Employment
	Median Hourly	Mean Hourly	Mean Annual	
Occupational Therapists	\$23.81	\$24.45	\$50,850	1,950
Occupational Therapist Assistants	\$16.24	\$17.11	\$35,580	527
Occupational Therapist Aides	\$10.74	\$13.74	\$28,580	1,120

Source for the compensation data: 2000 State Occupational Employment and Wage Estimates, Bureau of Labor Statistics, U.S. Department of Labor.

The level of employment also seems to differ significantly between the assistants and the aides despite the uniform

<sup>2</sup> Given relatively significant differences between some of the median and mean estimated figures, the median hourly wage may be more appropriate to use here because the median is statistically more robust than the mean is.

regulatory treatment of the two groups. This is another indication that these groups differ in some other characteristics that are important to their employer. It is difficult, however, to make a conclusive statement on the relative levels of employment because of limited data availability. Because of licensure requirements, DHP has accurate information only on the number of licensed therapists. The most recent information at DHP indicates that there are 1,950 licensed therapists in Virginia.

The information on the number of assistive personnel is not readily available because there is no licensure requirement for these practitioners. Consequently, DHP does not have any information on the assistive personnel. NBCOT is the only source of reliable information for the licensed occupational therapy assistants, while neither DHP nor NBCOT has any information on the occupational therapy aides. The only source of data for the aides is the occupational therapists that responded to the survey. Given these limitations, the survey information is used first to estimate the total number of assistive therapy personnel.<sup>3</sup> It is estimated that there are about 1,647 occupational therapy assistants and aides in the Commonwealth. Then, the total number of assistive personnel is broken down between the assistants and the aides.<sup>4</sup> It is estimated that there are about 527 therapy assistants and about 1,120 therapy aides in Virginia. In other words, about one third of the assistive personnel are assistants with credentials from NBCOT and colleges while the remaining two thirds are aides without extensive education background in this field.

Estimated economic impact. The proposed rule states that initial assessment of a patient, evaluation or development of treatment plans, and any tasks requiring a clinical decision or the knowledge, skills and judgment of an occupational therapist cannot be delegated to unlicensed personnel. The routine tasks that can be delegated to unlicensed personnel include those that do not require professional judgment and that do not jeopardize health and safety of the patient. The delegated tasks will have to be patient specific and communicated to the unlicensed personnel with clear and specific instructions covering performance of activities, potential complications, and expected results. Examples of activities that can be delegated include interviewing patients to obtain background information, screening for services to evaluate and determine patients problems, administering standardized tests, documentation, selecting and performing interventions to restore a physical function, referral to other agencies, evaluating progress of patients, developing home programs, instructing caregivers, and terminating therapy when the goal is achieved.

<sup>3</sup> According to the survey, 560 occupational therapists supervised 473 assistive personnel, which includes assistants and the aides. If the number of assistive personnel per occupational therapist did not change over time, there should be about 1,647 personnel assisting all of the occupational therapists practicing currently.

<sup>4</sup> NBCOT informed DHP in 1999 that there were 501 licensed occupational therapy assistants and 1,854 licensed occupational therapists in Virginia. The number of currently licensed assistants is expected to be 527 since the number of licensed therapists has increased from 1,854 to 1,950, representing a certain growth rate.



There are many tradeoffs licensed therapists face when delegating tasks to unlicensed personnel. They have incentives to delegate tasks to free some of their time for other activities. For instance, they may use the additional time to provide services to more patients. This will allow the therapists to increase the revenues over what could be generated without any assistive personnel. However, delegation also introduces costs. Aside from the labor costs, liability of the therapists will be higher as they are responsible for the others' mistakes. Although there are mitigating factors such as supervision, delegation will still increase the potential risk of harming the patients. This may be costly in terms of liability costs or in terms of losing the license to practice therapy. There is likely to be additional costs due to principal agent problems. For example, assistants may not expend all of their effort and customer satisfaction may be compromised. Finally, there is a chance that a third party payor such as an insurance company may deny reimbursement if its policy prohibits payments for services provided by unlicensed personnel.<sup>5</sup>

The therapist's decision to delegate is further complicated by the presence of two distinct groups of assistive personnel. This is because benefits and costs would likely vary between delegation to assistants and delegation to aids. For example, it seems that potential liability risks would be higher for delegation to an aid than delegation to an assistant because of education differences. In this complex decision making process, licensed therapists are likely to take into account all of the additional benefits and costs and choose a level of delegation between assistants and the aids that would be optimal for them.

Information about the patient complaints may be helpful to understand the potential risk of harm that may be posed by delegation of therapy tasks to assistive personnel. Data from the 28 states responded to the survey indicate that less than 4 complaints in 20,000 therapy assistant-years are reported and less than a quarter of the complaints resulted in a disciplinary action. It is unlikely that all of these complaints were related to delegation of responsibility. What is more is that the complaint and disciplinary action rates for the services provided by licensed therapists are the same at this degree of precision. This suggests that the likelihood of risk of harm to patients posed by the therapists and the assistants is almost the same. On the other hand, there is no data to assess the likelihood of risk of harm to patients posed by the therapist aids.

Probability of potential harm to patients in Virginia seems to be lower than the 28-state average. DHP is aware of six complaints against licensed occupational therapists since 1993. None of these complaints resulted in a disciplinary action. Two of the cases were related to standard of care and unprofessional conduct while other cases were related to fraud, unlicensed activity, and business issues. When normalized, these six complaints translate to almost one complaint out of 20,000 therapist-years. More importantly, there was only one complaint for the services provided by

unlicensed assistants over a five-year period, which is also a smaller likelihood relative to the other states. The survey responses do not contradict with these findings.

Another dimension of the delegation of responsibility is the settlement costs when a malpractice is claimed. The DHP study provides settlement information from another source<sup>6</sup> where it is reported that occupational therapists paid between \$27,000 and \$33,000 in current dollars<sup>7</sup> for cases involving improper treatment, burns from hot pack, falling, and sexual misconduct.

In addition, the DHP study indicates that not all of the occupational therapists necessarily delegate tasks to assistive personnel. Of the 560 respondents about 50.9% indicated that they are supervising assistants and/or aides and 49.1% indicated that they do not. This implies that currently about 993 therapists may be supervising assistants/aids and 957 therapists may not be supervising any assistive personnel.

Also, based on 285 therapists who indicated that they are supervising assistants/aides on a regular basis, the delegation patterns are identified. These patterns are summarized in the next table where delegation "under supervision" means that the licensed therapist is sufficiently aware of patient's needs and status and has ongoing written and/or verbal communication with assistive personnel who are providing the services. Delegating "independently" means no oversight is provided to assistive personnel by the licensed therapist. The table reports only the highest delegation pattern.

Table: Task Delegation Patterns in Virginia's Occupational Therapy Profession

Task	Delegation Pattern	
	To an Assistant	To an Aid
Interviewing to obtain background and social history	Never delegate (37.6%)	Never delegate (93.3%)
Screening for OT services	Never delegate (40.3%)	Never delegate (96.6%)
Administering standardized assessment instruments	Never delegate (44.5%)	Never delegate (97.1%)
Recommend referral to appropriate professionals and agencies	Under supervision (57.1%)	Never delegate (94%)
Select appropriate interventions to restore function	Under supervision (63.9%)	Never delegate (85.1%)
Document intervention / treatment plan	Under supervision (60.1%)	Never delegate (83%)
Provide therapeutic interventions	Independently (49.5%)	Under supervision (64.4%)

<sup>5</sup> It is noted in the survey that in few instances Trigon denied payment for services provided by an unlicensed assistant. Also, the shift in Virginia's policy in 1998 from certification to license may be attributed to anecdotal evidences for denial of payment. However, there is lack of evidence at this time that denial of payment occurs frequently.

<sup>6</sup> Ranke, B., A., Moriarty, M., P., 1997, "An Overview of professional liability in occupational therapy," *American Journal of Occupational Therapy*, 51(8), pp. 671-680.

<sup>7</sup> Reported figures are adjusted by the Consumer Price Index.

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Evaluate patient progress	Under supervision (71.4%)	Never delegate (85.3%)
Modify intervention plan	Under supervision (68.2%)	Never delegate (92.7%)
Instruct caregivers in assisting patient in discharge environment	Under supervision (50.2%)	Never delegate (78.9%)
Develop home programs	Under supervision (59.6%)	Never delegate (91%)
Terminate services when goals are achieved	Under supervision (60.7%)	Never delegate (97.9%)
Serve as a resource person or consultant	Under supervision (48.9%)	Never delegate (82.1%)

Source: Virginia Board of Health Professions, 2000, "Study on the Appropriate Level of Regulation for Certified Occupational Therapy Assistants Pursuant to SJR 153 (2000)."

The table reveals that most of the licensed occupational therapists delegate their responsibilities to assistants under supervision and most never delegate tasks to aids. For example, 57.1% of the therapists delegate referral services to assistants under supervision but only 6% delegate it to the aids independently or under supervision. Only the therapeutic intervention task is delegated to aids by most of the therapists. Furthermore, DHP study notes that activities that entail discretionary judgment such as the selection of appropriate interventions and evaluating patient progress are often delegated to the assistants under supervision. Finally, delegation of activities to assistants performed independently is uncommon. Taken together, these results suggest that the assistants assume a much larger role in delivery of therapy services than the aides do.

According to DHP, the proposed regulations are clarifications and the tasks that are currently delegated could continue to be delegated. Also, personal communications with several occupational therapists indicate that the proposed language is consistent with what is being delegated in practice. Provided that the proposed regulation has no impact on the current delegation patterns exist in the occupational therapy profession, there should be no significant economic impact. It is for those whose current delegation patterns would be limited by the proposed changes, this proposal may increase compliance costs and may reduce the liability risks. On the other hand, the therapists who start delegating more responsibilities due to the proposed clarifications may reduce compliance costs with a corresponding increase in liability risks.

Another proposed amendment to this chapter will clarify that the occupational therapy graduates may practice under the designated titles "Occupational Therapist, License Applicant," or "O.T.L.-Applicant" for up to one year from the date of graduation while waiting for the results of the licensure examination. The designated titles must be used on any identification or signature during their practice as licensed applicants. DHP has been receiving inquiries from license applicants regarding the practice of occupational therapy while waiting for the examination results.

This change is a clarification of the current language. This change may reduce the confusion among license applicants

that currently exists. This, in turn, could reduce the small costs associated with inquiries currently incurred by DHP and the regulants.

Businesses and entities affected. Licensed occupational therapists and unlicensed persons who work as occupational therapist assistants or aides are subject to the proposed regulations. Currently, there are approximately 1,950 persons licensed to practice occupational therapy. It is estimated that about 993 therapists delegate some of their responsibilities to assistive personnel. The exact number of unlicensed occupational therapy personnel is not known, but estimated to be about 1,647.

Localities particularly affected. The proposed regulations apply to all localities throughout the Commonwealth.

Projected impact on employment. It is unlikely that the proposed changes will have a significant impact on employment.

Effects on the use and value of private property. No significant impact on the use and value of private property is expected.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Board of Medicine concurs with the analysis of the Department of Planning and Budget for 18 VAC 85-80.

## Summary:

*The proposed amendments clarify the types of occupational therapy tasks that may and may not be delegated to unlicensed personnel by licensed occupational therapists. Proposed amendments also clarify which titles may be used by the graduates from an occupational therapy program who are not licensed at the time, the duration of their practice under the designated titles, and that the designated titles must be used on any identification or signature in the course of their practice.*

## **18 VAC 85-80-10. Definitions.**

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

"ACOTE" means the Accreditation Council for Occupational Therapy Education.

"Active practice" means a minimum of 160 hours of professional practice as an occupational therapist within the 24-month period immediately preceding renewal or application for licensure, if previously licensed or certified in another jurisdiction. The active practice of occupational therapy may include supervisory, administrative, educational or consultative activities or responsibilities for the delivery of such services.

"Advisory board" means the Advisory Board of Occupational Therapy.

"Board" means the Virginia Board of Medicine.

"Contact hour" means 60 minutes of time spent in continued learning activity.

"NBCOT" means the National Board for Certification in Occupational Therapy, under which the national examination for certification is developed and implemented.

"National examination" means the examination prescribed by NBCOT for certification as an occupational therapist and approved for licensure in Virginia.

"Occupational therapy personnel" means ~~persons~~ *appropriately trained individuals* who provide occupational therapy services under the supervision of a licensed occupational therapist.

## **18 VAC 85-80-26. Fees.**

A. *The following fees have been established by the board:*

- 1. The initial fee for the occupational therapist license shall be \$130.*
- 2. The fee for reinstatement of the occupational therapist license that has been lapsed for two years or more shall be \$180.*
- 3. The fee for active license renewal shall be \$135 and for inactive license renewal shall be \$70 and shall be due in the birth month of the licensed therapist in each even-numbered year.*
- 4. The additional fee for processing a late renewal application within one renewal cycle shall be \$50.*
- 5. The fee for a letter of good standing or verification to another state for a license shall be \$10.*
- 6. The fee for reinstatement of licensure pursuant to § 54.1-2921 of the Code of Virginia shall be \$2,000.*
- 7. The fee for a returned check shall be \$25.*
- 8. The fee for a duplicate license shall be \$5, and the fee for a duplicate wall certificate shall be \$15.*

B. *Unless otherwise provided, fees established by the board shall not be refundable.*

## **18 VAC 85-80-35. Application requirements.**

An applicant for licensure shall submit the following on forms provided by the board:

- 1. A completed application and a fee as prescribed in ~~18 VAC 85-80-120~~ 18 VAC 85-80-26.*
- 2. Verification of professional education in occupational therapy as required in 18 VAC 85-80-40.*
- 3. Verification of practice as required in 18 VAC 85-80-60 and as specified on the application form.*
- 4. Documentation of passage of the national examination as required in 18 VAC 85-80-50.*
- 5. If licensed or certified in any other jurisdiction, verification that there has been no disciplinary action taken or pending in that jurisdiction.*

## **18 VAC 85-80-40. Educational requirements.**

A. An applicant ~~for licensure~~ who has received his professional education in the United States, its possessions or

territories, shall successfully complete all academic and fieldwork requirements of an accredited educational program as verified by the ACOTE.

B. An applicant who has received his professional education outside the United States, its possessions or territories, shall successfully complete all academic and clinical fieldwork requirements of a program approved by a member association of the World Federation of Occupational Therapists as verified by the candidate's occupational therapy program director and as required by the NBCOT and submit proof of proficiency in the English language by passing the Test of English as a Foreign Language (TOEFL) with a score acceptable to the board. TOEFL may be waived upon evidence of English proficiency.

C. An applicant who does not meet the educational requirements as prescribed in subsection A or B of this section but who ~~holds~~ *has received* certification by the NBCOT as an occupational therapist shall be eligible for licensure in Virginia and shall provide the board verification of his education, training and work experience acceptable to the board.

## **18 VAC 85-80-45. Practice by a graduate awaiting examination results.**

*A graduate of an accredited occupational therapy educational program may practice with the designated title of "Occupational Therapist, License Applicant" or "O.T.L.-Applicant" until he has taken and received the results of the licensure examination from NBCOT or for one year from the date of graduation, whichever occurs sooner. The graduate shall use one of the designated titles on any identification or signature in the course of his practice.*

## **18 VAC 85-80-60. Practice requirements.**

An applicant who has been practicing occupational therapy in another jurisdiction and has met the requirements for licensure in Virginia shall provide evidence that he has engaged in the active practice of occupational therapy as defined in 18 VAC 85-80-10 ~~for a period of two years immediately preceding submission of his application.~~ If the applicant has not engaged in active practice as defined in 18 VAC 85-80-10, he shall serve a board-approved practice of 160 hours, which is to be completed within 60 consecutive days, under the supervision of a licensed occupational therapist.

## **18 VAC 85-80-70. Biennial renewal of licensure.**

A. An occupational therapist shall renew his ~~licensure license~~ biennially during his birth month in each even-numbered year by:

- 1. Paying to the board the renewal fee prescribed in ~~18 VAC 85-80-120~~ 18 VAC 85-80-26;*
- 2. Indicating that he has been engaged in the active practice of occupational therapy as defined in 18 VAC 85-80-10 ~~for at least 160 hours during each biennial renewal cycle;~~ and*
- 3. Attesting to completion of continued competency requirements as prescribed in 18 VAC 85-80-71.*

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B. An occupational therapist whose ~~license~~ *license* has not been renewed by the first day of the month following the month in which renewal is required shall pay an additional fee as prescribed in ~~18 VAC 85-80-129~~ *18 VAC 85-80-26*.

## **18 VAC 85-80-80. Reinstatement.**

A. An occupational therapist who allows his ~~license~~ *license* to lapse for a period of two years or more and chooses to resume his practice shall submit a reinstatement application to the board and information on any practice and licensure or certification in other jurisdictions during the period in which the license was lapsed, and shall pay the fee for reinstatement of his ~~license~~ *license* as prescribed in ~~18 VAC 85-80-129~~ *18 VAC 85-80-26*.

B. An occupational therapist who has allowed his ~~license~~ *license* to lapse for two years but less than six years, and who has not engaged in active practice as defined in 18 VAC 85-80-10, shall serve a board-approved practice of 160 hours to be completed in two consecutive months under the supervision of a licensed occupational therapist.

C. An occupational therapist who has allowed his ~~license~~ *license* to lapse for six years or more, and who has not engaged in active practice, shall serve a board-approved practice of 320 hours to be completed in four consecutive months under the supervision of a licensed occupational therapist.

D. An applicant for reinstatement shall meet the continuing competency requirements of 18 VAC 85-80-71 for the number of years the license has been lapsed, not to exceed four years.

E. An occupational therapist whose ~~license~~ *license* has been revoked by the board and who wishes to be reinstated shall make a new application to the board and payment of the fee for reinstatement of his ~~license~~ *license* as prescribed in ~~18 VAC 85-80-129~~ *18 VAC 85-80-26* pursuant to § 54.1-2921 of the Code of Virginia.

