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# TABLE OF CONTENTS

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## CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

Cumulative Table.....3637

## NOTICES OF INTENDED REGULATORY ACTION

### TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

Board of Corrections .....3649

### TITLE 8. EDUCATION

State Board of Education .....3649

### TITLE 9. ENVIRONMENT

Virginia Waste Management Board .....3650

State Water Control Board .....3650

### TITLE 12. HEALTH

Department of Medical Assistance Services.....3651

### TITLE 17. LIBRARIES AND CULTURAL RESOURCES

Department of Historic Resources .....3651

### TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

Board for Barbers and Cosmetology.....3651

Board for Hearing Aid Specialists .....3652

### TITLE 22. SOCIAL SERVICES

State Board of Social Services .....3652

## PROPOSED REGULATIONS

### TITLE 9. ENVIRONMENT

#### STATE AIR POLLUTION CONTROL BOARD

##### Notice of Public Comment Period for Proposed Regulation Revision YY Concerning New and Modified Source Review

Regulations for the Control and Abatement of Air Pollution (Revision YY). .....3653

New and Modified Stationary Sources (amending 9 VAC 5-50-250, 9 VAC 5-50-260 and 9 VAC 5-50-390).....3653

Permits for Stationary Sources (adding Article 6: 9 VAC 5-80-1100 through 9 VAC 5-80-1320; repealing 9 VAC 5-80-10 and 9 VAC 5-80-11).....3653

### TITLE 14. INSURANCE

#### STATE CORPORATION COMMISSION

Reporting of Salvage and Subrogation Recoveries (REPEALING). (14 VAC 5-330-10)..... 3654

### TITLE 22. SOCIAL SERVICES

#### DEPARTMENT FOR THE BLIND AND VISION IMPAIRED

Regulations Governing Provision of Services for the Infants, Children, and Youth Program (REPEALING). (22 VAC 45-60-10 et seq.)..... 3655

## FINAL REGULATIONS

### TITLE 9. ENVIRONMENT

#### STATE WATER CONTROL BOARD

Roanoke River Basin Water Quality Management Plan (amending 9 VAC 25-430-20, 9 VAC 25-430-30, and 9 VAC 25-430-60). ..... 3657

### TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

#### BOARD OF PHYSICAL THERAPY

Regulations Governing the Practice of Physical Therapy (amending 18 VAC 112-20-10 and 18 VAC 112-20-90)... 3657

### TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

#### COMMONWEALTH TRANSPORTATION BOARD

Debarment of Bidders (REPEALED). (24 VAC 30-260-10 et seq.) ..... 3658

Classifying and Marking State Highways (amending 24 VAC 30-520-10; adding 24 VAC 30-520-20)..... 3658

## EMERGENCY REGULATIONS

### TITLE 12. HEALTH

#### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Family Access to Medical Insurance Security Plan. (12 VAC 30-141-10 et seq.)..... 3660

---

# Table of Contents

---

## GENERAL NOTICES/ERRATA

### STATE CORPORATION COMMISSION

#### ORDER ESTABLISHING INVESTIGATION AND INVITING COMMENTS

In the Matter Concerning the Rules Governing Certification and Maintenance of Notification Centers. (PUE010422) . [3671](#)

### Bureau of Insurance

#### ADMINISTRATIVE LETTER

Rule, Rate and Form Submission Checklists. (2001-6) ... [3676](#)

### BOARD OF CORRECTIONS

Periodic Review of Regulations ..... [3676](#)

### DEPARTMENT OF CRIMINAL JUSTICE SERVICES

#### Division of Forensic Science

List of Approved Laboratories for Drugs and Alcohol Analysis ..... [3677](#)

### STATE BOARD OF SOCIAL SERVICES

Notice of Periodic Review of Regulations ..... [3677](#)

### STATE WATER CONTROL BOARD

Notice of Intent to Approve Use of Virginia Wetlands Restoration Trust Fund as a Form of Compensatory Mitigation under 9 VAC 25-210-10 et seq. .... [3677](#)

Proposed Consent Special Order - City Of Bedford ..... [3678](#)

Proposed Consent Special Orders - City of Norfolk - Ballard Brothers Fish Company, Inc. - Concrete Placement Systems, Inc. .... [3678](#)

Proposed Consent Special Order - Highland Oil Co., Inc./Cascades Market..... [3678](#)

Proposed Amendment to Consent Special Order - Mohanbhai C. Patel d/b/a - Lighthouse Motel ..... [3678](#)

Proposed Consent Special Order - Shockey Bros., Inc. ... [3678](#)

Proposed Consent Special Order - Town of Kilmarnock.. [3679](#)

### VIRGINIA CODE COMMISSION

Notice to State Agencies ..... [3679](#)

Forms for Filing Material for Publication in *The Virginia Register of Regulations* ..... [3679](#)

#### ERRATA

### DEPARTMENT OF SOCIAL SERVICES

Investigation of Child Abuse and Neglect in Out of Family Complaints. (22 VAC 40-730-10 et seq.) ..... [3679](#)

## CALENDAR OF EVENTS

### EXECUTIVE

Open Meetings and Public Hearings.....[3680](#)

### INDEPENDENT

Open Meetings and Public Hearings.....[3700](#)

### LEGISLATIVE

Open Meetings and Public Hearings.....[3701](#)

### CHRONOLOGICAL LIST

Open Meetings .....[3702](#)

Public Hearings .....[3705](#)

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

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 2001 VAC Supplement includes final regulations published through *Virginia Register* Volume 17, Issue 11, dated February 12, 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
1 VAC 30-60-10 et seq.	Repealed	17:19 VA.R. 2731	7/4/01
1 VAC 30-70-10 et seq.	Repealed	17:19 VA.R. 2731	7/4/01
<b>Title 2. Agriculture</b>			
2 VAC 15-20-81	Amended	17:14 VA.R. 2179	3/1/01
<b>Title 4. Conservation and Natural Resources</b>			
4 VAC 15-20-80	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-20-160	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-40-20	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-40-150	Repealed	17:19 VA.R. 2729	7/4/01
4 VAC 15-40-280	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-50-90	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-90-20	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-90-21	Added	17:19 VA.R. 2729	7/4/01
4 VAC 15-90-70	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-90-80	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-85	Added	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-100	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-110	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-141	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-160	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-170	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-190	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-195	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-200	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-210	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-220	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-90-240	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-110-75	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-190-60	Added	17:19 VA.R. 2729	7/4/01
4 VAC 15-240-20	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-240-31	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-240-90	Amended	17:19 VA.R. 2730	7/4/01
4 VAC 15-270-20	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 15-290-140	Amended	17:19 VA.R. 2729	7/4/01

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 15-320-100	Amended	17:19 VA.R. 2729	7/4/01
4 VAC 20-40-20	Amended	17:18 VA.R. 2576	5/1/01
4 VAC 20-252-70	Amended	17:12 VA.R. 2024	1/26/01
4 VAC 20-252-90	Amended	17:12 VA.R. 2024	1/26/01
4 VAC 20-252-100	Amended	17:12 VA.R. 2024	1/26/01
4 VAC 20-252-110	Amended	17:12 VA.R. 2025	1/26/01
4 VAC 20-252-140	Amended	17:12 VA.R. 2025	1/26/01
4 VAC 20-270-40	Amended	17:14 VA.R. 2179	3/1/01
4 VAC 20-270-40	Amended	17:18 VA.R. 2576	5/1/01
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 20-450-30	Amended	17:18 VA.R. 2576	5/1/01
4 VAC 20-561-10 through 4 VAC 20-561-50	Added	17:16 VA.R. 2332	8/16/01
4 VAC 20-610-30	Amended	17:23 VA.R. 3456	7/1/01
4 VAC 20-620-30	Amended	17:14 VA.R. 2180	3/1/01
4 VAC 20-620-50	Amended	17:14 VA.R. 2180	3/1/01
4 VAC 20-620-70	Amended	17:14 VA.R. 2180	3/1/01
4 VAC 20-620-70	Amended	17:20 VA.R. 2880	6/1/01
4 VAC 20-670-25	Added	17:18 VA.R. 2577	5/1/01
4 VAC 20-751-10	Amended	17:16 VA.R. 2333	4/1/01
4 VAC 20-751-20	Amended	17:16 VA.R. 2333	4/1/01
4 VAC 20-890-10 emer	Amended	17:20 VA.R. 2932	5/25/01-6/24/01
4 VAC 20-890-20 emer	Amended	17:20 VA.R. 2932	5/25/01-6/24/01
4 VAC 20-890-25 emer	Amended	17:20 VA.R. 2932	5/25/01-6/24/01
4 VAC 20-890-25	Amended	17:23 VA.R. 3457	7/1/01
4 VAC 20-890-30	Amended	17:16 VA.R. 2333	4/1/01
4 VAC 20-890-40 emer	Amended	17:20 VA.R. 2933	5/25/01-6/24/01
4 VAC 20-910-30	Amended	17:14 VA.R. 2181	3/1/01
4 VAC 20-910-45	Amended	17:18 VA.R. 2577	5/1/01
4 VAC 20-950-30	Amended	17:14 VA.R. 2181	3/1/01
4 VAC 20-950-45	Amended	17:14 VA.R. 2181	3/1/01
4 VAC 20-950-45	Amended	17:16 VA.R. 2334	4/1/01
4 VAC 20-950-45 emer	Amended	17:18 VA.R. 2673	4/24/01-5/23/01
4 VAC 20-950-45	Amended	17:20 VA.R. 2880	5/25/01
4 VAC 20-995-20	Amended	17:12 VA.R. 2025	1/26/01
4 VAC 20-995-20	Amended	17:14 VA.R. 2182	3/1/01
4 VAC 20-1040-20	Amended	17:20 VA.R. 2881	5/26/01
4 VAC 25-90-10 through 4 VAC 25-90-100	Amended	17:20 VA.R. 2882-2885	7/18/01
4 VAC 25-90-120	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-90-270	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-90-300	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-90-340	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-90-360	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-90 (Forms)	Added	17:21 VA.R. 3119	--
4 VAC 25-100-10 et seq.	Repealed	17:20 VA.R. 2885	7/18/01
4 VAC 25-101-10 through 4 VAC 25-101-220	Added	17:20 VA.R. 2886	7/18/01
4 VAC 25-101 (Forms)	Added	17:21 VA.R. 3119	--
4 VAC 25-130 (Forms)	Amended	17:23 VA.R. 3473	--
<b>Title 5. Corporations</b>			
5 VAC 5-10-10 et seq.	Repealed	17:18 VA.R. 2577	6/1/01
5 VAC 5-20-10 through 5 VAC 5-20-280	Amended	17:18 VA.R. 2581-2587	6/1/01
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 20-200-10 through 6 VAC 20-200-180	Amended	17:19 VA.R. 2731-2735	7/4/01
<b>Title 8. Education</b>			
8 VAC 20-110-10	Amended	17:12 VA.R. 2026	3/28/01

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
8 VAC 20-110-20	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-40	Amended	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-50	Amended	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-60	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-70	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-110-140	Repealed	17:12 VA.R. 2026	3/28/01
8 VAC 20-540-10 et seq.	Repealed	17:16 VA.R. 2334	5/23/01
8 VAC 20-541-10 through 8 VAC 20-541-60	Added	17:16 VA.R. 2335-2342	5/23/01
8 VAC 20-650-10 through 8 VAC 20-650-20 emer	Added	17:14 VA.R. 2202	3/7/01-3/6/02
<b>Title 9. Environment</b>			
9 VAC 5-50-400	Amended	17:15 VA.R. 2248	6/1/01
9 VAC 5-60-60	Amended	17:15 VA.R. 2248	6/1/01
9 VAC 5-60-90	Amended	17:15 VA.R. 2248	6/1/01
9 VAC 5-60-100	Amended	17:15 VA.R. 2249	6/1/01
9 VAC 5-80-310 through 9 VAC 5-80-350	Amended	17:20 VA.R. 2887-2890	7/18/01
9 VAC 5-80-355	Repealed	17:20 VA.R. 2891	7/18/01
9 VAC 5-210-10 through 9 VAC 5-210-160	Added	17:16 VA.R. 2342-2344	7/1/01
9 VAC 15-30-20	Amended	17:21 VA.R. 3029	8/1/01
9 VAC 15-30-40 through 9 VAC 15-30-110	Amended	17:21 VA.R. 3030-3031	8/1/01
9 VAC 15-30-130	Amended	17:21 VA.R. 3031	8/1/01
9 VAC 15-30-150	Repealed	17:21 VA.R. 3031	8/1/01
9 VAC 15-30-160	Amended	17:21 VA.R. 3031	8/1/01
9 VAC 15-30-170	Amended	17:21 VA.R. 3031	8/1/01
9 VAC 20-15-10 through 9 VAC 20-15-160	Added	17:16 VA.R. 2344-2346	7/1/01
9 VAC 20-80-10	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-40	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-60	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-80	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-100	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-110	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-113	Added	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-115	Added	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-120	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-140 through 9 VAC 20-80-290	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-310 through 9 VAC 20-80-340	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-360 through 9 VAC 20-80-380	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-400	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-450	Added	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-460	Added	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-470	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-480	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-485	Added	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-500 through 9 VAC 20-80-560	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-620 through 9 VAC 20-80-650	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-670	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-700	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-730	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-80-750 through 9 VAC 20-80-790	Amended	17:16 VA.R. 2349	5/23/01
Appendices 2.1 and 2.2	Added	17:16 VA.R. 2349	5/23/01
Appendix 4.1	Repealed	17:16 VA.R. 2349	5/23/01
Appendix 5.1	Amended	17:16 VA.R. 2349	5/23/01
Appendices 5.2 and 5.3	Repealed	17:16 VA.R. 2349	5/23/01
Appendix 5.5	Amended	17:16 VA.R. 2349	5/23/01
Appendix 5.6	Added	17:16 VA.R. 2349	5/23/01
Appendices 7.4 and 9.1	Amended	17:16 VA.R. 2349	5/23/01
9 VAC 20-130-10 through 9 VAC 20-130-70	Amended	17:21 VA.R. 3033-3037	8/1/01