## **18 VAC 85-80-90. General responsibilities.**

An occupational therapist renders his services of assessment, program planning, and therapeutic treatment upon request for such service.

## **18 VAC 85-80-100. Individual responsibilities.**

A. An occupational therapist provides assessment by determining the need for, the appropriate areas of, and the estimated extent and time of treatment. His responsibilities include an initial screening of the patient to determine need for services and the collection, evaluation and interpretation of data necessary for treatment.

B. An occupational therapist provides program planning by identifying the ~~the~~ *treatment* goals and the methods necessary to achieve those goals for the patient. The therapist analyzes the tasks and activities of the program, documents the progress, and coordinates the plan with other health, community or educational services, the family and the patient. The services may include but are not limited to education and training in activities of daily living (ADL); the design, fabrication, and application of orthoses (splints); guidance in the selection and

use of adaptive equipment; therapeutic activities to enhance functional performance; prevocational evaluation and training; and consultation concerning the adaptation of physical environments for individuals who have disabilities.

C. An occupational therapist provides the specific activities or therapeutic methods to improve or restore optimum functioning, to compensate for dysfunction, or to minimize disability of patients impaired by physical illness or injury, emotional, congenital or developmental disorders, or by the aging process.

## **18 VAC 85-80-110. Supervisory responsibilities.**

A. *Delegation to unlicensed occupational therapy personnel.*

1. An occupational therapist shall be responsible for supervision of occupational therapy personnel who work under his direction.

2. *An occupational therapist shall not delegate the initial assessment, evaluation or development of a treatment plan for a patient to unlicensed occupational therapy personnel nor shall he delegate any task requiring a clinical decision or the knowledge, skills, and judgment of a licensed occupational therapist.*

3. *Delegation shall only be made if, in the judgment of the occupational therapist, the task or procedures do not require the exercise of professional judgment, can be properly and safely performed by unlicensed occupational therapy personnel, and the delegation does not jeopardize the health or safety of the patient.*

4. *Delegated tasks or procedures shall be communicated on a patient-specific basis with clear, specific instructions for performance of activities, potential complications, and expected results.*

B. The occupational therapist providing clinical supervision shall meet with the occupational therapy personnel to review and evaluate treatment and progress of the individual patients at least once every fifth treatment session or 21 calendar days, whichever occurs first.

C. An occupational therapist shall not provide clinical supervision for more than six occupational therapy personnel.

D. An occupational therapist shall be responsible *and accountable* for the ~~direct treatment actions of persons providing services provided by~~ occupational therapy personnel under his clinical supervision.

## **18 VAC 85-80-120. Fees. (Repealed.)**

~~The following fees have been established by the board:~~

~~1. The initial fee for the occupational therapist licensure shall be \$130.~~

~~2. The fee for reinstatement of the occupational therapist licensure which has been lapsed for two years or more shall be \$180.~~

~~3. The fee for active licensure renewal shall be \$135 and for inactive licensure renewal shall be \$70 and shall be due in the birth month of the licensed therapist in each even-numbered year.~~

- 4. ~~The additional fee for processing a late renewal application within one renewal cycle shall be \$50.~~
- 5. ~~The fee for a letter of good standing or verification to another state for a license shall be \$10.~~
- 6. ~~The fee for reinstatement of licensure pursuant to § 54.1-2921 of the Code of Virginia shall be \$2,000.~~
- 7. ~~The fee for a returned check shall be \$25.~~
- 8. ~~The fee for a duplicate license shall be \$5; and the fee for a duplicate wall certificate shall be \$15.~~

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**Title of Regulation:** 18 VAC 85-101. Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited (amending 18 VAC 85-101-10, 18 VAC 85-101-60, 18 VAC 85-101-70, and 18 VAC 85-101-150).

**Statutory Authority:** §§ 54.1-2400 and 54.1-2956.8:1 of the Code of Virginia.

**Public Hearing Date:** May 8, 2002 - 1 p.m.  
Public comments may be submitted until June 21, 2002.  
(See Calendar of Events section for additional information)

**Agency Contact:** Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6606 West Broad Street, Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.state.va.us.

**NOTICE:** The forms used in administering 18 VAC 85-80, Regulations Governing the Practice of Occupational Therapy, 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 Medicine, 6606 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

**FORMS**

- Instructions for Completing an Occupational Therapist Licensure Application (rev. ~~8/99~~ 1/02).
- Application for a License to Practice Occupational Therapy (rev. ~~2/99~~ 5/01).
- Form #A, Claims History Sheet (rev. ~~7/98~~ 5/01).
- Form #B, Activity Questionnaire (rev. ~~7/98~~ 5/01).
- Form #C, Clearance from Other State Boards (rev. ~~7/98~~ 5/01).
- Form #L, Certificate of Professional Education (rev. ~~2/99~~ 1/02).
- Board Approved Practice, Occupational Therapy Traineeship (rev. 6/01).
- Verification of Certification Request Form (NBCOT) (rev. 1999).
- Instructions for Completing Reinstatement of Licensure Application for Occupational Therapy (rev. ~~8/99~~ 3/02).
- Application for Reinstatement as an Occupational Therapist (rev. 7/01).
- ~~Instruction~~ Instructions for Supervised Practice, Occupational Therapy Reinstatement (rev. ~~8/99~~ 1/02).
- Supervised Practice Application, Occupational Therapy Reinstatement (rev. ~~8/99~~ 1/02).
- Report of Supervised Practice for Reinstatement, Form #B (rev. ~~8/99~~ 1/02).
- Renewal Notice and Application (rev. 9/00).
- Continued Competency Activity and Assessment Form (rev. 9/00).

**Basis:** Section 54.1-2400 of the Code of Virginia establishes the general powers and duties of health regulatory boards including the responsibility to promulgate regulations, levy fees, administer a licensure and renewal program, and discipline regulated professionals.

The specific statutory authority for the board to license radiologic technologists-limited and to determine requisite education and training is found in §§ 54.1-2956.8:1 and 54.1-2956.8:2 of the Code of Virginia.

**Purpose:** Osteoporosis is the most common metabolic bone disorder, often called the silent epidemic because it is asymptomatic and not clinically apparent until a fracture occurs. In 1995, an estimated 1.3 million osteoporotic fractures occurred, at a cost of \$13.8 billion. The National Osteoporosis Foundation projects a tripling of the number of fractures by 2040; undoubtedly, the financial impact of this will be staggering.

The single best predictor of fracture risk is bone mass or bone mineral density (BMD). Bone densitometry by DXA (dual energy x-ray absorptiometry) scan is the most widely used technique for measuring bone mass. Peripheral sites (heel, distal forearm) can be measured to screen for low bone mass; central sites (hip, lumbar spine) are measured to diagnose osteoporosis and monitor treatment response.

Densitometry is noninvasive, rapid, accurate, precise, and safe. Unlike other radiologic procedures that a Radiologic Technologist-Limited does, DXA scanning is automated to the point that the operator cannot change the scan time, radiation dose, or distance from the radiation source. All these are preset by the scanner's manufacturer. Also unlike other x-ray procedures, the effective radiation dose to the patient is extremely small – about 1/10 that of a chest x-ray, mammogram, or dental bitewing x-ray. While DXA has generally superceded the single-energy x-ray absorptiometry (SXA), some practices may still utilize the older technology, so it was also included in the definition of bone densitometry.

In the Code of Virginia, a "radiologic technologist, limited" is defined as an individual who performs diagnostic radiographic procedures employing equipment that emits ionizing radiation

VA.R. Doc. No. R01-187; Filed March 28, 2002, 12:27 p.m.

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which is limited to specific areas of the human body. Equipment utilized in diagnosing and monitoring osteoporosis does emit ionizing radiation, albeit in very small doses. Therefore, technicians operating that equipment are deemed to need a license as a radiologic technologist-limited (RT-L) to practice.

There is already a serious problem with under-diagnosis and under-treatment of the growing public health threat of osteoporosis. Much of the solution lies in wider availability and access to screening (densitometry). However, there is already a shortage of RTs and RT-Ls (general and densitometry) in Virginia, particularly in medically underserved areas. This serves to further limit the scope and reach of screening, diagnostic, and monitoring efforts, and unnecessarily raise the costs of scanning—all of which are diametrically opposed to the board's mission to protect the health, safety, and welfare of the citizens of the Commonwealth.

Current regulations require a person to have 40 hours in general knowledge of x-rays and to pass the basic examination of the American Registry of Radiologic Technologists in order to be licensed. Yet a significant portion of the current education and examination requirement for RT-Ls involves aspects irrelevant to bone densitometry techs.

In order to adequately address the serious problem of a shortage of technicians to perform bone densitometry, the board has amended its regulations to accept another credential available specifically for bone densitometry. The inability of physicians and diagnostic centers to hire licensed technicians has an adverse impact on a significant portion of Virginia's citizens, particularly peri- and postmenopausal women, and the proposed amendments are endorsed by the board's Advisory Committee on Radiological Technology and a number of physicians across the state who have spoken to the board about the problem.

Substance: Amendments will provide a definition for bone densitometry and for the ISCD (International Society of Clinical Densitometry). Successful completion of the ISCD certification course and examination would be accepted by the board to qualify an applicant for limited licensure to practice in bone densitometry. Finally, an amendment would allow the board to accept an entity other than the ARRT for continuing education hours for the radiologic technologist-limited whose scope of practice is bone densitometry.

Issues: The primary advantages and disadvantages to the public. There are no disadvantages to the public. The new credential for performance of bone densitometry is considered by physicians who testified to the board to be more rigorous than the current pathway for limited licensure. For example, current regulations require the applicant to have successfully performed at least 10 bone density procedures under direct supervision and observation. The ISCD certification requires the applicant to have completed at least 100 DXA scans or the equivalent number of peripheral scans. The public may be better protected by the availability of additional, well-trained bone density technicians.

The primary advantages and disadvantages to the Commonwealth. There are no advantages or disadvantages to the Commonwealth; there will be no additional cost for

licensing or enforcement of standards for radiologic technologists-limited.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 G of the Administrative Process Act and Executive Order Number 25 (98). Section 2.2-4007 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. The proposed regulation provides an alternative avenue of obtaining a radiologic technologist-limited license in bone densitometry. Under the new regulations, the Board of Medicine would accept the training course, examination, and certification by the International Society for Clinical Densitometry (ISCD) to qualify an applicant for a limited license to practice in bone densitometry. A proposed amendment would also allow the board to accept continuing education hours from additional entities for the radiologic technologist-limited whose scope of practice is bone densitometry.

Estimated economic impact. The Board of Medicine regulates the practice of radiographic technology and licenses individuals to perform such procedures. A "radiologic technologist-limited" performs diagnostic radiographic procedures limited to specific anatomical areas of the human body. Current regulations for licensure as a radiologic technologist-limited require a person to have 40 hours in general knowledge of x-rays and at least 10 hours in the specific anatomical areas for which licensure is being sought, as well as successful completion of the core examination of the American Registry of Radiologic Technologists (ARRT) in addition to the section of the examination on specific radiographic procedures in the anatomical area in which the applicant intends to practice. The ARRT examination for Limited Scope of Practice in Radiography does not currently include content areas on procedures for the abdomen and pelvis or for bone densitometry. Until such examinations are offered by ARRT, the board allows persons to be licensed in these areas by submitting a notarized statement attesting to the applicant's training and competency.

Under the proposed regulation, the Board of Medicine would accept the training course, examination, and certification by the International Society for Clinical Densitometry (ISCD) to qualify an applicant for a limited license to practice in bone densitometry. According to the board, the technical skills and medical knowledge base required to proficiently perform bone densitometry are far better covered by the ISCD course than the current ARRT-directed core curriculum.

Bone mass screening is the single best predictor of osteoporosis, a common and very costly metabolic bone disorder affecting many Virginians. Providing an additional

avenue to qualify for a limited licensure in bone densitometry has the potential to increase the availability and access to bone mass screening (densitometry), especially in medically underserved areas of Virginia. Since the ISCD certification process is considered by the board to be more relevant to duties of the bone densitometry technician than the current ARRT curriculum and exam, the proposed regulation can be expected to increase the supply of bone densitometry technicians without any decrease, and possibly an increase, in the quality of care provided.

Businesses and entities affected. By expanding the pathways to qualify for a limited licensure in bone densitometry, the proposed changes may increase the number of individuals licensed to perform such procedures, which could be beneficial to medical and diagnostic practices, especially in medically underserved areas of Virginia. There are currently 25 individuals with limited licenses to perform bone densitometry. It is not known how many individuals would seek the ISCD certification in order to be licensed in Virginia or how many individuals who are already ISCD-certified might apply for the Virginia limited license.

Localities particularly affected. The proposed changes may increase the availability and access to bone mass screening, especially in medically underserved areas of Virginia.

Projected impact on employment. The proposed changes are not expected to have any impact on the overall level of employment in Virginia. However, the proposed changes may increase the number of individuals licensed to perform bone densitometry procedures and could increase employment in this field.

Effects on the use and value of private property. The proposed changes are not expected to have any effects on the use and value of private property in Virginia.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The Board of Medicine concurs with the analysis of the Department of Planning and Budget on proposed regulations 18 VAC 85-101.

Summary:

*The proposed amendments provide an additional credential qualifying an applicant to be licensed as a radiologic technologist-limited in bone densitometry. The board will recognize the training course, examination and certification by the International Society for Clinical Densitometry for a limited license in that anatomical area. The proposed regulations also clarify that a licensee who performs bone densitometry must get additional training and pass ARRT examinations in order to add other anatomical areas. Finally, an amendment allows the board to accept other approved entities offering continuing education courses for bone densitometry.*

**18 VAC 85-101-10. Definitions.**

In addition to definitions in § 54.1-2900 of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"ACRRT" means the American Chiropractic Registry of Radiologic Technologists.

"ARRT" means the American Registry of Radiologic Technologists.

"Bone densitometry" means a process for measuring bone mineral density by utilization of single x-ray absorptiometry (SXA), dual x-ray absorptiometry (DXA) or other technology that is substantially equivalent as determined by the board.

"Direct supervision" means that a licensed radiologic technologist, doctor of medicine, osteopathy, chiropractic or podiatry is present and is fully responsible for the activities performed by radiologic personnel.

"Direction" means the delegation of radiologic functions to be performed upon a patient from a licensed doctor of medicine, osteopathy, chiropractic, or podiatry, to a licensed radiologic technologist or a radiologic technologist-limited for a specific purpose and confined to a specific anatomical area, that will be performed under the direction of and in continuing communication with the delegating practitioner.

"ISCD" means the International Society for Clinical Densitometry.

"Traineeship" means a period of activity during which an unlicensed radiologic technologist who is seeking licensure works under the direct supervision of a practitioner approved by the board while waiting for the results of the licensure examination.

**18 VAC 85-101-60. Examination requirements.**

A. An applicant for licensure by examination as a radiologic technologist-limited shall submit:

1. The required application and fee as prescribed by the board;
2. Evidence of successful completion of an examination as required in this section; and
- ~~2-~~ 3. Evidence of completion of training as required in 18 VAC 85-101-70.

B. To qualify for limited licensure to practice under the direction of a doctor of medicine or osteopathy *with the exception of practice in bone densitometry*, the applicant shall:

1. Provide evidence that he has received a passing score as determined by the board on the core section of the ARRT examination for Limited Scope of Practice in Radiography; and
2. Meet one of the following requirements:
  - a. Provide evidence that he has received a passing score as determined by the board on the section of the ARRT examination on specific radiographic procedures, depending on the anatomical areas in which the applicant intends to practice-, or
  - b. Until the ARRT offers an examination in the radiographic procedures of the abdomen and pelvis ~~or for bone densitometry~~, the applicant may qualify for a limited license ~~in one of these areas~~ by submission of a

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notarized statement from a licensed radiologic technologist or doctor of medicine or osteopathy attesting to the applicant's training and competency to practice in that anatomical area as follows:

~~(1) To perform radiographic procedures for bone densitometry, the applicant shall have successfully performed at least 10 examinations for bone density under the direct supervision and observation of a licensed radiologic technologist or a doctor of medicine or osteopathy.~~

~~(2)~~ (1) To perform radiographic procedures on the abdomen or pelvis, the applicant shall have successfully performed during the traineeship at least 25 radiologic examinations of the abdomen or pelvis under the direct supervision and observation of a licensed radiologic technologist or a doctor of medicine or osteopathy. The notarized statement shall further attest to the applicant's competency in the areas of radiation safety, positioning, patient instruction, anatomy, pathology and technical factors.

~~e-~~ (2) When a section is added to the limited license examination by the ARRT ~~which~~ that includes the abdomen and pelvis ~~or bone densitometry~~, the applicant shall provide evidence that he has received a passing score on that portion of the examination as determined by the board.

C. To qualify for limited licensure to practice in bone densitometry under the direction of a doctor of medicine or osteopathy, the applicant shall either:

1. Provide evidence that he has received a passing score as determined by the board on the core section of the ARRT examination for Limited Scope of Practice in Radiography; and

a. The applicant shall provide a notarized statement from a licensed radiologic technologist or doctor of medicine or osteopathy attesting to the applicant's training and competency to practice in that anatomical area. The applicant shall have successfully performed at least 10 examinations for bone density under the direct supervision and observation of a licensed radiologic technologist or a doctor of medicine or osteopathy; or

b. When a section is added to the limited license examination by the ARRT that includes bone densitometry, the applicant shall provide evidence that he has received a passing score on that portion of the examination as determined by the board; or

2. Provide evidence that he has taken and passed an examination resulting in certification in bone densitometry from the ISCD or any other substantially equivalent credential acceptable to the board.

~~C-~~ D. To qualify for a limited license to practice under the direction of a doctor of chiropractic, the applicant shall provide evidence that he has taken and passed the appropriate examination by the ACRRT.