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 20-130-80	Repealed	17:21 VA.R. 3037	8/1/01
9 VAC 20-130-90	Amended	17:21 VA.R. 3037	8/1/01
9 VAC 20-130-110 through 9 VAC 20-130-150	Amended	17:21 VA.R. 3037-3040	8/1/01
9 VAC 20-130-160	Repealed	17:21 VA.R. 3040	8/1/01
9 VAC 20-130-165	Added	17:21 VA.R. 3040	8/1/01
9 VAC 20-130-170	Repealed	17:21 VA.R. 3040	8/1/01
9 VAC 20-130-175	Added	17:21 VA.R. 3040	8/1/01
9 VAC 20-130-180	Amended	17:21 VA.R. 3041	8/1/01
9 VAC 20-130-190	Amended	17:21 VA.R. 3041	8/1/01
9 VAC 20-130-220	Amended	17:21 VA.R. 3041	8/1/01
9 VAC 20-130-230	Amended	17:21 VA.R. 3041	8/1/01
9 VAC 20-130-240	Repealed	17:21 VA.R. 3041	8/1/01
9 VAC 25-15-10 through 9 VAC 25-15-160	Added	17:16 VA.R. 2347-2349	7/1/01
9 VAC 25-31-10	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-30	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-50	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-100	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-110	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-120	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-170	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-220	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-280	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-370	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-390	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-31-410	Amended	17:13 VA.R. 2076	4/11/01
9 VAC 25-110-10	Amended	17:16 VA.R. 2350	8/1/01
9 VAC 25-110-20	Amended	17:16 VA.R. 2351	8/1/01
9 VAC 25-110-40	Repealed	17:16 VA.R. 2351	8/1/01
9 VAC 25-110-50	Repealed	17:16 VA.R. 2351	8/1/01
9 VAC 25-110-60	Amended	17:16 VA.R. 2351	8/1/01
9 VAC 25-110-70	Amended	17:16 VA.R. 2351	8/1/01
9 VAC 25-110-70	Amended	17:21 VA.R. 3044	8/1/01
9 VAC 25-110-80	Amended	17:16 VA.R. 2353	8/1/01
9 VAC 25-115-10 through 9 VAC 25-115-50	Amended	17:16 VA.R. 2367-2380	7/24/01
9 VAC 25-192-50	Amended	17:21 VA.R. 3044	8/1/01
9 VAC 25-192-60	Amended	17:21 VA.R. 3045	8/1/01
9 VAC 25-210-10	Amended	17:21 VA.R. 3049	8/1/01
9 VAC 25-210-20	Repealed	17:21 VA.R. 3052	8/1/01
9 VAC 25-210-30	Repealed	17:21 VA.R. 3052	8/1/01
9 VAC 25-210-40	Repealed	17:21 VA.R. 3052	8/1/01
9 VAC 25-210-45	Added	17:21 VA.R. 3052	8/1/01
9 VAC 25-210-50 through 9 VAC 25-210-110	Amended	17:21 VA.R. 3052-3063	8/1/01
9 VAC 25-210-80	Erratum	17:24 VA.R. 3604	--
9 VAC 25-210-115	Added	17:21 VA.R. 3063	8/1/01
9 VAC 25-210-120 through 9 VAC 25-210-180	Amended	17:21 VA.R. 3064-3067	8/1/01
9 VAC 25-210-185	Added	17:21 VA.R. 3067	8/1/01
9 VAC 25-210-190 through 9 VAC 25-210-260	Amended	17:21 VA.R. 3067-3069	8/1/01
9 VAC 25-260-50	Amended	17:16 VA.R. 2381	*
9 VAC 25-260-55	Added	17:16 VA.R. 2381	*
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 25-680-10 through 9 VAC 25-680-100	Added	17:21 VA.R. 3070-3087	8/1/01
9 VAC 25-680-30	Erratum	17:24 VA.R. 3604	--

\* 30 days after notice in *Virginia Register* of EPA approval

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-680-50	Erratum	17:24 VA.R. 3604	--
9 VAC 25-680-100	Erratum	17:24 VA.R. 3604	--
9 VAC 25-690-10 through 9 VAC 25-690-100	Added	17:21 VA.R. 3088-3107	8/1/01
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
<b>Title 11. Gaming</b>			
11 VAC 10-60 (Forms)	Amended	17:15 VA.R. 2259	--
11 VAC 10-130-10	Amended	17:19 VA.R. 2736	5/7/01
11 VAC 10-130-60	Amended	17:19 VA.R. 2736	5/7/01
11 VAC 10-130-70	Amended	17:19 VA.R. 2737	5/7/01
<b>Title 12. Health</b>			
12 VAC 30-10-20	Amended	17:19 VA.R. 2737	8/1/01
12 VAC 30-10-160	Amended	17:13 VA.R. 2077	4/11/01
12 VAC 30-10-1000	Added	17:19 VA.R. 2741	7/4/01
12 VAC 30-20-80	Amended	17:13 VA.R. 2077	4/11/01
12 VAC 30-20-290 through 12 VAC 30-20-490	Added	17:19 VA.R. 2741	7/4/01
12 VAC 30-20-500 through 12 VAC 30-20-560	Added	17:19 VA.R. 2741	7/4/01
12 VAC 30-30-10	Amended	17:13 VA.R. 2077	4/11/01
12 VAC 30-30-10	Amended	17:19 VA.R. 2737	8/1/01
12 VAC 30-30-20	Amended	17:13 VA.R. 2081	4/11/01
12 VAC 30-30-20	Amended	17:18 VA.R. 2588	7/1/01
12 VAC 30-30-20	Amended	17:18 VA.R. 2589	7/1/01
12 VAC 30-30-40	Amended	17:13 VA.R. 2082	4/11/01
12 VAC 30-30-50	Amended	17:13 VA.R. 2082	4/11/01
12 VAC 30-40-80	Amended	17:13 VA.R. 2087	4/11/01
12 VAC 30-40-100	Amended	17:13 VA.R. 2083	4/11/01
12 VAC 30-40-220	Amended	17:18 VA.R. 2590	7/1/01
12 VAC 30-40-220	Amended	17:18 VA.R. 2593	7/1/01
12 VAC 30-40-220	Erratum	17:21 VA.R. 3124	--
12 VAC 30-40-240	Amended	17:13 VA.R. 2083	4/11/01
12 VAC 30-40-250	Amended	17:13 VA.R. 2085	4/11/01
12 VAC 30-40-280	Amended	17:13 VA.R. 2085	4/11/01
12 VAC 30-40-290	Amended	17:13 VA.R. 2085	4/11/01
12 VAC 30-40-350	Amended	17:13 VA.R. 2087	4/11/01
12 VAC 30-50-300	Amended	17:12 VA.R. 2026	6/1/01**
12 VAC 30-50-490	Added	17:18 VA.R. 2595	7/1/01
12 VAC 30-50-530	Amended	17:12 VA.R. 2026	6/1/01**
12 VAC 30-70-140	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-70-141	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-70-142	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-70-143	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-70-144	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-70-145	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-80-110	Amended	17:18 VA.R. 2597	7/1/01
12 VAC 30-90-19	Added	17:18 VA.R. 2623	7/1/01
12 VAC 30-90-20	Amended	17:18 VA.R. 2624	7/1/01
12 VAC 30-90-29	Added	17:18 VA.R. 2624	7/1/01
12 VAC 30-90-30	Amended	17:18 VA.R. 2625	7/1/01
12 VAC 30-90-31	Amended	17:18 VA.R. 2626	7/1/01
12 VAC 30-90-33	Amended	17:18 VA.R. 2626	7/1/01

\*\* Effective date changed in 17:17 VA.R. 2443.

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-90-34	Amended	17:18 VA.R. 2628	7/1/01
12 VAC 30-90-35	Amended	17:18 VA.R. 2630	7/1/01
12 VAC 30-90-36	Amended	17:18 VA.R. 2630	7/1/01
12 VAC 30-90-37	Amended	17:18 VA.R. 2632	7/1/01
12 VAC 30-90-38	Amended	17:18 VA.R. 2632	7/1/01
12 VAC 30-90-39	Amended	17:18 VA.R. 2633	7/1/01
12 VAC 30-90-40	Amended	17:18 VA.R. 2633	7/1/01
12 VAC 30-90-41	Amended	17:18 VA.R. 2633	7/1/01
12 VAC 30-90-42	Repealed	17:18 VA.R. 2635	7/1/01
12 VAC 30-90-43	Repealed	17:18 VA.R. 2636	7/1/01
12 VAC 30-90-50	Amended	17:18 VA.R. 2636	7/1/01
12 VAC 30-90-51	Amended	17:18 VA.R. 2636	7/1/01
12 VAC 30-90-55	Amended	17:18 VA.R. 2637	7/1/01
12 VAC 30-90-60	Amended	17:18 VA.R. 2638	7/1/01
12 VAC 30-90-65	Amended	17:18 VA.R. 2638	7/1/01
12 VAC 30-90-70	Amended	17:18 VA.R. 2638	7/1/01
12 VAC 30-90-80	Amended	17:18 VA.R. 2639	7/1/01
12 VAC 30-90-110	Amended	17:18 VA.R. 2639	7/1/01
12 VAC 30-90-120	Amended	17:18 VA.R. 2639	7/1/01
12 VAC 30-90-123	Amended	17:18 VA.R. 2640	7/1/01
12 VAC 30-90-130	Repealed	17:18 VA.R. 2640	7/1/01
12 VAC 30-90-130	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-90-131	Repealed	17:18 VA.R. 2640	7/1/01
12 VAC 30-90-131	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-90-132	Repealed	17:18 VA.R. 2640	7/1/01
12 VAC 30-90-132	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-90-133	Repealed	17:18 VA.R. 2641	7/1/01
12 VAC 30-90-133	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-90-135	Repealed	17:18 VA.R. 2641	7/1/01
12 VAC 30-90-135	Repealed	17:19 VA.R. 2741	7/4/01
12 VAC 30-90-136	Added	17:18 VA.R. 2641	7/1/01
12 VAC 30-90-160	Amended	17:18 VA.R. 2641	7/1/01
12 VAC 30-90-165	Added	17:18 VA.R. 2641	7/1/01
12 VAC 30-90-170	Amended	17:18 VA.R. 2642	7/1/01
12 VAC 30-90-221	Amended	17:18 VA.R. 2642	7/1/01
12 VAC 30-90-240	Amended	17:18 VA.R. 2642	7/1/01
12 VAC 30-90-250	Amended	17:18 VA.R. 2643	7/1/01
12 VAC 30-90-253	Amended	17:18 VA.R. 2643	7/1/01
12 VAC 30-90-260	Repealed	17:18 VA.R. 2643	7/1/01
12 VAC 30-90-264	Amended	17:18 VA.R. 2643	7/1/01
12 VAC 30-90-266	Amended	17:18 VA.R. 2646	7/1/01
12 VAC 30-90-270	Amended	17:18 VA.R. 2646	7/1/01
12 VAC 30-90-272	Amended	17:18 VA.R. 2646	7/1/01
12 VAC 30-90-280	Amended	17:18 VA.R. 2648	7/1/01
12 VAC 30-110-630	Amended	17:13 VA.R. 2096	4/11/01
12 VAC 30-110-650	Amended	17:13 VA.R. 2096	4/11/01
12 VAC 30-110-660	Amended	17:13 VA.R. 2096	4/11/01
12 VAC 30-110-670	Amended	17:13 VA.R. 2096	4/11/01
12 VAC 30-110-700	Amended	17:13 VA.R. 2097	4/11/01
12 VAC 30-110-710	Amended	17:13 VA.R. 2097	4/11/01
12 VAC 30-110-720	Amended	17:13 VA.R. 2088	4/11/01
12 VAC 30-110-730	Amended	17:13 VA.R. 2090	4/11/01
12 VAC 30-110-740	Repealed	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-741	Added	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-744	Added	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-747	Added	17:13 VA.R. 2091	4/11/01