~~D-~~ E. To qualify for a limited license to practice under the direction of a doctor of podiatry, the applicant shall provide

evidence that he has taken and passed an examination acceptable to the board.

~~E-~~ F. An applicant who fails the examination shall be allowed two more attempts to pass the examination after which he shall reapply and take additional educational hours which meet the criteria of 18 VAC 85-101-70.

## **18 VAC 85-101-70. Educational requirements for radiologic technologists-limited.**

A. An applicant for licensure as a radiologic technologist-limited shall be trained by one of the following:

1. Successful completion of a program which is directed by a radiologic technologist with a bachelor's degree and current ARRT certification, has instructors who are licensed radiologic technologists, and has a minimum of the following coursework:

a. Image Production/Equipment Operation -- 25 clock hours;

b. Radiation Protection -- 15 clock hours; and

c. Radiographic procedures in the anatomical area of the radiologic technologist-limited's practice -- 10 clock hours taught by a radiologic technologist with current ARRT certification or a licensed doctor of medicine, osteopathy, podiatry or chiropractic;

2. An ACRRT approved program;

3. The ISCD certification course for bone densitometry; or

~~3-~~ 4. Any other program acceptable to the board.

B. A radiologic technologist-limited who has been trained through the ACRRT-approved program or the ISCD certification course and who also wishes to be authorized to perform x-rays in other anatomical areas shall meet the requirements of subdivision A 1 of this section.

## **18 VAC 85-101-150. Biennial renewal of license.**

A. A radiologic technologist or radiologic technologist-limited who intends to continue practice shall renew his license biennially during his birth month in each odd-numbered year and pay to the board the prescribed renewal fee.

B. A license that has not been renewed by the first day of the month following the month in which renewal is required shall be expired.

C. An additional fee as prescribed in 18 VAC 85-101-160 shall be imposed by the board.

D. In order to renew an active license as a radiologic technologist, a licensee shall attest to having completed 24 hours of continuing education as approved and documented by the ARRT within the last biennium. At least 12 of the hours must be approved by the ARRT as Category A.

E. In order to renew an active license as a radiologic technologist-limited, a licensee shall attest to having completed 12 hours of Category A continuing education within the last biennium that corresponds to the anatomical areas in which the limited licensee practices. Hours shall be approved and documented by the ARRT or by any other entity approved



by the board for limited licensees whose scope of practice is podiatry or bone densitometry.

**NOTICE:** The forms used in administering 18 VAC 85-101, Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited, 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 Medicine, 6606 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

FORMS

Instructions for Completing an Application for Licensure as a Radiologic Technologist By Examination/Endorsement (rev. ~~4/00~~ 11/01).

Application for a License as a Radiologic Technologist (rev. ~~11/98~~ 7/01).

Form #A, Claims History Sheet (rev. 4/00).

Form #B, Activity Questionnaire (rev. 4/00).

Form #C, Clearance from Other States (rev. 4/00).

Form #E, ~~Letter of Good Standing~~ *Certification Request from ARRT* (rev. ~~4/00~~ 3/02).

Form #F, Traineeship Application (rev. 4/00).

Form #L, Certificate of Radiologic Technology Education (eff. 4/00).

Instructions for Completing an Application for Licensure as a Radiologic Technologist-Limited (rev. ~~4/00~~ 3/02).

Application for a License as a Radiologic Technologist-Limited (rev. ~~4/00~~ 8/01).

Form #2 (a) and (b), Radiologic Technologist-Limited Training Application (rev. ~~4/00~~ 8/01).

Instructions for Completing Reinstatement of Radiologic Technology Licensure (rev. ~~8/99~~ 3/02).

*Application for Reinstatement as a Radiologic Technologist (eff. 3/02).*

Instructions for Completing Reinstatement of Radiologic Technologist-Limited Licensure (rev. ~~8/99~~ 3/02).

*Application for Reinstatement as a Radiologic Technologist-Limited (eff. 3/02).*

License Renewal Notice and Application--Renewal Form for Radiologic Technologist (rev. 9/00).

License Renewal Notice and Application--Renewal Form for Limited Radiologic Technologist (eff. 9/00).

VA.R. Doc. No. R02-10; Filed March 28, 2002, 12:27 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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## TITLE 4. CONSERVATION AND RECREATION

### MARINE RESOURCES COMMISSION

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

**Title of Regulation:** 4 VAC 20-560. Pertaining to Shellfish Management Areas (amending 4 VAC 20-560-20 and 4 VAC 20-560-50).

**Statutory Authority:** §§ 28.2-201 and 28.2-503 of the Code of Virginia.

**Effective Date:** April 1, 2002.

**Summary:**

*The amendments add the York Spit Reef Broodstock Management Area as a shellfish management area and make it unlawful to harvest any shellfish from this area at any time.*

**Agency Contact:** Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2002.

#### 4 VAC 20-560-20. Shellfish management areas.

A. The York River Shellfish Management Area shall consist of all public grounds located inshore of a line beginning at the entrance to the Virginia Institute of Marine Science boat basin at Gloucester Point, running northwesterly to Buoy No. 30, thence northwesterly to Buoy No. 32, thence northwesterly to Buoy No. 34, then northwesterly to Pages Rock Buoy, thence northwesterly and ending at Clay Bank Wharf.

B. The Poquoson River Shellfish Management Area shall consist of all public grounds bounded by a line beginning at Hunts Point Survey Taylor and running northwesterly to Survey Station Spit, thence northeasterly to Survey Station Cabin North, thence east to Survey Station Cabin South, thence southeasterly following the general shoreline (not to include any creeks or canals) to the flag pole near Survey Station 80 at York Point, thence 175 degrees to Day Marker No. 14 and returning to Hunts Point Survey Taylor.

C. The Back River Shellfish Management Area shall consist of all current public clamming grounds bounded by a line from corner 3 on Shell Plant 115 through corner 17, a daymarker, on Shell Plant 115, 237.42 feet to a point being the point of beginning; thence southeasterly to corner number 1 Public Clamming Ground (PCG#12); thence southeasterly to corner

number 3A Public Clamming Ground (PCG#12); thence northeasterly to corner number 3 Public Clamming Ground (PCG#12); thence northwesterly to corner number 2 Public Clamming Ground (PCG#12); thence southwesterly to the POB. Also, for a period of one year, throughout 1994, Shell Plant 115 will also be included in the Back River Shellfish Management Area.

D. The James River Broodstock Management Area is located inside Public Ground No. 1, Warwick County, south of the James River Bridge, further described as follows: Beginning at a corner number 611 (State Plane Coordinates North 249766.12 East 2596017.56); thence Grid Azimuth 308-39-51, 1074.35' to a corner number 613 (State Plane Coordinates North 250437.32 East 2595178.68); thence Grid Azimuth 28-15-00, 366.30' to a corner number 614 (State Plane Coordinates North 250759.99 East 2595352.06); thence Grid Azimuth 132-36-45, 1114.51' to a corner number 612 (State Plane Coordinates North 250005.43 East 2596172.28); thence Grid Azimuth 212-53-03, 284.97' to a corner number 611, being the point of beginning, containing 8.04 acres.

E. The York River Broodstock Management Area shall consist of the area under any portion of the George P. Coleman Memorial Bridge, in addition to the area within 300 feet of the eastern, or downstream, side of the George P. Coleman Memorial Bridge and the area within 300 feet of the western, or upstream, side of the George P. Coleman Memorial Bridge.

F. The Newport News Shellfish Management Area shall consist of all current public clamming grounds bounded by a line beginning at the intersection of the James River Bridge and Public Ground No. 1, Warwick County, downstream side; thence east southeasterly along the boundary to corner #5, Public Ground No. 1, Warwick County; thence southeast along the boundary to a corner (249,066.55/2,595,681.74); thence northeast along the boundary to the intersection of a line between the James River Bridge and the northwest corner of Newport News Shipbuilding and Drydock Company shipyard near station "HELO," said line being perpendicular to the James River Bridge; thence southeast along the defined line to the northwest corner of the shipyard; thence downstream to the offshore end of the floating drydock; thence to the offshore end of shipyard pier #6 just south of "Stack"; thence to the offshore end of pier #2 (F R Priv); thence to FI Y "A" off the end of the pier just south of 23rd Street; thence to the offshore end of pier #9 (2 F Y siren); thence to the offshore end of the old coal pier downstream of pier #9; thence to navigational aid FI G "13"; thence to the northeast corner of the Fan Building on the south island of the Monitor Merrimac Bridge Tunnel; thence southerly along the downstream side of the Monitor Merrimac Bridge Tunnel to the first overhead light structure on the bridge tunnel north of the small boat channel hump; thence northwesterly to corner #3, lease #10091 (Hazelwood); thence northwesterly along the boundary to corner #2, lease #10091 (Hazelwood); thence southwesterly to corner #1, Public Ground No. 2,

Nansemond County; thence northwesterly along the boundary to corner #6, at the intersection of Public Ground No. 2, Nansemond County, and Public Ground No. 6, Isle of Wight County; thence north northwesterly along the boundary to corner #614, Public Ground No. 6, Isle of Wight County; thence north northwesterly along the boundary to corner #2, Public Ground No. 6, Isle of Wight County; thence northwesterly along the boundary to the intersection of the James River Bridge and Public Ground No. 6, Isle of Wight County; thence northeasterly along the downstream side of the James River Bridge to the intersection with Public Ground No. 1, Warwick County, at the point of beginning.

G. The Back River Reef Broodstock Management Area shall consist of the area within a 2000' radius of the center buoy, with a position of 37° 08' 12" north, 76° 13' 54" west.

H. The Hampton Roads Shellfish Relay Area shall consist of all condemned clamming grounds bounded by a line beginning at the upstream side of the large fishing pier on the southeast side of Old Point Comfort; thence upstream along the shoreline to Newport News Creek; thence to the southeast corner of the Monitor Merrimac Bridge Tunnel island along the downstream side, thence to F1 R "12"; thence to the northeast corner of the Fan Building on the southern island of the bridge tunnel; thence southerly along the downstream side of the bridge tunnel to the south line of Public Ground Number 1, Nansemond County; then easterly along the Public Ground to Craney Island Disposal Area; thence clockwise around the boundaries of the disposal area to its intersection with the shore; thence along the shore to the northeast corner of Craney Island; thence through navigational aid F1 G "21" to the point where it intersects a line drawn from the shoreward end of pier number 6 at Lamberts Point to the southeast corner of Tanner Point; thence along the shore to the point of intersection with the riprapped shoreline of the Hampton Roads Bridge-Tunnel island at Fort Wool; thence easterly around this island to its easternmost point; thence north northwesterly to the intersection of the shoreline and the upstream side of the large fishing pier on the east side of Old Point Comfort at the point of beginning.

I. The Middle Ground Light Broodstock Management Area shall consist of the area within a 1000' radius of the navigational light, with a position of 36° 56.752' north, 76° 23.5' west.

J. The York Spit Reef Broodstock Management Area shall consist of the area contained within the defined latitudes and longitudes: northwest corner 37° 14' 75" N - 076° 14' 20"W, northeast corner 37° 14' 75"N - 076° 13' 30"W, southwest corner 37° 14' 05"N - 076° 14' 20"W, southeast corner 37° 14' 05"N - 076° 13' 30"W.

**4 VAC 20-560-50. Time of day and harvest restrictions.**

A. It shall be unlawful for any person to harvest clams by patent tong from either the York River or Poquoson River Shellfish Management Area before sunrise or after 2 p.m.

B. It shall be unlawful for any person to harvest clams by patent tong from the Back River Shellfish Management Area before sunrise or after 4 p.m.

C. It shall be unlawful for any person to harvest clams by patent tong from either the York River, Poquoson River, Newport News or Back River Shellfish Management Area on Saturday or Sunday.

D. It shall be unlawful for any person to harvest any shellfish from the James River *Broodstock Management Area*, Back River Reef *Broodstock Management Area*, Middle Ground Light *Broodstock Management Area*, *York Spit Reef Broodstock Management Area*, or York River Broodstock Management Area at any time.

E. It shall be unlawful for any person to harvest clams by patent tong from the Newport News Shellfish Management Area before sunrise or after 2 p.m.

F. It shall be unlawful for any person to possess any amount of hard clams from the Newport News Shellfish Management Area or the Hampton Roads Shellfish Relay Area which consists of more than 2.0% by number of clams, which can be passed through a 1-3/8 inch inside diameter culling ring. The 2.0% allowance shall be measured by the marine patrol officer from each container or pile of clams.

VA.R. Doc. No. R02-155; Filed April 1, 2002, 3:09 p.m.

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**Title of Regulation: 4 VAC 20-950. Pertaining to Black Sea Bass (amending 4 VAC 20-950-45).**

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

**Effective Date:** April 1, 2002.

**Summary:**

*The amendments establish daily and weekly trip limits for black sea bass harvested or landed in Virginia and establish modified trip limits when specified levels of harvest are attained. Catch reporting requirements are also specified.*

**Agency Contact:** Deborah Cawthon, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2002.

**4 VAC 20-950-45. Possession limits and harvest quotas.**

A. During the period January 1 through March 31 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than 7,000 pounds of black sea bass.

B. During the period April 1 through June 30 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than 1,500 pounds of black sea bass. When it is announced that 40% 60% of the coastwide quota for this period is projected to have been taken, the provisions of subsection E of this section shall apply.

C. During the period July 1 through September 30 of each year, it shall be unlawful for any person to ~~possess aboard any vessel or to land in Virginia more than 1,000 pounds of black sea bass. When it is announced that 40% of the coastwide quota for this period is projected to have been taken, the provisions of subsection E of this section shall apply.~~ do any of the following:

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1. Possess aboard any vessel in Virginia waters more than 3,000 pounds of black sea bass.

2. Land black sea bass in Virginia, for commercial purposes, more than four times within each consecutive seven-day period, with the first seven-day period beginning on July 1.

3. Land in Virginia more than a total of 3,000 pounds of black sea bass during each consecutive seven-day period, with the first seven-day period beginning on July 1.

4. Fail to contact within one hour of landing the Marine Resources Commission's Law Enforcement Operations Division to report the name of the vessel and fisherman, location where catch will be offloaded, and the estimated weight of each landing of black sea bass.

5. Fail to contact within 24 hours of landing the Marine Resources Commission's Interactive Voice Recording system to report the name of the vessel and fisherman and the actual weight of each landing of black sea bass.

D. During the period October 1 through December 31 of each year, it shall be unlawful for any person to do any of the following:

1. Possess aboard any vessel in Virginia waters more than ~~2,000~~ 4,000 pounds of black sea bass;

2. Land black sea bass in Virginia for commercial purposes more than four times within each consecutive seven-day period, with the first seven-day period beginning on October 1;

3. Land in Virginia more than a total of ~~2,000~~ 4,000 pounds of black sea bass during each consecutive seven-day period, with the first seven-day period beginning on October 1;

4. Fail to contact within one hour of landing the Marine Resources Commission's Law Enforcement Operations Division to report the name of the vessel and fisherman, location where catch will be offloaded, and the estimated weight of each landing of black sea bass.

4- 5. Fail to contact within 24 hours of landing the Marine Resources Commission's Interactive Voice Recording system to report the name of the vessel and fisherman and the actual weight of each landing of black sea bass.

E. When it is announced that ~~40%~~ 60% of the coastwide quota for ~~any of the periods~~ period designated in ~~subsections B and C~~ subsection B and ~~C~~ of this section has been taken, it shall be unlawful for any person to do any of the following:

1. Possess aboard any vessel in Virginia waters more than 1,000 pounds of black sea bass.

2. Land black sea bass in Virginia, for commercial purposes, more than four times within each consecutive seven-day period, with the first seven-day period beginning upon the announcement that ~~40%~~ 60% of the coastwide quota for the period has been taken.

3. Land in Virginia more than a total of 1,000 pounds of black sea bass during each consecutive seven-day period, with the first seven-day period beginning upon the

announcement that ~~40%~~ 60% of the coastwide quota for the period has been taken.

4. Fail to contact within one hour of landing the Marine Resources Commission's Law Enforcement Operations Division to report the name of the vessel and fisherman, location where catch will be offloaded, and the estimated weight of each landing of black sea bass.

4- 5. Fail to contact the Marine Resources Commission's Interactive Voice Recording system within 24 hours of landing to report the name of the vessel and fisherman and the actual weight of each landing of black sea bass.

F. When it is announced that 60% of the coastwide quota for any of the periods designated in subsections C and D of this section has been taken, it shall be unlawful for any person to do any of the following:

1. Possess aboard any vessel in Virginia waters more than 700 pounds of black sea bass.

2. Land black sea bass in Virginia, for commercial purposes, more than four times within each consecutive seven-day period, with the first seven-day period beginning upon the announcement that 60% of the coastwide quota for the period has been taken.

3. Land in Virginia more than a total of 700 pounds of black sea bass during each consecutive seven-day period, with the first seven-day period beginning upon the announcement that 60% of the coastwide quota for the period has been taken.

4. Fail to contact within one hour of landing the Marine Resources Commission's Law Enforcement Operations Division to report the name of the vessel and fisherman, location where catch will be offloaded, and the estimated weight of each landing of black sea bass.

5. Fail to contact within 24 hours of landing the Marine Resources Commission's Interactive Voice Recording system to report the name of the vessel and fisherman and the actual weight of each landing of black sea bass.

F- G. It shall be unlawful for any person to possess or to land any black sea bass for commercial purposes after the coastwide quota for the designated period as described in subsections A through D of this section has been attained and announced as such.

G- H. It shall be unlawful for any buyer of seafood to receive any black sea bass after any commercial harvest quota has been attained and announced as such.

H- I. It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig or other recreational gear to possess more than 25 black sea bass. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by 25. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any black sea bass taken after the possession limit has been reached shall be returned to the water immediately.

† J. Possession of any quantity of black sea bass that exceeds the possession limit described in subsection I of this section shall be presumed to be for commercial purposes.