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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-110-751	Added	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-760	Amended	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-780	Amended	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-790	Amended	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-800	Amended	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-810	Amended	17:13 VA.R. 2091	4/11/01
12 VAC 30-110-813	Added	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-815	Added	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-820	Repealed	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-830	Amended	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-840	Amended	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-850	Amended	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-853	Added	17:13 VA.R. 2092	4/11/01
12 VAC 30-110-856	Added	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-860	Amended	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-870	Amended	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-880	Amended	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-890	Repealed	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-900	Amended	17:13 VA.R. 2093	4/11/01
12 VAC 30-110-910	Amended	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-920	Amended	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-921	Added	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-930	Amended	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-940	Amended	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-950	Amended	17:13 VA.R. 2094	4/11/01
12 VAC 30-110-960	Amended	17:13 VA.R. 2095	4/11/01
12 VAC 30-110-970	Amended	17:13 VA.R. 2095	4/11/01
12 VAC 30-110-980	Amended	17:13 VA.R. 2095	4/11/01
12 VAC 30-110-990	Amended	17:13 VA.R. 2095	4/11/01
12 VAC 30-110-1010	Amended	17:13 VA.R. 2095	4/11/01
12 VAC 30-110-1011	Added	17:13 VA.R. 2095	4/11/01
12 VAC 30-120-700 through 12 VAC 30-120-790	Added	17:18 VA.R. 2597-2622	7/1/01
12 VAC 30-120-770	Erratum	17:21 VA.R. 3124	--
12 VAC 35-110-10 et seq.	Repealed	17:20 VA.R. 2891	***
12 VAC 35-115-10 through 12 VAC 35-115-250	Added	17:20 VA.R. 2892-2920	***
12 VAC 35-115-50	Erratum	17:22 VA.R. 3371	--
12 VAC 35-115-70	Erratum	17:22 VA.R. 3371	--
12 VAC 35-120-10 et seq.	Repealed	17:20 VA.R. 2920	***
12 VAC 35-130-10 et seq.	Repealed	17:20 VA.R. 2920	***
<b>Title 13. Housing</b>			
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	17:17 VA.R. 2444	4/9/01
13 VAC 10-180-40	Amended	17:17 VA.R. 2444	4/9/01
13 VAC 10-180-60	Amended	17:17 VA.R. 2444	4/9/01
13 VAC 10-180-70	Amended	17:17 VA.R. 2452	4/9/01
13 VAC 10-180-90	Amended	17:17 VA.R. 2452	4/9/01
13 VAC 10-180-100	Amended	17:17 VA.R. 2452	4/9/01
<b>Title 14. Insurance</b>			
14 VAC 5-170-20	Amended	17:24 VA.R. 3559	9/1/01

\*\*\* Effective date suspended in 17:23 VA.R. 3457.

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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 5-215 (Forms)	Amended	17:19 VA.R. 2753-2758	7/4/01
14 VAC 5-300-90	Amended	17:22 VA.R. 3347	8/1/01
14 VAC 5-300-130	Amended	17:16 VA.R. 2382	5/1/01
<b>Title 16. Labor and Employment</b>			
16 VAC 25-90-1910.1043	Amended	17:23 VA.R. 3458	9/15/01
16 VAC 25-90-1910.1030	Amended	17:23 VA.R. 3459	9/15/01
<b>Title 17. Libraries and Cultural Resources</b>			
17 VAC 15-20-20 through 17 VAC 15-20-50	Amended	17:14 VA.R. 2183	5/1/01
17 VAC 15-20-70 through 17 VAC 15-20-120	Amended	17:14 VA.R. 2183	5/1/01
17 VAC 15-20-150 through 17 VAC 15-20-170	Amended	17:14 VA.R. 2183	5/1/01
17 VAC 15-30-10 et seq.	Repealed	17:14 VA.R. 2183	5/1/01
17 VAC 15-40-10 et seq.	Repealed	17:14 VA.R. 2183	5/1/01
17 VAC 15-50-20 through 17 VAC 15-50-50	Amended	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-70	Amended	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-90 through 17 VAC 15-50-110	Amended	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-130	Amended	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-140	Repealed	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-150	Amended	17:14 VA.R. 2184	5/1/01
17 VAC 15-50-160	Amended	17:14 VA.R. 2184	5/1/01
<b>Title 18. Professional and Occupational Licensing</b>			
18 VAC 5-20-10 et seq.	Repealed	17:14 VA.R. 2184	4/25/01
18 VAC 5-21-10 through 18 VAC 5-21-170	Amended	17:14 VA.R. 2184-2198	4/25/01
18 VAC 30-10-10	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-20	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-30	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-40	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-60	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-70	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-80	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-10-100	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 30-20-10	Amended	17:16 VA.R. 2383	5/23/01
18 VAC 30-20-80	Amended	17:16 VA.R. 2383	5/23/01
18 VAC 30-20-160	Amended	17:16 VA.R. 2383	5/23/01
18 VAC 30-20-300	Added	17:16 VA.R. 2384	5/23/01
18 VAC 30-20-310	Added	17:16 VA.R. 2384	5/23/01
18 VAC 30-20-320	Added	17:16 VA.R. 2384	5/23/01
18 VAC 50-22-10 through 18 VAC 50-22-60	Amended	17:21 VA.R. 3108-3113	9/1/01
18 VAC 50-22-80	Amended	17:21 VA.R. 3113	9/1/01
18 VAC 50-22-100 through 18 VAC 50-22-270	Amended	17:21 VA.R. 3113-3115	9/1/01
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 65-10-10	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-20	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-30	Amended	17:21 VA.R. 3116	8/1/01

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 65-10-40	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-60	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-70	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-80	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 65-10-100	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-10	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-20	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-30	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-40	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-60	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-70	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-80	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-10-100	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-40-61	Added	17:13 VA.R. 2097	4/11/01
18 VAC 85-50-10	Amended	17:21 VA.R. 3116	8/1/01
18 VAC 85-50-58	Added	17:13 VA.R. 2098	4/11/01
18 VAC 85-50-101	Amended	17:21 VA.R. 3117	8/1/01
18 VAC 85-50-130	Amended	17:21 VA.R. 3117	8/1/01
18 VAC 85-50-140	Amended	17:21 VA.R. 3117	8/1/01
18 VAC 85-50-150	Amended	17:21 VA.R. 3117	8/1/01
18 VAC 85-80-10	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-80-70	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-80-71	Added	17:17 VA.R. 2452	6/6/01
18 VAC 85-80-72	Added	17:17 VA.R. 2452	6/6/01
18 VAC 85-80-80	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-101-150	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-101-151	Added	17:17 VA.R. 2452	6/6/01
18 VAC 85-101-152	Added	17:17 VA.R. 2452	6/6/01
18 VAC 85-110-150	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-110-155	Added	17:17 VA.R. 2452	6/6/01
18 VAC 85-110-160	Amended	17:17 VA.R. 2452	6/6/01
18 VAC 85-120-10 et seq.	Added	17:17 VA.R. 2453	6/6/01
18 VAC 90-10-10	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-20	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-30	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-40	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-60	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-70	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-80	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-10-100	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-20-210	Amended	17:20 VA.R. 2921	7/18/01
18 VAC 90-30-50	Amended	17:13 VA.R. 2098	4/11/01
18 VAC 90-30-110	Amended	17:13 VA.R. 2098	4/11/01
18 VAC 90-40-60	Amended	17:13 VA.R. 2098	4/11/01
18 VAC 90-40-70	Amended	17:13 VA.R. 2098	4/11/01
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 105-20-60	Amended	17:17 VA.R. 2453	6/6/01

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 110-10-10	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-20	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-30	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-40	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-60	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-70	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-80	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 110-10-100	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 115-60-20	Amended	17:18 VA.R. 2651	6/20/01
18 VAC 115-60-40	Amended	17:18 VA.R. 2651	6/20/01
18 VAC 115-60-50	Amended	17:18 VA.R. 2651	6/20/01
18 VAC 115-60-120	Amended	17:18 VA.R. 2651	6/20/01
18 VAC 115-60-150	Amended	17:18 VA.R. 2651	6/20/01
18 VAC 125-20-10	Amended	17:12 VA.R. 2026	3/28/01
18 VAC 125-20-30	Amended	17:12 VA.R. 2027	3/28/01
18 VAC 125-20-30	Amended	17:18 VA.R. 2652	6/20/01
18 VAC 125-20-43	Added	17:12 VA.R. 2027	3/28/01
18 VAC 125-20-120	Amended	17:18 VA.R. 2652	6/20/01
18 VAC 125-20-121	Added	17:18 VA.R. 2653	6/20/01
18 VAC 125-20-122	Added	17:18 VA.R. 2653	6/20/01
18 VAC 125-20-123	Added	17:18 VA.R. 2653	6/20/01
18 VAC 125-20-130	Amended	17:18 VA.R. 2654	6/20/01
18 VAC 125-20-160	Amended	17:18 VA.R. 2654	6/20/01
18 VAC 140-10-10	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-20	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-30	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-40	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-60	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-70	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-80	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-10-100	Amended	17:21 VA.R. 3118	8/1/01
18 VAC 140-20-100	Amended	17:14 VA.R. 2198	4/25/01
18 VAC 140-20-105	Added	17:14 VA.R. 2198	4/25/01
18 VAC 140-20-106	Added	17:14 VA.R. 2199	4/25/01
18 VAC 140-20-110	Amended	17:14 VA.R. 2199	4/25/01
18 VAC 140-20-160	Amended	17:14 VA.R. 2199	4/25/01
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 19. Public Safety</b>			
19 VAC 30-40-30	Amended	17:15 VA.R. 2252	5/9/01
19 VAC 30-70-160	Amended	17:15 VA.R. 2252	5/9/01
19 VAC 30-70-530	Amended	17:15 VA.R. 2255	5/9/01
19 VAC 30-150-5	Added	17:15 VA.R. 2257	5/9/01
19 VAC 30-150-10	Amended	17:15 VA.R. 2257	5/9/01
19 VAC 30-150-20	Repealed	17:15 VA.R. 2257	5/9/01
19 VAC 30-150-30	Amended	17:15 VA.R. 2257	5/9/01
19 VAC 30-150-50	Amended	17:15 VA.R. 2257	5/9/01
19 VAC 30-160-5	Added	17:15 VA.R. 2257	5/9/01
19 VAC 30-160-20	Repealed	17:15 VA.R. 2257	5/9/01
19 VAC 30-160-30	Amended	17:15 VA.R. 2257	5/9/01
19 VAC 30-160-40	Amended	17:15 VA.R. 2257	5/9/01
19 VAC 30-160-45	Added	17:15 VA.R. 2257	5/9/01
19 VAC 30-165-10 et seq.	Amended	17:15 VA.R. 2258	5/9/01

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
<b>Title 20. Public Utilities and Telecommunications</b>			
20 VAC 5-309-10	Amended	17:18 VA.R. 2657	7/1/01
20 VAC 5-309-15	Added	17:18 VA.R. 2657	7/1/01
20 VAC 5-309-20	Amended	17:18 VA.R. 2657	7/1/01
20 VAC 5-309-30	Amended	17:18 VA.R. 2657	7/1/01
20 VAC 5-309-40	Amended	17:18 VA.R. 2657	7/1/01
20 VAC 5-309-50	Amended	17:18 VA.R. 2658	7/1/01
20 VAC 5-309-70	Amended	17:18 VA.R. 2658	7/1/01
20 VAC 5-309-90 through 20 VAC 5-309-180	Added	17:18 VA.R. 2658-2660	7/1/01
20 VAC 5-312-10 through 20 VAC 5-312-110	Added	17:22 VA.R. 3351-3364	8/1/01
20 VAC 5-325-10 through 20 VAC 5-325-110	Added	17:23 VA.R. 3464-3466	7/1/01
<b>Title 21. Securities and Retail Franchising</b>			
21 VAC 5-10 (Forms)	Amended	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-10	Amended	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-30	Amended	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-40	Amended	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-60 through 21 VAC 5-20-80	Amended	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-85	Added	17:20 VA.R. 2925	7/1/01
21 VAC 5-20-90	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-120	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-130	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-155	Added	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-220	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-240	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-280	Amended	17:20 VA.R. 2926	7/1/01
21 VAC 5-20-290	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-30-30	Repealed	17:20 VA.R. 2931	7/1/01
21 VAC 5-30-60	Repealed	17:20 VA.R. 2931	7/1/01
21 VAC 5-30-80	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-30-90	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-10	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-30 through 21 VAC 5-80-70	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-90 through 21 VAC 5-80-110	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-160	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-200	Amended	17:20 VA.R. 2931	7/1/01
21 VAC 5-80-210	Amended	17:20 VA.R. 2931	7/1/01
<b>Title 22. Social Services</b>			
22 VAC 20-30-10 through 22 VAC 20-30-60	Amended	17:23 VA.R. 3466-3468	10/1/01
22 VAC 20-30-70	Repealed	17:23 VA.R. 3468	10/1/01
22 VAC 20-30-80 through 22 VAC 20-30-140	Amended	17:23 VA.R. 3468-3469	10/1/01
22 VAC 20-30-150	Added	17:23 VA.R. 3469	10/1/01
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