VA.R. Doc. No. R02-154; Filed April 1, 2002, 3:10 p.m.

**TITLE 12. HEALTH**

**STATE BOARD OF HEALTH**

Title of Regulation: **12 VAC 5-120. Regulations for Testing Children for Elevated Blood-Lead Levels (adding 12 VAC 5-120-10 through 12 VAC 5-120-90).**

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

Effective Date: May 22, 2002.

Summary:

*The regulations establish a protocol for testing children for elevated blood-lead levels and reporting all laboratory blood-lead test results to the Virginia Department of Health. The protocol is based on guidelines published by the Centers for Disease Control and Prevention in 1997 to assure a sound scientific basis for effective and efficient identification of elevated blood-lead levels that will protect the health of citizens.*

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: Clayton Pape, Director, Lead Safe Program, Department of Health, 1500 E. Main Street, Richmond, VA 23219, telephone (804) 225-4463, FAX (804) 371-6031 or toll free 1-877-668-7987, e-mail cpape@vdh.state.va.us.

CHAPTER 120.

[ REGULATIONS FOR ] TESTING CHILDREN FOR ELEVATED BLOOD-LEAD LEVELS.

PART I.

DEFINITIONS AND GENERAL INFORMATION.

**12 VAC 5-120-10. Definitions.**

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

*"Board" means the State Board of Health.*

*"Commissioner" means the Commissioner of Health.*

*"Elevated blood-lead level" for children means 10 or more micrograms of lead per deciliter of whole blood in a child up to and including 72 months of age.*

*"Health care provider" means a physician or his designee or an official of a local health department.*

*"High-risk zip code area" means a zip code area listed in guidelines issued by the Virginia Department of Health in which 27% or more of the housing was built before 1950 or*

*12% or more of the children have elevated blood-lead levels based on current available data.*

*"Physician" means a person licensed to practice medicine in any of the 50 states or the District of Columbia.*

*"Qualified laboratory" means a laboratory that is certified by the Health Care Financing Administration in accordance with the Clinical Laboratory Improvement Act (42 CFR Part 430) and is participating in the Centers for Disease Control and Prevention's Blood Lead Laboratory Proficiency Program.*

*"µg/dL" means micrograms of lead per deciliter of whole blood.*

**12 VAC 5-120-20. Statement of general policy.**

*The Commonwealth of Virginia has recognized the need for early identification of children with elevated blood-lead levels to alert parents and guardians to the need for intervention to prevent physical, developmental, behavioral, and learning problems associated with elevated blood-lead levels in children, and to prevent exposure of other children.*

*The purpose of this chapter is to provide a protocol for identifying children with elevated blood-lead levels.*

[ *The department encourages health care providers, parents and guardians to exercise reasonable, but liberal judgment and discretion in implementing and applying the protocol set forth in this chapter, so that the health of all Virginia's children may be protected from lead poisoning. ]*

PART II.

PROTOCOL FOR IDENTIFICATION OF CHILDREN WITH ELEVATED BLOOD-LEAD LEVELS.

**12 VAC 5-120-30. Schedule for testing.**

*Virginia health care providers should test all children up to and including 72 months of age for elevated blood-lead levels according to the following schedule unless they are determined under 12 VAC 5-120-60 to be at low risk for elevated blood-lead levels. All blood-lead samples shall be analyzed by a qualified laboratory.*

1. *Children should be tested at ages one and two years.*
2. *Children from 36 through 72 months of age should be tested if they have never been tested.*
3. *Additional testing may be ordered by the health care provider.*

[ *4. Children should be tested at the request of a parent or guardian due to any suspected exposure. ]*

**12 VAC 5-120-40. Confirmation of blood-lead levels.**

*Testing may be performed on venous or capillary blood collected in tubes or on filter paper. If a test of capillary blood reveals an elevated blood-lead level, the results shall be confirmed by a repeat blood test (preferably venous):*

1. *Within three months if the result of the capillary test is 10 µg/dL to 19 µg/dL.*

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2. Within one week to one month if the result of the capillary test is 20 µg/dL to 44 µg/dL. (The higher this test result, the more urgent the need for a confirmation test.)
3. Within 48 hours if the result of the capillary test is 45 µg/dL to 59 µg/dL.
4. Within 24 hours if the result of the capillary test is 60 µg/dL to 69 µg/dL.
5. Immediately as an emergency laboratory test if the result of the capillary test is 70 µg/dL or higher.

Elevated blood lead results from venous blood testing shall be deemed a confirmed test.

## **12 VAC 5-120-50. Risk factors requiring testing.**

A health care provider should test [ a any ] child for elevated blood-lead level, or have [ such ] a child tested, if the provider determines, in the exercise of medical discretion, that such testing is warranted, and that the child meets one or more of the following criteria:

1. Eligible for or receiving benefits from Medicaid or the Special Supplemental Nutrition Program for Women, Infants and Children (WIC);
2. Living in a high-risk zip code area;
3. Living in or regularly visiting a house or child care facility built before 1950;
4. Living in or regularly visiting a house, apartment, dwelling or other structure, or a child care facility built before 1978 with peeling or chipping paint or with recent (within the last six months), ongoing, or planned renovations;
5. Living in or regularly visiting a house, apartment, dwelling or other structure in which one or more persons have elevated blood-lead levels;
6. Living with an adult whose job or hobby involves exposure to lead as described in Preventing Lead Poisoning in Young Children (CDC, 1991);
7. Living near an active lead smelter, battery recycling plant, or other industry likely to release lead;
8. The child's parent or guardian requests the child's blood be tested due to any suspected exposure; or
9. A health care provider recommends the child's blood be tested due to any suspected exposure.

The Department of Health will maintain a list of high-risk zip code areas in Virginia.

## **12 VAC 5-120-60. Determination of low risk for elevated blood-lead levels.**

Blood-lead testing is not indicated for children determined by a health care provider to be at low risk for elevated blood-lead levels. A health care provider may determine a child to be at low risk for elevated blood-lead level if the child meets none of the criteria listed in 12 VAC 5-120-50 [ , but is encouraged to cause a child to be tested if, in the exercise of discretion and consideration of the various means by which exposure to lead may occur, such exposure cannot be clearly ruled out ].

## **12 VAC 5-120-70. Samples submitted to a qualified laboratory.**

A. All blood samples submitted to a qualified laboratory for analysis shall be accompanied by a completed laboratory requisition with all of the required data as determined by the Department of Health.

B. All qualified laboratories accepting blood samples for lead analysis under this chapter shall submit all required data to the board within 10 business days of analysis. The data shall be sent by a secure electronic means that has been approved by the Department of Health.

C. Any laboratory reporting under this section shall be deemed in compliance with the stipulations of § 32.1-36 of the Code of Virginia and 12 VAC 5-90-90 of the Board of Health Regulations for Disease Reporting and Control.

## **12 VAC 5-120-80. Follow-up testing and information.**

The Department of Health will establish guidelines for follow-up testing for children with confirmed elevated blood-lead levels, provide or recommend appropriate information for parents, and disseminate [ through various available means ] the protocol and other information to [ all ] relevant health care professionals. [ The department encourages health care professionals to conduct whatever follow-up testing is indicated or warranted in the exercise of medical or clinical judgment and discretion. ]

## **12 VAC 5-120-90. Exclusion from testing when risk is low and on religious grounds.**

In accordance with § 32.1-46.2 of the Code of Virginia, every child in the Commonwealth should be tested for elevated blood-lead levels [ or determined to be at low risk for elevated blood-lead levels ] unless the parent, guardian or other person standing in loco parentis obtains a determination that the child is at low risk for elevated blood-lead levels or unless the parent, guardian or other person having control or charge of such child objects to such testing on the basis that the procedure conflicts with his [ ~~or her~~ ] religious tenets or practices.

VA.R. Doc. No. R01-88; Filed March 29, 2002, 12:54 p.m.

## **STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD**

Title of Regulation: **12 VAC 35-200. Regulations for Respite and Emergency Care Admissions to State Mental Retardation Facilities (amending 12 VAC 35-200-10, 12 VAC 35-200-20, and 12 VAC 35-200-30).**

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

Effective Date: May 22, 2002.

### Summary:

The amendments revise maximum length of stay to conform to current statutory requirements, clarify the case management community services board's responsibility for assuring discharges from state training centers and

generally update the existing provisions to be consistent with current practice and statutory requirements. Minor revisions have also been made to assure internal consistency.

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: Wendy Brown, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 225-2252 or FAX (804) 371-0092, e-mail [wbrown@dmhmrsas.state.va.us](mailto:wbrown@dmhmrsas.state.va.us).

## 12 VAC 35-200-10. Definitions.

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

"Applicant" means a person for whom respite care or emergency care services are sought.

"Case management community services board (CSB)" means a citizens board established pursuant to § 37.1-195 of the Code of Virginia that serves the area in which an adult resides or in which a minor's parent, guardian or legally authorized representative resides. The case management CSB is responsible for case management, liaison with the facility when an individual is admitted to a state training center, and predischarge planning. If an individual, [ or ] the parents [ of a minor receiving services ], [ or ] guardian or legally authorized representative [ on behalf of an individual, ] chooses to reside in a different locality after discharge from the facility, the community services board serving that locality becomes the case management CSB and works with the original case management CSB, the individual receiving services and the state facility to effect a smooth transition and discharge.

"Catastrophe" means an unexpected or imminent change in an individual's living situation or environment that poses a risk of serious physical or emotional harm to that individual.

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

"Discharge plan" or "predischarge plan" means a written plan prepared by the case management CSB in consultation with the state facility pursuant to § 37.1-197.1 of the Code of Virginia. This plan is prepared when the individual is admitted to the facility and [ coordinates documents the ] planning for [ aftercare ] services [ after discharge ].

"Emergency care" means the placement of an individual with mental retardation in a facility for the mentally retarded when immediate care is necessary due to a catastrophe and no other community alternatives are available. The total number of days that emergency or respite care services, or both, are used shall not exceed 21 consecutive days nor 35 or 75 days in a calendar year. While the facility shall make every effort to implement activities and provide care that assures continuity with the normal living patterns of the individuals served during times of crises, it should be noted that This

emergency care is not intended as a means of providing evaluation and program development services, nor is it intended to be used to obtain treatment of medical or behavioral problems.

"Facility" means a state institutions, hospitals, or training centers with a rated bed capacity of more than 16 beds and devoted to, or with, facilities for the residential care, treatment and training of mentally retarded persons center for individuals with mental retardation under the supervision and management of the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services.

"Guardianship" means:

1. For minors - An adult who is either appointed by the court as a legal guardian of said minor or exercises the rights and responsibilities of legal custody by delegation from a biological or adoptive parent upon provisional adoption or otherwise by operation of law.

2. For adults - a person appointed by the court who is responsible for the personal affairs of an incapacitated adult under the order of appointment. The responsibilities may include making decisions regarding the individual's support, care, health, safety, habilitation, education and therapeutic treatment. Refer to definition of "incapacitated person" at § 37.1-134.6 of the Code of Virginia.

"Least restrictive alternative setting" means that program, facility, or other setting that provides services that are the least intrusive into, and least disruptive of, the individual's life and represent the least departure from normal patterns of living that can be effective in meeting the individual's needs for care and supervision the treatment and conditions of treatment that, separately or in combination, are no more intrusive or restrictive of freedom than reasonably necessary to achieve a substantial therapeutic benefit and protection from harm (to self and others) based on an individual's needs.

"Legally authorized representative" means a person permitted by law or regulations to give informed consent for disclosure of information and give informed consent to treatment [ including medical treatment ] on behalf of an individual who lacks the mental capacity to make [ such these ] decisions.

"Mental retardation" means the substantial subaverage general intellectual functioning that originates during the developmental period and is associated with impairment in adaptive behavior.

"Respite care" means the placement of an individual with mental retardation in a state facility for the mentally retarded when placement is solely for the purpose of providing temporary care because of medical or other urgent conditions of the caretaking person or to allow the caretaking person or persons to take a vacation. The total number of days that respite or emergency care services, or both, are used is not to exceed 21 consecutive days nor 35 or 75 days in a calendar year. While the facility shall implement activities and provide care that assures continuity with the normal living patterns of the individuals served by respite care programs, it should be noted that Respite care services are not intended as a means of providing evaluations and program development services,

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nor are they intended to be used to obtain treatment of medical or behavioral problems or both.

~~"Responsible persons" means relatives, legal guardians, state or local agencies, or other persons who have a legitimate concern for the health, safety, and welfare of mentally retarded individuals who may be in need of temporary care.~~

## 12 VAC 35-200-20. Respite care.

A. Applications for respite care in state ~~mental retardation facilities shall be processed through the community mental health and mental retardation services board case management CSB.~~ A parent, guardian, or ~~other responsible person legally authorized representative~~ seeking respite care for a ~~mentally retarded person~~ *an individual with mental retardation* shall apply first to the ~~community mental health and mental retardation services board CSB that serves the area~~ where the applicant, [ or ] his parent, ~~or~~ guardian, or *legally authorized representative* [ ~~resides is currently residing~~ ]. If the ~~services board case management CSB~~ determines that respite care services for the applicant are not available in the community, ~~they~~ it shall forward an application to the facility serving the ~~mentally retarded individuals with mental retardation~~ from that geographic section of the state in which the applicant or his parent ~~or~~, guardian, or *legally authorized representative* is currently residing.

The application ~~must~~ shall include:

1. An application for services;
2. A medical history ~~and current status including a statement that the applicant is or is not suffering from a~~ *indicating the presence of any current medical problems as well as the presence of any known communicable disease. In all cases, the application shall include any currently prescribed medications as well as any known medication allergies;*
3. A social history and current status;
4. A psychological evaluation that has been performed in the past three years. ~~This requirement may be waived if unless the facility director or designee determines that sufficient information as to the applicant's abilities and needs is included in other reports received;~~
5. ~~If the applicant is school aged, A current individualized education plan. This requirement may be waived if for school aged applicants unless the facility director or designee determines that sufficient information as to the applicant's abilities and needs is included in other reports received;~~
6. ~~If the applicant is an adult, A vocational assessment. This requirement may be waived if for adult applicants unless the facility director or designee determines that sufficient information as to the applicant's abilities and needs is included in other reports received; and~~
7. A statement from the ~~community mental health and mental retardation services board case management CSB~~ that respite care services for the applicant are not available in the community; *and*

8. *A statement from the case management CSB that the appropriate arrangements will be made to return the individual to the CSB within the time frame required under this regulation.*

B. Determination of eligibility for respite care services shall be based upon the following criteria:

1. The ~~individual applicant~~ *applicant* has a primary diagnosis of mental retardation and functions on a level that meets the ~~facilities~~ *facility's regular* admission criteria;
2. The ~~individual's applicant's~~ *applicant's* needs for care and supervision are such that, in the event of a need for temporary care, respite care services would not be available in a less restrictive ~~environment setting~~; and
3. The facility has appropriate resources to meet the care, ~~and supervision, and activity~~ needs of the applicant.

Within a reasonable time of the receipt of the completed application, the ~~facility's~~ *facility* director, or his designee, ~~will reply in writing to the person seeking respite care services shall provide written notice of his decision to the case management CSB. This notice shall state the reasons for the decision.~~

*If it is determined that the applicant is not eligible for respite care, the person seeking respite care services may ask for reconsideration of the decision by submitting a written request for such reconsideration to the commissioner. Upon receipt of such request, the commissioner shall notify the facility director and the facility director shall forward the application packet and related information to the commissioner within 48 hours. The commissioner shall also provide an opportunity for the person seeking respite care to submit for consideration any additional information or reasons as to why the admission should be approved. The commissioner shall render a written decision on the request for reconsideration within 10 days of the receipt of such request and notify all involved parties. The commissioner's decision shall be binding.*

~~If it is determined that the applicant is eligible for respite care services, the reasons for this decision shall be stated in writing along with the following information:~~

1. ~~A summary of the facility's procedures pertaining to respite care admissions; and~~
2. ~~The name and phone number of an appropriate staff member to contact to request a respite care admission.~~

~~If it is determined that the services of the facility are not suitable to meet temporary care of the applicant, the reasons for this determination and, if possible, recommendations as to alternative sources for the needed services shall be stated in writing.~~

~~C. Once eligibility has been established, a respite care candidate, parent, guardian or other responsible person or persons may request respite care services for specific dates.~~

~~The facility may agree to provide respite care services as long as the following provisions are made:~~

*C. Respite care is provided in state facilities under the following conditions:*



1. The length of the respite care stay at the facility ~~does shall~~ not exceed 21 consecutive days or a total ~~limit cannot be exceeded unless expressly authorized by the Commissioner of the Department of Mental Health and Mental Retardation in an individual case, based on his review of any unusual circumstances which may require an extension of this time limit. In no case shall this time limit exceed of~~ 75 days in ~~one~~ a calendar year;
2. Information on file at the facility is current;
3. Space and adequate staff coverage are available on a unit with an appropriate peer group for the [ ~~candidate~~ ] *applicant* and suitable resources to meet his care, ~~and supervision and activity needs; and~~
4. A physical examination performed by the facility's health service personnel at the time of the respite care admission has determined that the ~~candidate's applicant's~~ health care needs can be met by the facility's resources during the scheduled respite care stay; ~~and.~~
5. ~~There is a contract between the parent, guardian or other responsible person or persons and the facility. The contract shall specify the length of the respite care stay, date and time of discharge, and the cost of the care.~~

If for any reason a person admitted for respite care services is not discharged at the agreed upon time, ~~the case management CSB shall develop a discharge plans will be arranged through the appropriate community services board plan as provided in §§ 37.1-98 and 37.1-197.1 of the Code of Virginia.~~

Respite care ~~is shall~~ not to be used as a mechanism to circumvent the standard admissions procedures as provided in § 37.1-65.1 of the Code of Virginia. No person who is admitted to a training center in response to this chapter shall, during the time of such respite care admission, be eligible for admission to any training center in response to § 37.1-65.1 of the Code of Virginia.