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

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
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 40-130-10 et seq.	Withdrawn	17:17 VA.R. 2456	--
22 VAC 40-230-10 et seq.	Repealed	17:18 VA.R. 2660	6/20/01
22 VAC 40-480-10 et seq.	Repealed	17:18 VA.R. 2661	6/20/01
22 VAC 40-690-10	Amended	17:18 VA.R. 2661	9/1/01
22 VAC 40-690-15	Added	17:18 VA.R. 2662	9/1/01
22 VAC 40-690-20	Amended	17:18 VA.R. 2662	9/1/01
22 VAC 40-690-30	Amended	17:18 VA.R. 2662	9/1/01
22 VAC 40-690-35	Added	17:18 VA.R. 2663	9/1/01
22 VAC 40-690-40	Amended	17:18 VA.R. 2663	9/1/01
22 VAC 40-690-50	Repealed	17:18 VA.R. 2664	9/1/01
22 VAC 40-690-55	Added	17:18 VA.R. 2664	9/1/01
22 VAC 40-690-55	Erratum	17:21 VA.R. 3124	--
22 VAC 40-690-60	Amended	17:18 VA.R. 2664	9/1/01
22 VAC 40-690-65	Added	17:18 VA.R. 2664	9/1/01
22 VAC 40-690-70	Repealed	17:18 VA.R. 2664	9/1/01
22 VAC 40-730-10 emer	Amended	17:13 VA.R. 2103	4/1/01-3/31/02
22 VAC 40-730-40 through 22 VAC 40-730-100 emer	Amended	17:13 VA.R. 2103-2104	4/1/01-3/31/02
22 VAC 40-900-10 et seq.	Repealed	17:18 VA.R. 2671	6/20/01
22 VAC 40-901-10 through 22 VAC 40-901-30	Added	17:18 VA.R. 2671	6/20/01
<b>Title 24. Transportation and Motor Vehicles</b>			
24 VAC 30-61-20	Amended	17:17 VA.R. 2456	6/6/01
24 VAC 30-61-40	Amended	17:17 VA.R. 2456	6/6/01
24 VAC 30-240-10	Amended	17:18 VA.R. 2671	5/1/01
24 VAC 30-280-10	Amended	17:13 VA.R. 2099	2/15/01
24 VAC 30-280-20 through 24 VAC 30-280-70	Added	17:13 VA.R. 2099-2102	2/15/01
24 VAC 30-370-10 et seq.	Repealed	17:24 VA.R. 3567	9/12/01
24 VAC 30-440-10 et seq.	Repealed	17:14 VA.R. 2200	3/6/01
24 VAC 30-450-10 et seq.	Amended	17:14 VA.R. 2200	3/6/01
24 VAC 30-460-10	Repealed	17:14 VA.R. 2201	3/6/01
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
24 VAC 30-561-10	Amended	17:18 VA.R. 2672	5/2/01

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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 6. CRIMINAL JUSTICE AND CORRECTIONS

### BOARD OF CORRECTIONS

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Corrections intends to consider amending regulations entitled: **6 VAC 15-10-10 et seq. Public Participation Guidelines.** The purposes of the proposed action are to clarify responsibility for developing and maintaining a current list of interested parties; require that notices include instructions on how to obtain a copy of the regulations and any supporting documents, either from the board contact or from the Virginia Regulatory Town Hall; expand the means of notification and comment to include those sent and received electronically, and amend to recognize that Executive Orders may direct a schedule of regulatory review that is different from a review each biennium. The board will consider any and all additional suggested amendments that may be provided by the public during the public comment period. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 9-6.14:7.1 and 53.1-5 of the Code of Virginia.

Public comments may be submitted until September 28, 2001.

**Contact:** Janice Dow, Agency Regulatory Coordinator, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3119 or FAX (804) 674-3509.

VA.R. Doc. No. R01-268; Filed August 8, 2001, 10:51 a.m.

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Corrections intends to consider amending regulations entitled: **6 VAC 15-26-10 et seq. Regulations for Human Subject Research.** The purpose of the proposed action is to include committee review for research being conducted by another state agency in conjunction with the Department of Corrections. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 53.1-5.1 of the Code of Virginia.

Public comments may be submitted until September 28, 2001.

**Contact:** John Britton, Director, Research and Management Services, Department of Corrections, 6900 Atmore Dr.,

Richmond, VA 23225, telephone (804) 674-3268 or FAX (804) 674-3590.

VA.R. Doc. No. R01-267; Filed August 8, 2001, 10:51 a.m.

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## TITLE 8. EDUCATION

### STATE BOARD OF EDUCATION

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled: **8 VAC 20-340-10 et seq. Regulations Governing Driver Education.** The purpose of the proposed action is to amend the regulation to require a minimum number of miles driven during the behind-the-wheel phase of driver education instruction pursuant to § 22.1-205 of the Code of Virginia. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 22.1-16 and 22.1-205 of the Code of Virginia.

Public comments may be submitted until September 12, 2001.

**Contact:** Vanessa Wigand, Specialist in Driver Education, Department of Education, P.O. Box 2120, Richmond, VA 23218, telephone (804) 225-3300 or FAX (804) 225-2524.

VA.R. Doc. No. R01-259; Filed July 25, 2001, 11:43 a.m.

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to consider amending regulations entitled: **8 VAC 20-440-10 et seq. Regulations Governing the Employment of Professional Personnel.** The purpose of the proposed action is to (i) examine the definition of "breach of contract" and to add to the definitions "Extracurricular Activity Sponsorship Contract" and (ii) consider the advisability of removing the reference to the suspension of teachers' licenses based on breach of contract. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 22.1-302 of the Code of Virginia.

Public comments may be submitted until August 29, 2001.

**Contact:** Dr. Thomas Elliott, Assistant Superintendent, Department of Education, P.O. Box 2120, Richmond, VA 23218, telephone (804) 371-2522 or FAX (804) 225-2524.

VA.R. Doc. No. R01-254; Filed July 6, 2001, 12:15 p.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 § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to consider promulgating regulations entitled: **8 VAC 20-650-10 et seq. Regulations Governing the Determination of Critical Teacher Shortage Areas for Awarding the Virginia Teaching Scholarship Program.** The purpose of the proposed action is to collect the supply and demand information from school divisions and provide a reasonable and scientific procedure to identify critical teacher shortage areas in Virginia. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 22.1-290.1 of the Code of Virginia.

Public comments may be submitted until August 29, 2001.

**Contact:** Dr. Thomas Elliott, Assistant Superintendent, Department of Education, P.O. Box 2120, Richmond, VA 23218, telephone (804) 371-2522 or FAX (804) 225-2524.

VA.R. Doc. No. R01-245; Filed July 6, 2001, 12:15 p.m.