**12 VAC 35-200-30. Emergency care.**

A. In the event of a catastrophe necessitating immediate, short-term care for a ~~mentally retarded person an individual with mental retardation~~, emergency care may be requested by a parent, guardian, or ~~other responsible person legally authorized representative~~ by calling the ~~community mental health and mental retardation services board of the area of the Commonwealth in which the applicant, parent, or guardian resides case management CSB~~. If the ~~community mental health and mental retardation services board case management CSB~~ determines that respite care services for the applicant are not available in the community, ~~the board~~ it may request an emergency admission to the facility serving that geographic area in which the applicant, his parent, or guardian, or *legally authorized representative* resides.

The ~~facility case management CSB~~ shall make every effort to obtain the same case information required for respite care admissions, *as described in 12 VAC 35-200-20 A*, before assuming responsibility for the care of the individual in need of emergency services. However, if the information is not available, this requirement may temporarily be waived if, and only if, arrangements have been made for receipt of the

required information within 48 hours of the emergency care admission.

B. Acceptance for emergency care admissions shall be based upon the following criteria:

1. A catastrophe has ~~indeed occurred and requiring immediate~~ alternate arrangements ~~must be made immediately~~ to protect the individual's health and safety;
2. The individual has a primary diagnosis of mental retardation and functions on a level that meets the facility's regular admissions criteria;
3. All other alternate care resources in the community have been explored and found to be unavailable;
4. Space is available on a unit with ~~suitable appropriate~~ resources to meet the individual's care and supervision needs;
5. The facility's health services personnel have determined that the individual's health care needs can be met by the facility's resources; and
6. The length of the emergency care stay at the facility will not exceed 21 consecutive days or a total of ~~35~~ 75 days in a calendar year.

C. Within 24 hours of receiving a request for ~~short-term care which qualifies as emergency in-nature care~~, the ~~facility's facility~~ director, or his designee, will inform the ~~parent, guardian, or other responsible person or persons as to case management CSB whether or not the applicant is eligible for emergency care and whether the facility is able to provide emergency care services.~~

If the facility is able to provide emergency care services, arrangements shall be made to effect the admission as soon as possible.

If the facility is unable to provide emergency care services *to an eligible applicant*, the ~~reasons for this will be explained to the parent, guardian or other responsible person or persons facility director or designee shall provide written notice of this determination to the case management CSB and may offer to try to obtain emergency care services from another appropriate facility.~~

~~If the facility is unable to provide emergency care services due to lack of space or because of the medical condition of the individual in need of care, the director, or his designee, shall offer to try to obtain emergency care services from another mental-retardation facility.~~

If for any reason a person admitted *to a facility* for emergency care is not discharged at the agreed upon time, ~~discharge plans shall be arranged through the appropriate community services board the case management CSB shall develop a discharge plan as provided in §§ 37.1-98 (e) and 37.1-197.1 of the Code of Virginia.~~

VA.R. Doc. No. R01-102; Filed March 22, 2002, 11:19 a.m.



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# GENERAL NOTICES/ERRATA

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## DEPARTMENT OF ENVIRONMENTAL QUALITY

### Clean Air Act Section 112(j) Part 1 Notification Report

The Department of Environmental Quality (DEQ) has made available on the DEQ web page the § 112(j) Part 1 Notification Report form. This form is available online at <http://www.deq.state.va.us>.

Section 112(j) of the 1990 Clean Air Act Amendments (CAA) requires sources that are defined as major for hazardous air pollutants (HAPs) and that are applicable to a listed § 112(c) source category for which a Maximum Achievable Control Technology (MACT) standard has not been promulgated prior to May 15, 2002, to notify the permitting agency what standard applies. This notification shall be submitted to the agency on or before May 15, 2002. A listing of source categories, applicabilities, and anticipated promulgation dates may be found at <http://www.epa.gov/ttn/atw/112j/112jaypg.html>. No information pertaining to Part 2 of the § 112(j) rule should be submitted at this time. All § 112(j) sources are applicable to the Title V operating permit program.

Persons with questions should contact Tamera Thompson at DEQ at (804) 698-4502 between the hours of 7:30 a.m. and 4 p.m., or by e-mail at [tmthompson@deq.state.va.us](mailto:tmthompson@deq.state.va.us). Part 1 Notification Report Forms should be submitted to Tamera Thompson, Office of Air Permitting Programs, P.O. Box 10009, Richmond, VA 23240.

### Total Maximum Daily Load (TMDL) Report for Aquatic Life on Black Creek in the Powell River Watershed

The Department of Environmental Quality (DEQ), the Department of Mines, Minerals and Energy, the Department of Mine Land Reclamation, and the Department of Conservation and Recreation (DCR) seek written and oral comments from interested persons on the draft Total Maximum Daily Load (TMDL) Report for aquatic life on Black Creek in the Powell River Watershed. The draft Black Creek TMDL report for aquatic life is available at the DEQ web site address: <http://www.deq.state.va.us/tmdl/tmdlrpts.html> or a copy is available upon request.

The Black Creek impaired segment is located in Wise County west of the Town of Norton between Black Creek Ridge and White Oak Gap. It is 5.94 miles in length and extends from the confluence with Powell River, near Blackwood at Route 58/23, upstream to the Black Creek Lake impoundment. Tributaries are included. Above Black Creek Cemetery, Black Creek flows along Route 618 for a short distance. Black Creek was identified in Virginia's 1998 § 303(d) TMDL Priority List and Report as impaired due to violations of the state's General Standard for Aquatic Life.

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

of the study is to identify sources and determine reductions of pollutants so that Black Creek can meet the water quality standard.

The public comment period will end on May 22, 2002. Questions or information requests should be addressed to Nancy T. Norton, P. E., Department of Environmental Quality. Written comments should include the name, address, and telephone number of the person submitting the comments and be addressed to Nancy T. Norton, P. E., Department of Environmental Quality, 355 Deadmore Street, P.O. Box 1688, Abingdon, VA 24212, telephone (276) 676-4807, FAX (276) 676-4899 or e-mail [ntnorton@deq.state.va.us](mailto:ntnorton@deq.state.va.us).

### Total Maximum Daily Loads (TMDLs) for Pleasant Run, Mill Creek, Muddy Creek, and Holmans Creek

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation (DCR) seek written and oral comments from interested persons on the development of Total Maximum Daily Loads (TMDLs) for Pleasant Run, Mill Creek, Muddy Creek, and Holmans Creek. These streams are listed on the 1998 § 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standards for the General Standard (Benthics).

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

The Pleasant Run stream segment is located in Rockingham County. It is 6.3 miles in length and begins at the headwaters and continues to the confluence with the North River. The Mill Creek stream segment is located in Rockingham County. It is 2.66 miles in length and begins at the headwaters and continues to the confluence with the North River. The Muddy Creek stream segment is located in Rockingham County. It is 10.36 miles in length and begins at the headwaters and continues to the confluence with Dry River. The Holmans Creek stream segment is located in Rockingham and Shenandoah Counties. It is 10.44 miles in length and begins at the headwaters and continues to the confluence with the North Fork of the Shenandoah River.

The first public meeting on the development of the TMDL to address the Benthic Impairment for these segments will be held on Thursday, May 2, 2002, 7 p.m., at the DEQ Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia.

The public comment period will end on June 3, 2002. A fact sheet on the development of the TMDLs for the benthic impairments is available upon request. Questions or information requests should be addressed to Sandra Mueller. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Sandra T. Mueller, Department of Environmental Quality, 4411 Early Road, Harrisonburg, VA 22801, telephone (540) 574-7848, FAX (540) 574-7878 or e-mail [stmueller@deq.state.va.us](mailto:stmueller@deq.state.va.us).

**STATE WATER CONTROL BOARD**

**Proposed Special Order  
Pounding Mill Quarry Corporation**

The State Water Control Board proposes to take an enforcement action against the above listed company. Under the terms of the proposed special order, the company has agreed to be bound by the terms and conditions of a schedule of compliance contained in the appendix of the order. The requirements contained in the order bring the facility into compliance with state law and protects water quality.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive comments relating to the Special Order until May 22, 2002. Comments should be addressed to Dallas Sizemore, Department of Environmental Quality, Southwest Regional Office, P.O. Box 1688, Abingdon, VA 24212 and should refer to the consent special order. Comments can also be sent by e-mail to: [drsizemore@deq.state.va.us](mailto:drsizemore@deq.state.va.us). Anyone wishing to comment must include their name, address and phone number and all comments must be received before the end of the comment period.

The proposed order may be examined at the Department of Environmental Quality, 355 Deadmore Street, Abingdon, Virginia. 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, FAX (804) 692-0625.

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

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

**Internet:** Forms and other Virginia Register resources may be printed or downloaded from the Virginia Register web page: <http://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

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# CALENDAR OF EVENTS


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## Symbol Key

-  Location accessible to persons with disabilities  
 Teletype (TTY)/Voice Designation

## NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation. If you are unable to find a meeting notice for an organization in which you are interested, please check the Commonwealth Calendar at [www.vipnet.org](http://www.vipnet.org) or contact the organization directly.

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


VIRGINIA CODE COMMISSION

## EXECUTIVE


### BOARD OF ACCOUNTANCY

† **April 24, 2002 - 10 a.m.** -- Open Meeting

† **April 25, 2002 - 9 a.m.** -- Open Meeting


Sheraton Richmond West Hotel, 6624 West Broad Street, Washington Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A two-day general business meeting to discuss matters requiring board action. A public comment period will be held at the beginning of the meeting.

**Contact:** Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Suite 696, Richmond, VA 23230-4916, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY , e-mail [boa@boa.state.va.us](mailto:boa@boa.state.va.us).

### COMMONWEALTH COUNCIL ON AGING


† **May 9, 2002 - 9 a.m.** -- Open Meeting

Virginia Department for the Aging, 1600 Forest Avenue, Suite 102, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Public Relations Committee.

**Contact:** Marsha Mucha, Department for the Aging, 1600 Forest Ave., Suite 102, Richmond, VA 23229, telephone (804) 662-9312.

† **May 9, 2002 - 10 a.m.** -- Open Meeting


Virginia Department for the Aging, 1600 Forest Avenue, Suite 102, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting. Public comments are welcomed.

**Contact:** Marsha Mucha, Department for the Aging, 1600 Forest Ave., Suite 102, Richmond, VA 23229, telephone (804) 662-9312.

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES


**April 22, 2002 - 10 a.m.** -- Open Meeting

Virginia Farm Bureau Federation Headquarters, 12580 West Creek Parkway, Richmond, Virginia. 

The Farmland Preservation Task Force has the responsibility of developing a proposed Purchase of Development Rights (PDR) program for the state. The task force will review the experiences of various Virginia localities with PDR programs and develop a vision for farmland preservation in Virginia. The task force plans to have a draft proposal ready for public comment in the fall of 2002. Any person who needs any accommodation in order to participate at the meeting should contact William P. Dickinson at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** William P. Dickinson, Jr., Assistant Commissioner, Department of Agriculture and Consumer Services, Washington Bldg., 1100 Bank St., Suite 210, Richmond, VA 23219, telephone (804) 786-3501, FAX (804) 371-2945, e-mail [wdickinson@vdacs.state.va.us](mailto:wdickinson@vdacs.state.va.us).

† **May 21, 2002 - 9:30 a.m.** -- Open Meeting

Department of Agriculture and Consumer Services, 1100 Bank Street, Washington Building, 2nd Floor Board Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Consumer Affairs Advisory Committee communicates the views and interests of Virginians on issues related to the Department of Agriculture and Consumer Services' consumer education and fraud prevention programs and their availability to citizens. Members will review the consumer education outreach efforts for the past six months and assist with planning for events in 2002. Members 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 Evelyn A. Jez at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Evelyn A. Jez, Consumer Affairs Specialist, Department of Agriculture and Consumer Services, 1100 Bank St., Suite 1101, Richmond, VA 23219, telephone (804) 786-1308, FAX (804) 786-5112, toll-free (800) 552-9963, (800) 828-1120/TTY ☎

## Virginia Horse Industry Board

**April 30, 2002 - 9 a.m.** -- Open Meeting  
Virginia Cooperative Extension, 168 Spotnap Road, Lower Level Meeting Room, Charlottesville, Virginia. ♿

The board will review the minutes of the last meeting, the board's current financial status, and on-going projects. The board will also review grant proposals submitted for consideration for the 2002-2003 fiscal year. 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 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, Department of Agriculture and Consumer Services, 1100 Bank St., Suite 1004, Richmond, VA 23219, telephone (804) 786-5842, FAX (804) 371-7786.

## Virginia Winegrowers Advisory Board

† **April 25, 2002 - 10 a.m.** -- Open Meeting  
The Boars Head Inn, 200 Ednam Drive, Charlottesville, Virginia. ♿

The minutes from the previous board meeting will be read and approved. The financial statement will be presented. The board will hear reports from the ABC Board and the viticulture, enology, marketing, and tourism committees. They will also hear grant proposal requests. 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 Mary Davis-Barton at least two days before the meeting date so that suitable arrangements can be made.

**Contact:** Mary Davis-Barton, Program Manager, Department of Agriculture and Consumer Services, 1100 Bank St., Suite 1010, Richmond, VA 23219, telephone (804) 371-7685, FAX (804) 786-3122.

## STATE AIR POLLUTION CONTROL BOARD

**May 8, 2002 - 9 a.m.** -- Public Hearing  
Department of Environmental Quality, 629 East Main Street, 1st Floor, Conference Room, Richmond, Virginia. ♿

A public hearing to receive testimony concerning a proposed revision to the Commonwealth of Virginia § 111(d) Plan. The proposed plan is intended to control emissions of designated pollutants to the atmosphere from hospital/medical/infectious waste incinerators, and consists of (i) emission limitations and other regulatory requirements; (ii) an inventory of emissions from the affected facilities; and

(iii) other supporting documentation. The department is seeking comment on the overall plan and on the issue of whether any regulations included in the plan should be submitted to the U.S. Environmental Protection Agency as part of the plan.

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

## ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

† **May 21, 2002 - Noon** -- Open Meeting  
National Capital Chapter of the Alzheimer's Association, 11240 Waples Mill Road, Fairfax, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting.

**Contact:** Janet L. Honeycutt, Director of Grant Operations, Alzheimer's Disease and Related Disorders Commission, 1600 Forest Ave., Suite 102, Richmond, VA 23229, telephone (804) 662-9341, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY ☎, e-mail jlhoneycutt@vdh.state.va.us.

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

**April 25, 2002 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Land Surveyors Section to conduct general 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 this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

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

**April 30, 2002 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Landscape Architects Section to conduct general 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

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## Calendar of Events

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can be made. The department fully complies with the Americans with Disabilities Act.

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

**May 1, 2002 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

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

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

† **May 6, 2002 - 9 a.m.** -- Open Meeting

† **May 7, 2002 - 9 a.m.** -- Open Meeting

Holiday Inn Crossroads, 2000 Staples Mill Road, Richmond, Virginia. ♿

A meeting of the Land Surveyors Section and invited subject matter experts to conduct an exam workshop. A public comment period will be held at the beginning of the workshop. After the public comment period, the workshop will be conducted in closed executive session under authority of § 2.1-344 A 11 of the Code of Virginia due to the confidential nature of the examination. The public will not be admitted to the closed executive session.

**Contact:** Sharon M. Sweet, Examination Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8569 or (804) 367-9753/TTY ☎.

**May 8, 2002 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

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

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

**May 9, 2002 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

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

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

**June 6, 2002 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

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

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

### ART AND ARCHITECTURAL REVIEW BOARD

**May 3, 2002 - 10 a.m.** -- Open Meeting

**June 7, 2002 - 10 a.m.** -- Open Meeting

† **July 12, 2002 - 10 a.m.** -- Open Meeting

Science Museum of Virginia, 2500 West Broad Street, Forum Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A monthly meeting to review projects submitted by state agencies. AARB submittal forms and submittal instructions can be downloaded by visiting the DGS forms center at [www.dgs.state.va.us](http://www.dgs.state.va.us). Request submittal form DGS-30-905 or submittal instructions form DGS-30-906.

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

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

† **April 23, 2002 - 9 a.m.** -- Open Meeting

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

A meeting to discuss and develop test specifications to be considered by the board while selecting a certification examination for home inspectors.

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

† **July 16, 2002 - 10 a.m.** -- Open Meeting

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

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

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

## BOARD FOR BARBERS AND COSMETOLOGY

† **April 22, 2002 - 8:30 a.m.** -- Open Meeting

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

A meeting to discuss any and all board business including review and adoption of regulations. Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the department at (804) 367-8590 prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

**Contact:** William H. Ferguson, II, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-6295, e-mail [barbercosmo@dpor.state.va.us](mailto:barbercosmo@dpor.state.va.us).

## BOARD FOR BRANCH PILOTS

† **May 2, 2002 - 8:30 a.m.** -- Open Meeting

Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to conduct examinations. Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the department at (804) 367-8514 at least 10 days prior to this meeting so that suitable arrangements can be made for an appropriate accommodation. The department fully complies with the Americans with Disabilities Act.

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

**May 2, 2002 - 9:30 a.m.** -- Open Meeting

Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia. ♿ (Interpreter for the deaf provided upon request)

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

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

## CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

**April 25, 2002 - 10:30 a.m.** -- Open Meeting

Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, 17th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The Policy Committee of the Chesapeake Bay Local Assistance Board will meet to consider approving the draft policies and procedures for conducting local government compliance evaluations.

**Contact:** Lee J. Tyson, Principal Planner, Chesapeake Bay Local Assistance Department, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 371-7500, FAX (804) 225-3447, toll-free (800) 243-7229, (800) 243-7229/TTY ☎, e-mail [ltyson@cblad.state.va.us](mailto:ltyson@cblad.state.va.us).

† **May 14, 2002 - 10 a.m.** -- Open Meeting

Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, 17th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Northern Area Review Committee to conduct general business, including review of local Chesapeake Bay Preservation Area programs for the Northern Area. Persons interested in observing should call the Chesapeake Bay Local Assistance Department to verify meeting time and location. No comments from the public will be entertained during the meeting; however, written comments are welcome.

**Contact:** Carolyn J. Elliott, Administrative Assistant, Chesapeake Bay Local Assistance Department, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA, telephone (804) 371-7505, FAX (804) 225-3447, toll-free (800) 243-7229, (800) 243-7229/TTY ☎, e-mail [celliott@cblad.state.va.us](mailto:celliott@cblad.state.va.us).

† **May 14, 2002 - 2 p.m.** -- Open Meeting

Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, 17th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

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# Calendar of Events

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A meeting of the Southern Area Review Committee to conduct general business, including review of local Chesapeake Bay Preservation Area programs for the Southern Area. Persons interested in observing should call the Chesapeake Bay Local Assistance Department to verify meeting time and location. No comments from the public will be entertained during the meeting; however, written comments are welcome.

**Contact:** Carolyn J. Elliott, Administrative Assistant, Chesapeake Bay Local Assistance Department, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA, telephone (804) 371-7505, FAX (804) 225-3447, toll-free (800) 243-7229, (800) 243-7229/TTY ☎, e-mail celliott@cblad.state.va.us.

## STATE CHILD FATALITY REVIEW TEAM

† **May 10, 2002 - 10 a.m.** -- Open Meeting  
Department of Social Services, 730 East Broad Street, Richmond, Virginia. ♿

The business portion of the meeting is open to the public. At the conclusion of the open meeting, there will be a closed session for confidential case review.

**Contact:** Virginia Powell, Coordinator, State Child Fatality Review Team, 400 E. Jackson St., Richmond, VA 23219, telephone (804) 786-6047, FAX (804) 371-8595, toll-free (800) 447-1708, e-mail vpowell@vdh.state.va.us.

## COMPENSATION BOARD

**April 23, 2002 - 11 a.m.** -- Open Meeting  
Compensation Board, 202 North 9th Street, 10th Floor, Richmond, Virginia. ♿

A monthly board meeting.

**Contact:** Cindy Waddell, Administrative Staff Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cwaddell@scb.state.va.us.

## BOARD OF CONSERVATION AND RECREATION

† **April 30, 2002 - 10 a.m.** -- Open Meeting  
State Capitol, House Room 1, Richmond, Virginia. ♿  
(Interpreter for the deaf provided upon request)

A regular business meeting. Requests for interpreter services for the deaf should be filed two weeks prior to the meeting.

**Contact:** Leon E. App, Acting Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

## DEPARTMENT OF CONSERVATION AND RECREATION

† **April 25, 2002 - 9:30 a.m.** -- Open Meeting  
Clarksville Community Center, 102 Willow Drive, Clarksville, Virginia.

The Occoneechee State Park Technical Advisory Committee will continue working on development of park master plan concepts.

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

**April 26, 2002 - 9 a.m.** -- Open Meeting  
"The Meeting House," Sky Meadows State Park, 11012 Edmonds Lane, Delaplane, Virginia.

The initial and second meeting of the Sky Meadows State Park Master Plan Technical Advisory Committee on development of a revised master plan for the park.

**Contact:** Derral Jones, Planning Bureau Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-9042, FAX (804) 371-7899, e-mail djones@dcr.state.va.us.

† **May 8, 2002 - 9 a.m.** -- Open Meeting  
Cedar Crest Conference Center, Twin Lakes State Park, 788 Twin Lakes Road, Green Bay, Virginia. ♿ (Interpreter for the deaf provided upon request)

The second meeting of the Sailors Creek Battlefield Historic State Park Technical Advisory Committee on preparation of a new Sailors Creek Battlefield Historic State Park Master Plan. The Conference Center is located within the park at 22 Cedar Crest Road. Requests for interpreter services for the deaf should be made two weeks prior to the meeting.

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


† **May 15, 2002 - 7 p.m.** -- Open Meeting  
Cumberland County High School, 15 School Road, Band Room, Cumberland, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Bear Creek Lake State Park Advisory Committee. The state park master planning process will be explained, and public input will be received on the draft park mission statement and draft goals and objectives. Request for interpreter services for the deaf should be made two weeks prior to the meeting.

**Contact:** Jim Guyton, Environmental Program Manager, Department of Conservation and Recreation, 203 Governor St., Suite 326 Richmond, VA 23219, telephone (804) 786-2093, FAX (804) 371-7899, e-mail jguyton@dcr.state.va.us, homepage <http://www.state.va.us/dcr>.



## † May 23, 2002 - 9 a.m. -- Open Meeting

Gunston Hall Plantation, 10709 Gunston Hall Road, Mason Neck, Virginia.  (Interpreter for the deaf provided upon request)


The second meeting of the Mason Neck State Technical Advisory Committee in preparation of a new Mason Neck State Park. Requests for interpreter services for the deaf should be filed two weeks prior to the meeting.

**Contact:** John R. Davy, Director of Planning and Recreation Resources, Department of Conservation and Recreation, 203 Governor St., Suite 326, Richmond, VA 23219, telephone (804) 786-1119, FAX (804) 371-7899, e-mail [jdavy@dcr.state.va.us](mailto:jdavy@dcr.state.va.us).

## Falls of the James Scenic River Advisory Board

### May 2, 2002 - Noon -- Open Meeting

### June 6, 2002 - Noon -- Open Meeting


Richmond 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.

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

## Virginia Soil and Water Conservation Board

### † May 16, 2002 - 9 a.m. -- Open Meeting


Virginia Department of Forestry, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting. Requests for interpreter services for the deaf should be filed two weeks prior to the meeting.

**Contact:** Leon E. App, Acting Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail [leonapp@dcr.state.va.us](mailto:leonapp@dcr.state.va.us).

## Virginia State Parks Foundation

### † May 13, 2002 - 10 a.m. -- Open Meeting

Department of Conservation and Recreation, 203 Governor Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting of the Board of Trustees. Requests for interpreter services for the deaf should be filed two weeks prior to the meeting date.

**Contact:** Leon E. App, Acting Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail [leonapp@dcr.state.va.us](mailto:leonapp@dcr.state.va.us).

## BOARD OF CORRECTIONS

**April 26, 2002** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Corrections intends to amend regulations entitled: **6 VAC 15-40. Minimum Standards for Jails and Lockups.** The purpose of the proposed amendments is to reorganize and clarify the current standards to be more consistent with the actual practice in jails and lockups, and to eliminate duplicative provisions.


Statutory Authority: §§ 53.1-5, 53.1-68 and 53.1-131 of the Code of Virginia.

**Contact:** Donna Lawrence, Supervisor, Compliance and Accreditation Unit, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3237 or FAX (804) 674-3587.


## BOARD OF COUNSELING

NOTE: CHANGE IN MEETING TIME

### April 26, 2002 - 1 p.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 conduct an informal conference pursuant to § 2.2-4019 of the Code of Virginia. Public comment will not be heard.

**Contact:** Joyce D. Williams, Administrative Assistant, Board of Counseling, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9912, FAX (804) 662-7250, (804) 662-7197/TTY , e-mail [coun@dhp.state.va.us](mailto:coun@dhp.state.va.us).

## DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

### May 16, 2002 - 11 a.m. -- Open Meeting

### June 20, 2002 - 11 a.m. -- Open Meeting

### † July 18, 2002 - 11 a.m. -- Open Meeting

Virginia War Memorial, 601 South Belvidere Street, Auditorium, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to review requests submitted by localities to use design-build or construction management-type contracts. Contact the Division of Engineering and Buildings to confirm the meeting. Board rules and regulations can be obtained online at [www.dgs.state.va.us](http://www.dgs.state.va.us) under the DGS Forms, Form DGS-30-904.

**Contact:** Freddie M. Adcock, Administrative Assistant, Department of General Services, 805 E. Broad St., Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY , e-mail [fadcock@dgs.state.va.us](mailto:fadcock@dgs.state.va.us).

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# Calendar of Events


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## BOARD OF EDUCATION

**April 24, 2002 - 9 a.m.** -- Open Meeting

**May 23, 2002 - 9 a.m.** -- Open Meeting

**† June 26, 2002 - 9 a.m.** -- Open Meeting


General Assembly Building, 910 Capitol Square, Senate Room B, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting of the board. Public comment will be received. Persons who wish to speak or who require the services of an interpreter for the deaf should contact the agency in advance.

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

**April 25, 2002 - 9 a.m.** -- Open Meeting

**April 26, 2002 - 9 a.m.** -- Open Meeting


General Assembly Building, 910 Capitol Square, Senate Room B, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Annual planning session for the board. This is a working session and public comment will not be received. Persons requesting the services of an interpreter for the deaf should do so in advance.

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

## DEPARTMENT OF ENVIRONMENTAL QUALITY


**April 23, 2002 - 7 p.m.** -- Public Hearing

Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia. 

A public hearing to receive comments on the draft permit amendment to incorporate a groundwater monitoring plan into the permit of the Elbow Road Farm, Inc. CDD Landfill located on 1400 Elbow Road in Chesapeake between Centerville Turnpike and Kempsville Road. The comment period closes on May 8, 2002.

**Contact:** Rosemarie Ballance, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4223, e-mail rbalance@deq.state.va.us.

**April 23, 2002 - 7 p.m.** -- Public Hearing


Blue Ridge Regional Library, Martinsville, Virginia. 

A public hearing to receive comments on the draft permit amendment regarding the groundwater monitoring program for the Martinsville Landfill located off Clearview Drive, just outside the Martinsville City limits. The public comment period closes on May 8, 2002.

**Contact:** Geoff Christe, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone

(804) 698-4378, FAX (804) 698-4346, e-mail cmberndt@deq.state.va.us.

**April 24, 2002 - 7 p.m.** -- Public Hearing

Henrico County Library, 2001 Library Road, Richmond, Virginia. 

A public hearing to receive comments on the draft permit amendment to incorporate the groundwater monitoring plan for the Charles City Road Landfill located on Charles City Road approximately 1.25 miles northwest of the intersection of Laburnum Avenue and Charles City Roads in Henrico County. The comment period closes on May 9, 2002.

**Contact:** James Bernard, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4222, e-mail jfbernard@deq.state.va.us.


**April 25, 2002 - 6 p.m.** -- Open Meeting

New River Valley Planning District Commission, 6580 Valley Center Drive, Radford, Virginia. 

A public meeting of the New River PCB Source Study Citizen's Committee to discuss efforts to locate current or historical sources of PCBs and the status of PCBs in the New River.

**Contact:** Jay Roberts, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6785, FAX (804) 698-4346, e-mail jaroberts@deq.state.va.us.


**April 30, 2002 - 7 p.m.** -- Open Meeting

Madison Public Library, Madison, Virginia. 

A public meeting to receive comments on the permit amendment regarding the groundwater monitoring program for the Madison Sanitary Landfill located on the south side of Route 662, between Shifflet Corner and Shelby. The comment period closes on May 15, 2002.

**Contact:** Geoff Christe, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4283, e-mail gxchriste@deq.state.va.us.


**† May 2, 2002 - 7 p.m.** -- Open Meeting

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

The first public meeting on the development of the TMDL to address the benthic impairment for Pleasant Run, Mill Creek, Muddy Creek and Holmans Creek in Rockingham and Shenandoah Counties. The deadline for submittal of written comment is June 3, 2002.

**Contact:** Sandra Mueller, Department of Environmental Quality, 4411 Early Rd., Harrisonburg, VA 22801, telephone (540) 574-7848, e-mail stmueller@deq.state.va.us.

**† May 21, 2002 - 9 a.m.** -- Open Meeting

Department of Environmental Quality, 629 East Main Street, 1st Floor Conference Room, Richmond, Virginia. 

A regular meeting of the Virginia Ground Water Protection Steering Committee. Anyone interested in ground water protection issues is welcome to attend. Meeting minutes and agenda are available from the contact person.

**Contact:** Mary Ann Massie, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4042, (804) 698-4021/TTY ☎, e-mail mamassie@deq.state.va.us.

† **May 22, 2002 - 10 a.m.** -- Open Meeting  
Virginia Historical Society, 428 North Boulevard, Richmond, Virginia. ♿

A meeting of the Virginia Pollution Prevention Advisory Committee.

**Contact:** Sharon Baxter, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4344, e-mail skbaxter@deq.state.va.us.

## BOARD OF FUNERAL DIRECTORS AND EMBALMERS

† **April 24, 2002 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿

The Special Conference Committee will convene an informal conference to hear possible violations of the laws and regulations governing the practice of funeral directing and embalming.

**Contact:** Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.state.va.us.

† **April 30, 2002 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A meeting of the Regulatory/Legislative Committee to consider regulatory issues related to continuing education and other matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.state.va.us.

## BOARD FOR GEOLOGY

**April 24, 2002 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A general board meeting.

**Contact:** Werner Versch II, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2406, FAX (804) 367-6946, e-mail geology@dpor.state.va.us.

## STATE BOARD OF HEALTH

† **April 26, 2002 - 10 a.m.** -- Open Meeting  
Best Western, 911 East Atlantic Street, Gaston Room, South Hill, Virginia. ♿

A quarterly business meeting to discuss and consider various matters relating to the protection of public health, including certain regulatory initiatives.

**Contact:** Carroll Anne Smith, Administrative Assistant, Department of Health, 1500 E. Main St., Suite 214, Richmond, Virginia 23219, telephone (804) 786-3561, FAX (804) 786-4616, e-mail csmith@vdh.state.va.us.

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† **May 9, 2002 - 7 p.m.** -- Public Hearing  
Richmond Airport Hilton, 5501 Eubank Road, Sandston, Virginia.

**June 21, 2002** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to repeal regulations entitled: **12 VAC 5-30. Rules and Regulations Governing Emergency Medical Services** and adopt regulations entitled: **12 VAC 5-31. Virginia Emergency Medical Services Regulations**. The purpose of the proposed action is to consolidate diverse provisions and place them in a logical order, remove outdated provision, and reflect current technological standards.

Statutory Authority: §§ 32.1-12 and 32.1-111.4 of the Code of Virginia.

**Contact:** Dave Cullen, Compliance Manager, Office of EMS, Department of Health, 1538 E. Parham Rd., Richmond, VA, telephone (804) 371-3500, FAX (804) 371-3543, toll-free 1-800-523-6019, or e-mail dcullen@vdh.state.va.us.

## DEPARTMENT OF HEALTH

† **May 10, 2002 - 1 p.m.** -- Open Meeting  
Richmond Airport Hilton, 5501 Eubank Rd., Sandston, Virginia. ♿

A quarterly meeting of the State Emergency Medical Services Advisory Board.

**Contact:** Gary R. Brown, Director, Department of Health, 1538 E. Parham Rd., Richmond, VA, telephone (804) 371-3500, FAX (804) 371-3543, toll-free (800) 523-6019, e-mail gbrown@vdh.state.va.us.

## HOPEWELL INDUSTRIAL SAFETY COUNCIL

**May 7, 2002 - 9 a.m.** -- Open Meeting  
**June 4, 2002 - 9 a.m.** -- Open Meeting  
Hopewell Community Center, 100 West City Point Road, Hopewell, Virginia. ♿ (Interpreter for the deaf provided upon request)

A Local Emergency Preparedness committee meeting as required by SARA Title III.

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# Calendar of Events

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**Contact:** Robert Brown, Emergency Services Coordinator, Hopewell Industrial Safety Council, 300 N. Main St., Hopewell, VA 23860, telephone (804) 541-2298.

(804) 371-7999, (800) 828-1120/TTY ☎, e-mail bbingham@clg.state.va.us.

## DEPARTMENT OF LABOR AND INDUSTRY

### Virginia Migrant and Seasonal Farmworkers Board

**April 24, 2002 - 10 a.m.** -- Open Meeting  
State Capitol, House Room 1, Richmond, Virginia. ♿  
(Interpreter for the deaf provided upon request)

A regular quarterly meeting of the board.

**Contact:** Betty B. Jenkins, Board Administrator, Department of Labor and Industry, 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2391, FAX (804) 371-6524, (804) 786-2376/TTY ☎, e-mail bbj@doli.state.va.us.

## STATE LIBRARY BOARD

**June 10, 2002 - 7:30 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ♿

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

7:30 a.m. - Executive Committee, Conference Room B.

8:15 a.m. - Public Library Development Committee, Orientation Room;  
Publications and Educational Services Committee, Conference Room B;  
Records Management Committee, Conference Room C.

9:30 a.m. - Archival and Information Services Committee, Orientation Room;  
Collection Management Services Committee, Conference Room B;  
Legislative and Finance Committee, Conference Room C.

10:30 a.m. - Library Board, Conference Room 2M.

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

## COMMISSION ON LOCAL GOVERNMENT

† **April 22, 2002 - 10:30 a.m.** -- Open Meeting

† **April 23, 2002 - 8:30 a.m.** -- Open Meeting  
Mountain Empire Community College, Fugate Auditorium, Dalton-Cantress Hall, Big Stone Gap, Virginia ♿ (Interpreter for the deaf provided upon request)

Public presentations regarding the Town of Big Stone Gap-Wise County annexation action.

**Contact:** Barbara Bingham, Administrative Assistant, Commission on Local Government, 900 E. Broad St., Richmond, VA 23219-3513, telephone (804) 786-6508, FAX

† **April 22, 2002 - 7 p.m.** -- Public Hearing  
Powell Valley High School Auditorium, One Avenue of Champions, Big Stone Gap, Virginia. ♿ (Interpreter for the deaf provided upon request)

A public hearing regarding the Town of Big Stone Gap-Wise County annexation action.

**Contact:** Barbara Bingham, Administrative Assistant, Commission on Local Government, 900 E. Broad St., Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999, (800) 828-1120/TTY ☎, e-mail bbingham@clg.state.va.us.

† **May 13, 2002 - 10 a.m.** -- Open Meeting  
Commission on Local Government, 900 East Main Street, Suite 103, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting to consider such matters as may be presented.

**Contact:** Barbara Bingham, Administrative Assistant, Commission on Local Government, 900 East Main St., Suite 103, Richmond, VA 23219-3513, telephone (804) 786-6508, FAX (804) 371-7999, (800) 828-1120/TTY ☎, e-mail bbingham@clg.state.va.us.

## LONGWOOD COLLEGE

† **May 11, 2002 - 1:30 p.m.** -- Open Meeting  
Longwood College, Lancaster 319, 201 High Street, Farmville, Virginia. ♿

A meeting of the Executive Committee to conduct routine business.

**Contact:** Jeanne Hayden, Office of the President, Longwood College, 201 High St., Farmville, VA 23909, telephone (804) 395-2004.

† **May 23, 2002 - 10 a.m.** -- Open Meeting  
The Capital Club, James River East Room, 1051 East Cary Street, Richmond, Virginia. ♿

A meeting to conduct routine business of the Board of Visitors' Administration, Finance and Facilities Committee.

**Contact:** Jeanne Hayden, Office of the President, Longwood College, 201 High St., Farmville, VA 23909, telephone (804) 395-2004.

## MARINE RESOURCES COMMISSION

**April 23, 2002 - 9:30 a.m.** -- Open Meeting

**May 28, 2002 - 9:30 a.m.** -- Open Meeting

**June 25, 2002 - 9:30 a.m.** -- Open Meeting

Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia. ♿

A monthly meeting.

**Contact:** Stephanie Montgomery, Commission Secretary, Marine Resources Commission, 2600 Washington Ave., Newport News, VA 23607, telephone (757) 247-8088, FAX (757) 247-2020, toll-free (800) 541-4646, (757) 247-2292/TTY ☎, e-mail smont@mrc.state.va.us.

## BOARD OF MEDICAL ASSISTANCE SERVICES

**June 11, 2002 - 10 a.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, Board Room, Suite 1300, Richmond, Virginia. ♿

A general meeting. An agenda will be posted prior to the meeting date.

**Contact:** Leah Hamaker, Communications Office, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-4626, FAX (804) 371-4981, (800) 343-0634/TTY ☎, e-mail lhamaker@dmas.state.va.us.

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

**May 9, 2002 - 2 p.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Boardroom, Richmond, Virginia. ♿

A meeting of the Medicaid Drug Utilization Review Board to train new members and conduct regular business.

**Contact:** Marianne Rollings, R.Ph., Board Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4268, FAX (804) 786-1680, (800) 343-0634/TTY ☎, e-mail mrollings@dmas.state.va.us.

## BOARD OF MEDICINE

**May 1, 2002 - 8:45 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia.

A panel/committee of the board will convene a formal hearing/informal hearing to inquire into allegations that a certain practitioner may have violated laws governing the practice of medicine. The panel/committee will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

**Contact:** Peggy Sadler/Renee Dixon, Staff, Board of Medicine, 6606 W. Broad St., Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail Peggy.Sadler@dhp.state.va.us.

**May 2, 2002 - 2:30 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. ♿

A meeting of the Ad Hoc Committee on Outpatient Anesthesia to continue its discussion of the appropriate regulation of outpatient anesthesia. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

**May 8, 2002 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

A meeting of the Advisory Committee on Acupuncture to consider regulatory issues as presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

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† **May 9, 2002 - 9 a.m.** -- Public Hearing  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

**June 21, 2002** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled: **18 VAC 85-80. Regulations Governing the Practice of Occupational Therapy.** The purpose of the proposed action is to address concerns about the adequacy of supervision for unlicensed assistants and to provide greater clarity about practice by graduates waiting for examination results. Minor changes are proposed for greater accuracy and consistency.

Statutory Authority: §§ 54.1-2400, 54.1-2956.1, and 54.1-2956.2 of the Code of Virginia.

Public comments may be submitted until June 21, 2002, to William L. Harp, M.D., Executive Director, Board of Medicine, 6606 W. Broad St. Richmond, VA 23230.

**Contact:** Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.state.va.us.

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† **May 8, 2002 - 1 p.m.** -- Public Hearing  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. ♿

**June 21, 2002** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled: **18 VAC 85-101. Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited.** The purpose of

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## Calendar of Events


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the proposed action is to provide an additional credential qualifying an applicant to be licensed as a radiologic technologist-limited in bone densitometry and to recognize the training course, examination and certification by the International Society for Clinical Densitometry for a limited license in that anatomical area. The proposed regulations would also clarify that a licensee who performs bone densitometry would have to get additional training and pass ARRT examinations in order to add other anatomical areas. Finally, an amendment would allow the board to accept other approved entities offering continuing education courses for bone densitometry.


Statutory Authority: §§ 54.1-2400 and 54.1-2956.8:1 of the Code of Virginia.


Public comments may be submitted until June 21, 2002, to William L. Harp, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., Richmond, VA 23230.

**Contact:** Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.state.va.us.


**May 8, 2002 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia 


A meeting of the Advisory Board on Radiologic Technology to consider regulatory issues as presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail wharp@dhp.state.va.us.

**May 9, 2002 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia 


A meeting of the Advisory Board on Occupational Therapy to consider regulatory issues as presented on the agenda. Public comment will be received at the beginning of the meeting.


**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail wharp@dhp.state.va.us.

**May 9, 2002 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia 


A meeting of the Advisory Board on Respiratory Care to consider regulatory issues as presented on the agenda. Public comment will be received at the beginning of the meeting.


**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908,

FAX (804) 662-9943, (804) 662-7197/TTY , e-mail wharp@dhp.state.va.us.


**May 10, 2002 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia 

A meeting of the Advisory Board on Athletic Training to consider regulatory issues as presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail wharp@dhp.state.va.us.


**May 10, 2002 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia 


A meeting of the Advisory Board on Physicians Assistants to consider regulatory issues as presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail wharp@dhp.state.va.us.

**† May 17, 2002 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, Conference Room 2, Richmond, Virginia.

A meeting of the Legislative Committee to discuss issues related to the regulation of the healing arts and consider regulatory actions as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail wharp@dhp.state.va.us.

**† June 6, 2002 - 8 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia  (Interpreter for the deaf provided upon request)

The board will conduct general board business, receive committee and board reports, and discuss any other items that may come before the board. The board will also meet on Friday and Saturday, June 7 and 8, to review reports, interview licensees/applicants, conduct administrative proceedings, and make decisions on disciplinary matters. The board will also review any regulations that may come before it. The board will entertain public comments during the first 15 minutes on agenda items.

**Contact:** William L. Harp, M.D., Executive Director, Board of Medicine, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908,

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

† **June 7, 2002 - 1 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 Credentials Committee will be held in open and closed session to conduct general business, interview and review medical credentials of applicants applying for licensure in Virginia, and discuss any other items which may come before the Committee.

**Contact:** William L. Harp, MD, Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-7005, FAX (804) 662-9517, (804) 662-7197/TTY ☎

## Informal Conference Committee

**April 24, 2002 - 9:45 a.m.** -- Open Meeting  
Clarion Hotel, 3315 Ordway Drive, Roanoke, Virginia.

**May 16, 2002 - 9 a.m.** -- Open Meeting  
**June 13, 2002 - 9:30 a.m.** -- Open Meeting  
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia.🗺

**May 17, 2002 - 12:30 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia.

**May 22, 2002 - 9 a.m.** -- Open Meeting  
† **June 19, 2002 - 8:45 a.m.** -- Open Meeting  
Williamsburg Marriott Hotel, 50 Kingsmill Road, Williamsburg, 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 the Code of Virginia. Public comment will not be received.

**Contact:** Peggy Sadler or Renee Dixson, Staff, Board of Medicine, 6606 W. Broad St., Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail Peggy.Sadler@dhp.state.va.us.

## STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

**April 25, 2002 - 10 a.m.** -- Open Meeting  
Holiday Inn North, Parham Road, Richmond, Virginia.

A regular meeting. A public comment period will be scheduled.

**Contact:** Marlene Butler, State Board Secretary, State Mental Health, Mental Retardation and Substance Abuse Services Board, P.O. Box 1797, Richmond, VA 23214, telephone (804) 786-7945, FAX (804) 371-2308.

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† **June 5, 2002 - 6:30 p.m.** -- Public Hearing  
Dumbarton Area Library, 6800 Staples Mill Road, Richmond, Virginia.

**June 21, 2002** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to amend regulations entitled: **12 VAC 35-190. Regulations Establishing Procedures for Voluntarily Admitting Persons who are Mentally Retarded to State Mental Retardation Facilities.** The purpose of the proposed action is to amend the regulations to update current provisions in order to reflect current practice and promote appropriate admissions to state training centers.

Statutory Authority: §§ 37.1-10 and 37.1-65.1 of the Code of Virginia.

**Contact:** Wendy V. Brown, Policy Analyst, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 225-2252, FAX (804) 371-0092 or e-mail wbrown@dmhmsas.state.va.us.

## STATE MILK COMMISSION

**May 22, 2002 - 11 a.m.** -- Open Meeting  
102 East Buck Avenue, Rural Retreat, Virginia.

A regular meeting to consider industry issues, distributor licensing, base transfers, and reports from staff. The commission offers anyone in attendance an opportunity to speak at the conclusion of the agenda. Those persons requiring special accommodations should notify the agency meeting contact at least five working days prior to the meeting date so that suitable arrangements can be made.

**Contact:** Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, Ninth St. Office Bldg., 202 N. Ninth St., Room 915, Richmond, VA 23219, telephone (804) 786-2013, FAX (804) 786-3779, e-mail ewilson@smc.state.va.us.

## DEPARTMENT OF MOTOR VEHICLES

**June 13, 2002 - 9 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia.🗺

A meeting of the Digital Signature Implementation Workgroup. Meetings will be held on the second Thursday of every other month from 9 a.m. until noon at the location noted above unless otherwise noted. The room will be open for coffee and pre-session business at 8:30 a.m.; the business session will begin at 9.

**Contact:** Vivian Cheatham, Executive Staff Assistant, Department of Motor Vehicles, 2300 W. Broad St., Richmond, VA 23220, telephone (804) 367-6870, FAX (804) 367-6631, toll-free (866) 68-5463, e-mail dmvrvc@dmv.state.va.us.

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# Calendar of Events

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## VIRGINIA MUSEUM OF FINE ARTS

**April 29, 2002 - 2 p.m.** -- Open Meeting


**May 15, 2002 - 10 a.m.** -- Open Meeting

Virginia Museum of Fine Arts, CEO Building, 2800 Grove Avenue, 2nd Floor Conference Room, Richmond, Virginia. 


A meeting of the Museum Expansion Committee to review the program update. Most of the meeting will be held in closed session. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


**April 30, 2002 - 3:30 p.m.** -- Open Meeting

Virginia Museum of Fine Arts, 2800 Grove Avenue, Main Lobby Conference Room, Richmond, Virginia. 


A meeting of the Nominating Committee to prepare nominations. Most of the meeting will be held in closed session. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, Virginia 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


**May 7, 2002 - 8 a.m.** -- Open Meeting

Virginia Museum of Fine Arts, 2800 Grove Avenue, Main Lobby Conference Room, Richmond, Virginia. 

A meeting for staff to brief the Executive Committee. Public comment will not be received.


**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.

**May 15, 2002 - 9 a.m.** -- Open Meeting


Virginia Museum of Fine Arts, 2800 Grove Avenue, Main Lobby Conference Room, Richmond, Virginia. 

The following committees will meet:

- 9 a.m. - Program Review Committee
- 10 a.m. - Museum Expansion Committee
- 11 a.m. - Exhibitions Committee
- 12:30 p.m. - Legislative Committee
- 2 p.m. - Education and Programs Committee
- 3:15 p.m. - Communications and Marketing Committee

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


**May 16, 2002 - 8:30 a.m.** -- Open Meeting

Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO Building, 2nd Floor Conference Room, Richmond, Virginia. 


The following committees will meet:

- 8:30 a.m. - Buildings and Grounds Committee
- 9:30 a.m. - Collections Committee


11 a.m. - Finance Committee

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


**May 16, 2002 - 12:30 p.m.** -- Open Meeting

Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia. 


The full board will meet to receive reports from the President, Director, and Museum Foundation and committees, and for approval of acquisition of art works. Portions of the meeting will be held in closed session. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.

**June 20, 2002 - Noon** -- Open Meeting

Virginia Museum of Fine Arts, CEO 2nd Floor Meeting Room, 2800 Grove Avenue, Richmond, Virginia. 

A meeting of the Executive/Finance Committee to approve the annual budget. Public comment will not be received.

**Contact:** Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Avenue, Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us

## BOARD OF NURSING

**May 20, 2002 - 9 a.m.** -- Open Meeting


**May 22, 2002 - 9 a.m.** -- Open Meeting

**May 23, 2002 - 8:30 a.m.** -- Open Meeting


† **July 15, 2002 - 9 a.m.** -- Open Meeting

† **July 17, 2002 - 9 a.m.** -- Open Meeting

† **July 18, 2002 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. 

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


**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.state.va.us.

## Special Conference Committee

**April 23, 2002 - 8:30 a.m.** -- Open Meeting

**April 30, 2002 - 8:30 a.m.** -- Open Meeting

**June 26, 2002 - 8:30 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. 

**June 4, 2002 - 8:30 a.m.** -- Open Meeting

**June 10, 2002 - 8:30 a.m.** -- Open Meeting

**June 12, 2002 - 8:30 a.m.** -- Open Meeting

**June 18, 2002 - 8:30 a.m.** -- Open Meeting



**June 20, 2002 - 8:30 a.m.** -- Open Meeting

**June 25, 2002 - 8:30 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. ♿

A Special Conference Committee, comprised of two or three members of the Virginia Board of Nursing, will conduct informal conferences with licensees or certificate holders. Public comment will not be received.

**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ♿, e-mail nursebd@dhp.state.va.us.

## BOARD FOR OPTICIANS

**May 3, 2002 - 9:30 a.m.** -- Open Meeting

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

A regular board meeting.

**Contact:** William H. Ferguson, II, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-6295, e-mail opticians@dpor.state.va.us.

## BOARD OF OPTOMETRY

**April 26, 2002 - 8:30 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia ♿

The board will conduct a general business meeting to include reports from board members and other items as may be presented on the agenda. The board will consider the adoption of emergency regulations for the registration of out-of-state practitioners working as volunteers in free clinics. Public comment will be received at the beginning of the meeting.

**Contact:** Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-9504, (804) 662-7197/TTY ♿, e-mail ecarter@dhp.state.va.us.

**April 26, 2002 - 10:30 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia ♿

Informal conference hearings. This is a public meeting; however, public comment will not be received.

**Contact:** Carol Stamey, Administrative Assistant, Board of Optometry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9910, FAX (804) 662-7098, (804) 662-7197/TTY ♿, e-mail cstamey@dhp.state.va.us.

## VIRGINIA OUTDOORS FOUNDATION

† **April 29, 2002 - 10:30 a.m.** -- Open Meeting

Culpeper County Administration Office, Board Room, Culpeper, Virginia.

A meeting to review applications for the Region II Preservation Trust Fund.

**Contact:** Sherry Buttrick, Director, Charlottesville Office, Virginia Outdoors Foundation, 1010 Harris St., Suite 4, Charlottesville, VA, telephone (434) 293-3423, FAX (434) 293-3859.

## BOARD OF PHARMACY

**April 29, 2002 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A general business meeting. The board may consider regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting immediately following adoption of the agenda and approval of the minutes.

**Contact:** Elizabeth Scott Russell, R.Ph., Executive Director, Board of Pharmacy, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY ♿, e-mail erussell@dhp.state.va.us.

† **April 29, 2002 - 1 p.m.** -- Open Meeting

† **May 6, 2002 - 1 p.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia ♿

A panel of the board will discuss disciplinary matters. Public comments 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) 662-9913.

**April 30, 2002 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿

† **May 7, 2002 - 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 discuss disciplinary matters. Public comments 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.

† **May 6, 2002 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, Virginia. ♿

A meeting of the Regulation Committee to discuss promulgation of emergency regulations for implementation.


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# Calendar of Events


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**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, e-mail pharmbd@dhp.state.va.us.


## POLYGRAPH EXAMINERS ADVISORY BOARD

**June 19, 2002 - 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 board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

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


## VIRGINIA PUBLIC BROADCASTING BOARD

**† May 8, 2002 - 10 a.m.** -- Open Meeting  
State Capitol, House Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular quarterly meeting.

**Contact:** Jim Roberts, Deputy Secretary of Administration, 202 N. Ninth St., Richmond, VA 23219, telephone (804) 786-1201, FAX (804) 371-0038, e-mail jroberts@gov.state.va.us.


## VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

**April 30, 2002 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, 629 East Main Street, 1st Floor Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting. Subcommittee meetings may be held prior to or after the general council meeting.

**Contact:** William K. Norris, Division of Environmental Enhancement, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4022, FAX (804) 698-4224, toll-free (800) 592-5482, (804) 698-4021/TTY 

## BOARD OF REHABILITATIVE SERVICES

**April 25, 2002 - 10 a.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly board meeting. Public comments will be received at approximately 10:15 a.m.

**Contact:** Barbara Tyson, Administrative Staff Specialist, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23288-0300, telephone (804) 662-7010, FAX (804) 662-7696, toll-free (800) 552-5019, (804) 662-9040/TTY , e-mail tysonbg@drs.state.va.us.


## VIRGINIA RESOURCES AUTHORITY

**May 14, 2002 - 9 a.m.** -- Open Meeting  
**June 11, 2002 - 9 a.m.** -- Open Meeting  
Virginia Resources Authority, 707 East Main Street, 2nd Floor Conference Room, Richmond, Virginia.


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

**Contact:** Bonnie R.C. McRae, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Suite 1350, Richmond, VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail bmcrac@vra.state.va.us.


## DEPARTMENT FOR RIGHTS OF VIRGINIANS WITH DISABILITIES

**† April 25, 2002 - 10 a.m.** -- Open Meeting  
Holiday Inn University Area and Conference Center, 1901 Emmet Street, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Developmental Disabilities Advisory Council. Public comment is welcome and will be received at approximately 10 a.m.

**Contact:** Kimberly A. Ware, Program Operations Coordinator, Department for Rights of Virginians with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA 23219, telephone (804) 225-2061, FAX (804) 225-3221, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail wareka@drvd.state.va.us.

## SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

**May 22, 2002 - 10 a.m.** -- Open Meeting  
General Assembly Building, 910 Capitol Street, Senate Room  
B, Richmond, Virginia. 

A meeting to hear appeals of health department denials of  
septic tank permits.

**Contact:** Susan C. Sherertz, Business Manager, Department  
of Health, 1500 E. Main St., Room 115, Richmond, VA,  
telephone (804) 371-4236, FAX (804) 225-4003, e-mail  
sshertzer@vdh.state.va.us.

## VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

**April 23, 2002 - 10 a.m.** -- Open Meeting  
Department of Business Assistance, 707 East Main Street,  
3rd Floor, Richmond, Virginia. 

A meeting to review applications for loans submitted to the  
authority for approval and general business of the board.  
Time is subject to change depending upon the agenda of  
the board.

**Contact:** Scott E. Parsons, Executive Director, Department of  
Business Assistance, P.O. Box 446, Richmond, VA 23218-  
0446, telephone (804) 371-8254, FAX (804) 225-3384, e-mail  
sparsons@dba.state.va.us.

## STATE BOARD OF SOCIAL SERVICES

**May 8, 2002 - 10 a.m.** -- Public Hearing  
Department of Social Services, Theater Row Building, 730  
East Broad Street, Lower Level Room 1, Richmond, Virginia.

**June 7, 2002** - Public comments may be submitted until this  
date.

Notice is hereby given in accordance with § 2.2-4007 that  
the State Board of Social Services intends to adopt  
regulations entitled: **22 VAC 40-730. Investigation of  
Child Abuse and Neglect in Out of Family Complaints.**  
The purpose of the proposed action is to emphasize that  
child protective services out of family investigations are to  
be conducted as joint investigations in cases involving an  
employee at a state licensed facility for children, or an  
employee of a public or private school.

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

**Contact:** Jesslyn Cobb, CPS Program Consultant, State  
Board of Social Services, 730 E. Broad St., 2nd Floor,  
Richmond, VA 23219, telephone (804) 692-1255 or FAX (804)  
692-2215.

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**June 7, 2002** - Public comments may be submitted until this  
date.

Notice is hereby given in accordance with § 2.2-4007 of the  
Code of Virginia that the State Board of Social Services  
intends to amend regulations entitled: **22 VAC 40-720.  
Child Protective Services Release of Information to  
Family Advocacy Representatives of the United States  
Armed Forces.** The regulation mandates sharing of  
information in founded cases of child abuse between social  
services and the Family Advocacy Program; the definition of  
"founded" is being amended to conform with the definition of  
"founded" in the Child Protective Services regulation (22  
VAC 40-705).

Statutory Authority: §§ 63.1-25 and 63.248.6 of the Code of  
Virginia.

**Contact:** Jesslyn Cobb, CPS Program Consultant, State  
Board of Social Services, 730 E. Broad St., 2nd Floor,  
Richmond, VA 23219, telephone (804) 692-1255 or FAX (804)  
692-2215.

## COUNCIL ON TECHNOLOGY SERVICES

**May 7, 2002 - 9:15 a.m.** -- Open Meeting  
**June 13, 2002 - 9:15 a.m.** -- Open Meeting  
Department of Technology Planning, 110 South 7th Street,  
Suite 135, Conference Room, Richmond, Virginia. 

A monthly meeting of the Dashboard Project Workgroup. To  
expedite security procedures, please contact George  
Williams at the Department of Technology Planning at  
gfwilliams@ntp.state.va.us or (804) 371-2771 to include  
your name on the list of attendees that will be given to  
building security.

**Contact:** Chris Saneda, Chief Information Officer,  
Department of Alcoholic Beverage Control, 2901 Hermitage  
Rd., Richmond, VA 23220, telephone (804) 213-4483, FAX  
(804) 213-4486, e-mail chris.saneda@abc.state.va.us.

**May 8, 2002 - 10 a.m.** -- Open Meeting  
Department of Information Technology, 110 South 7th Street,  
3rd Floor, Executive Conference Room, Richmond,  
Virginia. 

A regular meeting of the Telecommunications Workgroup.  
For more information about the agenda, visit the COTS  
website at [www.cots.state.va.us](http://www.cots.state.va.us).

**Contact:** Leslie Carter, Deputy Director, Department of  
Information Technology, Richmond Plaza Building, 110 S. 7th  
St., Richmond, VA 23219, telephone (804) 371-5577, e-mail  
lcarter@dit.state.va.us.

**May 9, 2002 - 9:30 a.m.** -- Open Meeting  
George Mason University, Fairfax, Virginia.

A bimonthly meeting of the council.


**Contact:** Jenny Wootton, Executive Director, Council on  
Technology Services, Office of the Secretary of Technology,  
202 N. 9th St., Suite 506, Richmond, VA 23219, telephone  
(804) 786-9579, FAX (804) 786-9584, e-mail  
jwootton@gov.state.va.us.

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# Calendar of Events

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## May 13, 2002 - 2 p.m. -- Open Meeting

Department of Technology Planning, 110 South 7th Street, 3rd Floor, Conference Room, Richmond, Virginia. 

A monthly meeting of the COTS Executive Committee. Agenda and materials can be viewed on the COTS website at [www.cots.state.va.us](http://www.cots.state.va.us). For security reasons, please contact Jenny Wootton if you plan to attend to expedite security procedures.

**Contact:** Jenny Wootton, Executive Director, Council on Technology Services, Office of the Secretary of Technology, 202 N. 9th St., Richmond, VA 23219, telephone (804) 786-9579, FAX (804) 786-9584, e-mail [jwootton@gov.state.va.us](mailto:jwootton@gov.state.va.us).

## VIRGINIA VOLUNTARY FORMULARY BOARD

### April 30, 2002 - 10:30 a.m. -- Open Meeting


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

A meeting to consider public hearing comments and evaluate data submitted by pharmaceutical manufacturers and distributors for products being considered for inclusion in the Virginia Voluntary Formulary.

**Contact:** James K. Thomson, Department of Health, Bureau of Pharmacy Services, James Monroe Bldg., 101 N 14th St., Room S-45, Richmond, VA 23219, telephone (804) 786-4326.

## BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

### June 20, 2002 - 8:30 a.m. -- Open Meeting


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

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


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

## VIRGINIA WORKFORCE COUNCIL

### June 12, 2002 - 10 a.m. -- Open Meeting

Charlottesville, Virginia  (Interpreter for the deaf provided upon request)


The exact location, time and agenda will be announced at a later date. Public comment is usually scheduled for 11 a.m. (5 minutes per speaker and a written copy of the remarks is requested).

**Contact:** Gail Robinson, Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 225-2190, (800) 828-1120/TTY , e-mail [grobenson@vec.state.va.us](mailto:grobenson@vec.state.va.us).


# INDEPENDENT

## VIRGINIA RETIREMENT SYSTEM


### May 14, 2002 - Noon -- Open Meeting

VRS Headquarters, 1200 East Main Street, Richmond, Virginia. 


A regular meeting of the Optional Retirement Plan Advisory Committee of the VRS Board of Trustees.

**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail [dglazier@vrs.state.va.us](mailto:dglazier@vrs.state.va.us).


### † May 15, 2002 - Noon -- Open Meeting

Bank of America Building, 1111 East Main Street, 4th Floor Conference Room, Richmond, Virginia. 


A regular meeting of the Investment Advisory Committee.

**Contact:** Phyllis Henderson, Virginia Retirement System, 1111 East Main Street, Richmond, Virginia 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail [phenderson@vrs.state.va.us](mailto:phenderson@vrs.state.va.us).

### May 15, 2002 - 2:30 p.m. -- Open Meeting

VRS Headquarters, 1200 East Main Street, Richmond, Virginia. 

A regular meeting of the Administration and Personnel Committee.


**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail [dkestner@vrs.state.va.us](mailto:dkestner@vrs.state.va.us).

NOTE: CHANGE IN MEETING TIME

### May 15, 2002 - 3 p.m. -- Open Meeting


Virginia Retirement System Headquarters, 1200 East Main Street, Richmond, Virginia. 

A regular meeting of the Benefits and Actuarial Committee.


**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail [dglazier@vrs.state.va.us](mailto:dglazier@vrs.state.va.us).

NOTE: CHANGE IN MEETING TIME

### May 15, 2002 - 4:30 p.m. -- Open Meeting

VRS Headquarters, 1200 East Main Street, Richmond, Virginia. 

Meeting of the Audit and Compliance Committee.

**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY , e-mail [dkestner@vrs.state.va.us](mailto:dkestner@vrs.state.va.us).

**May 16, 2002 - 9 a.m.** -- Open Meeting  
VRS Headquarters, 1200 East Main Street, Richmond, Virginia. ☎

A regular meeting of the Board of Trustees.

**Contact:** Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY ☎, e-mail dkestner@vrs.state.va.us.

## CHRONOLOGICAL LIST

### OPEN MEETINGS

#### April 22

Agriculture and Consumer Services, Department of  
- Farmland Preservation Task Force  
† Barbers and Cosmetology, Board for  
† Local Government, Commission on

#### April 23

† Asbestos, Lead, and Home Inspectors, Virginia Board for Compensation Board  
† Local Government, Commission on Marine Resources Commission  
Nursing, Board of  
- Special Conference Committee  
Small Business Financing Authority, Virginia

#### April 24

† Accountancy, Board of  
Education, Board of  
† Funeral Directors and Embalmers, Board of  
Geology, Board for  
Labor and Industry, Department of  
- Virginia Migrant and Seasonal Farmworkers Board  
Medicine, Board of  
- Informal Conference Committee

#### April 25

† Accountancy, Board of  
† Agriculture and Consumer Services, Department of  
- Virginia Winegrowers Advisory Board  
Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for  
- Land Surveyors Section  
Chesapeake Bay Local Assistance Board  
† Conservation and Recreation, Department of  
- Occoneechee State Park Technical Advisory Committee  
Education, Board of  
Environmental Quality, Department of  
Mental Health, Mental Retardation and Substance Abuse Services Board, State  
Rehabilitative Services, Department of  
† Rights of Virginians with Disabilities, Department for

#### April 26

Conservation and Recreation, Department of  
- Sky Meadows State Park Technical Advisory Committee  
Counseling, Board of  
- Special Conference Committee  
Education, Board of

† Health, State Board of  
Optometry, Board of

#### April 29

Museum of Fine Arts, Virginia  
- Expansion Committee  
† Outdoors Foundation, Virginia  
- Open Space Lands Preservation Trust Fund Advisory Board -- Region II  
† Pharmacy, Board of

#### April 30

Agriculture and Consumer Services, Department of  
- Virginia Horse Industry Board  
Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for  
- Landscape Architects Section  
† Conservation and Recreation, Board of  
Environmental Quality, Department of  
† Funeral Directors and Embalmers, Board of  
- Regulatory/Legislative Committee  
Museum of Fine Arts, Virginia  
- Nominating Committee  
Nursing, Board of  
- Special Conference Committee  
Pharmacy, Board of  
- Special Conference Committee  
Recycling Markets Development Council, Virginia  
Voluntary Formulary Board, Virginia

#### May 1

Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for  
- Architects Section  
Medicine, Board of

#### May 2

Branch Pilots, Board for  
Conservation and Recreation, Department of  
- Falls of the James Scenic River Advisory Board  
† Environmental Quality, Department of  
Medicine, Board of  
- Ad Hoc Committee on Outpatient Anesthesia

#### May 3

Art and Architectural Review Board  
Opticians, Board for

#### May 6

Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for  
- Land Surveyors Section  
† Pharmacy, Board of  
- Regulation Committee

#### May 7

Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects, Board for  
- Land Surveyors Section  
Hopewell Industrial Safety Council  
Museum of Fine Arts, Virginia  
- Executive Committee  
† Pharmacy, Board of  
- Special Conference Committee  
Technology Services, Council on

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# Calendar of Events

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- Dashboard Project Workgroup

## May 8

Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers, and Landscape Architects,  
Board for

- Professional Engineers Section

† Conservation and Recreation, Department of

- Sailors Creek Battlefield Historic Park Technical  
Advisory Committee

Medicine, Board of

- Advisory Committee on Acupuncture

- Advisory Board on Radiologic Technology

† Public Broadcasting Board, Virginia

Technology Services, Council on

- Technology Services Telecommunications Workgroup

## May 9

† Aging, Commonwealth Council on

- Public Relations Committee

Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers, and Landscape Architects,  
Board for

- Certified Interior Designers Section

Medical Assistance Services, Department of

- Medicaid Drug Utilization Review Board

Medicine, Board of

- Advisory Board on Occupational Therapy

- Advisory Board on Respiratory Care

Technology Services, Council on

- Executive Committee

## May 10

† Child Fatality Review Team, State

† Health, Department of

- State Emergency Medical Services Advisory Board

Medicine, Board of

- Advisory Board on Athletic Training

- Advisory Board on Physician Assistants

## May 11

† Longwood College

- Executive Committee

## May 13

† Conservation and Recreation, Department of

- Virginia State Parks Foundation Board of Trustees

† Local Government, Commission on

Technology Services, Council on

## May 14

† Chesapeake Bay Local Assistance Board

- Northern Area Review Committee

- Southern Area Review Committee

Resources Authority, Virginia

- Board of Directors

Retirement System, Virginia

- Optional Retirement Plan Advisory Committee

## May 15

† Conservation and Recreation, Department of

- Bear Creek Lake State Park Advisory Committee

Museum of Fine Arts, Virginia

- Communications and Marketing Committee

- Education and Programs Committee

- Exhibitions Committee

- Legislative Committee

- Museum Expansion Committee

- Program Review Committee

Retirement System, Virginia

- Administration and Personnel Committee

- Audit and Compliance Committee

- Benefits and Actuarial Committee

- Investment Advisory Committee

## May 16

† Conservation and Recreation, Department of

- Virginia Soil and Water Conservation Board

Design-Build/Construction Management Review Board

Medicine, Board of

- Informal Conference Committee

Museum of Fine Arts, Virginia

- Buildings and Grounds Committee

- Collections Committee

- Finance Committee

Retirement System, Virginia

## May 17

† Medicine, Board of

- Informal Conference Committee

- Legislative Committee

## May 20

Nursing, Board of

## May 21

† Agriculture and Consumer Services, Department of

- Consumer Affairs Advisory Committee

† Alzheimer's Disease and Related Disorders Commission

† Environmental Quality, Department of

- Virginia Ground Water Protection Steering Committee

## May 22

† Environmental Quality, Department of

- Pollution Prevention Advisory Committee

Medicine, Board of

- Informal Conference Committee

Milk Commission, State

Nursing, Board of

Sewage Handling and Disposal Appeal Review Board

## May 23

† Conservation and Recreation, Department of

- Mason Neck State Park Technical Advisory Committee

Education, Board of

† Longwood College

- Administration, Finance and Facilities Committee

Nursing, Board of

## May 28

Marine Resources Commission

## June 4

Hopewell Industrial Safety Council

Nursing, Board of

- Special Conference Committee

## June 6

Architects, Professional Engineers, Land Surveyors,

Certified Interior Designers, and Landscape Architects,

Board for

Conservation and Recreation, Department of

- Falls of the James Scenic River Advisory Board

† Medicine, Board of

## June 7

Art and Architectural Review Board

† Medicine, Board of

- Credentials Committee

## June 8

† Medicine, Board of

**June 10**

Library of Virginia

- Archival and Information Services Committee
- Collection Management Services Committee
- Executive Committee
- Legislative and Finance Committee
- Publications and Educational Services Committee
- Public Library Development Committee
- Records Management Committee

Nursing, Board of

- Special Conference Committee

**June 11**

Medical Assistance Services, Board of

Resources Authority, Virginia

- Board of Directors

**June 12**

Nursing, Board of

- Special Conference Committee

Workforce Council, Virginia

**June 13**

Medicine, Board of

- Informal Conference Committee

Motor Vehicles, Department of

- Digital Signature Implementation Workgroup

Nursing, Board of

- Special Conference Committee

Technology Services, Council on

- Dashboard Project Workgroup

**June 18**

Nursing, Board of

- Special Conference Committee

**June 19**

† Medicine, Board of

- Informal Conference Committee

Polygraph Examiners Advisory Board

**June 20**

Design-Build/Construction Management Review Board

Museum of Fine Arts, Virginia

- Executive/Finance Committee

Nursing, Board of

- Special Conference Committee

Waterworks and Wastewater Works Operators, Virginia

Board for

**June 25**

Marine Resources Committee

Nursing, Board of

- Special Conference Committee

**June 26**

† Education, Board of

Nursing, Board of

- Special Conference Committee

**July 12**

† Art and Architectural Review Board

**July 15**

† Nursing, Board of

**July 16**

† Asbestos, Lead, and Home Inspectors, Virginia Board for

**July 17**

† Nursing, Board of

**July 18**

† Design-Build/Construction Management Review Board

† Nursing, Board of

**PUBLIC HEARINGS****April 22**

† Local Government, Commission on

**April 23**

Environmental Quality, Department of

**April 24**

Environmental Quality, Department of

**May 8**

Air Pollution Control Board, State

† Medicine, Board of

Social Services, State Board of

**May 9**

† Medicine, Board of

**June 5**

† Mental Health, Mental Retardation and Substance Abuse  
Services Board, State