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to consider promulgating regulations entitled: **8 VAC 20-660-10 et seq. Regulations Governing Reenrollment Plans.** The purpose of the proposed action is to (i) identify and define the roles and responsibilities of the participants in the implementation of the reenrollment plan; (ii) identify the components required in the plan; and (iii) provide for consistency in the curricula, standards and policies between required educational programs. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 22.1-17 and 22.1-343 of the Code of Virginia.

Public comments may be submitted until August 29, 2001.

**Contact:** Lanette Brailey, Specialist, Special Education Programs, Department of Education, P.O. Box 2120, Richmond, VA 23218, telephone (804) 786-0308 or FAX (804) 225-2524.

VA.R. Doc. No. R01-246; Filed July 6, 2001, 12:15 p.m.

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## TITLE 9. ENVIRONMENT

### VIRGINIA WASTE MANAGEMENT BOARD

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Waste Management Board intends to consider amending regulations entitled: **9 VAC 20-110-10 et seq. Regulations Governing the Transportation of Hazardous Materials.** The purpose of the proposed action is to revise definitions as necessary for consistency with federal regulations; update references to cite current federal regulations; remove obsolete sections and revise, as

necessary, requirements for registration of shippers. The agency intends to hold a public hearing on the proposed regulation after publication. (More detailed information on this regulatory action may be found in 17:22 VA.R. 3160 July 16, 2001.)

Statutory Authority: §§ 10.1-1402 and 10.1-1450 of the Code of Virginia.

Public comments may be submitted until August 28, 2001.

**Contact:** Melissa Porterfield, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4238 or FAX (804) 698-4327.

VA.R. Doc. No. R01-231; Filed June 21, 2001, 11:38 a.m.

## STATE WATER CONTROL BOARD

### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled: **9 VAC 25-120-10 et seq. General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges from Petroleum Contaminated Sites.** The purpose of the proposed action is to establish permitting requirements for discharges of wastewater from the clean up of sites contaminated by petroleum products. The existing general permit expires on February 24, 2003. The general permit regulation is being reissued in order to continue making it available after that date.

**Substance:** The general permit establishes limitations and monitoring requirements for wastewater discharges from sites contaminated by petroleum products. As with an individual VPDES permit, the effluent limits in the general permit will be set to protect the quality of the waters receiving the discharges. No specific changes to the existing general permit have been identified at this time. Amendments may be identified following the submittal of public comments on this notice.

**Alternatives:** These discharges are considered to be point sources of pollutants and thus are subject to regulation under the VPDES permit program. There are two alternatives for compliance with federal and state requirements to permit discharges. One is to issue individual VPDES permits to each treatment works. The other is to reissue the general VPDES permit to cover this category of discharger.

**Public Participation:** The board is seeking comments on the intended regulatory action, including (i) ideas to assist in the development of a proposal, (ii) the costs and benefits of the amendments proposed in this notice or other alternatives and (iii) the impacts of the regulation on farm or forest lands. Comments must be received by 4 p.m. on Friday, September 28, 2001.

Anyone wishing to submit written comments for the public comment file may do so by mail, fax, or email to Richard Ayers, Office of Water Permit Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240, telephone (804) 698-4075, FAX (804) 698-4032, email



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# Notices of Intended Regulatory Action

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rwayers@deq.state.va.us. Written comments must include the commenter's name and address. In order to be considered, comments must be received by the close of the comment period.

Following publication of the draft general permit regulation in the Virginia Register, the board will hold at least one public hearing to provide opportunity for public comment.

Participatory Approach: The board will form a Technical Advisory Committee of relevant stakeholders to assist in the development of the regulation. Any person who desires to be on the committee should notify the agency contact in writing by the close of the public comment period and provide their name, address, telephone number and the name of the organization they represent.

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

Public comment may be submitted until September 28, 2001.

**Contact:** Richard W. Ayers, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4075 or FAX (804) 698-4032.

VA.R. Doc. No. R01-265; Filed August 1, 2001, 12:01 p.m.

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## TITLE 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

#### † Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider repealing regulations entitled: **12 VAC 30-140-10 et seq. Virginia Children's Medical Security Insurance Programs** and promulgating regulations entitled: **12 VAC 30-141-10 et seq. Family Access to Medical Insurance Security Plan**. The purpose of the proposed action is to repeal 12 VAC 30-140-10 et seq. due to legislative actions taken by the 2000 General Assembly to replace the Virginia Children's Medical Security Insurance Program (VCMSIP) with the Families Access to Medical Insurance Security Plan (FAMIS). 12 VAC 30-141-10 et seq. establishes the FAMIS program, including client eligibility criteria, covered services and the limitations on them, provider reimbursement methods, and utilization review requirements and criteria. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-351 of the Code of Virginia.

Public comments may be submitted until September 26, 2001, to Michael Spake, Division of Policy and Research, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

**Contact:** Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959.

VA.R. Doc. No. R01-263; Filed August 1, 2001, 9:37 a.m.

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## TITLE 17. LIBRARIES AND CULTURAL RESOURCES

### DEPARTMENT OF HISTORIC RESOURCES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Historic Resources intends to consider promulgating regulations entitled: **17 VAC 10-30-10 et seq. Historic Rehabilitation Tax Credits**. The purpose of the proposed action is to implement the Historic Rehabilitation Tax Credit program. The regulations will provide clear guidance to Virginia taxpayers about eligibility for the program, application requirements and procedures, review standards, appeal procedures, and coordination with the federal Certified Historic Rehabilitation program. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 10.1-2202 of the Code of Virginia.

Public comments may be submitted until September 14, 2001.

**Contact:** Virginia E. McConnell, Resource Services Coordinator, Department of Historic Resources, 2801 Kensington Ave., Richmond, VA 23221, telephone (804) 367-2323 or FAX (804) 367-2391.

VA.R. Doc. No. R01-230; Filed June 25, 2001, 9:12 a.m.

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD FOR BARBERS AND COSMETOLOGY

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Barbers and Cosmetology intends to consider repealing regulations entitled: **18 VAC 40-10-10 et seq. Board for Barbers Public Participation Guidelines**, and **18 VAC 55-10-10 et seq. Board for Cosmetology Public Participation Guidelines**; and promulgating regulations entitled: **18 VAC 41-10-10 et seq. Board for Barbers and Cosmetology Public Participation Guidelines**. The purpose of the proposed action is to repeal existing individual guidelines for the Board of Barbers and the Board of Cosmetology governing public participation and promulgating one new regulation for the Board of Barbers and Cosmetology Public Participation Guidelines in order to (i) ensure that the board is meeting its statutory mandate without burdensome requirements, and (ii) comply with § 54.1-706 of the Code of Virginia, which provides that the regulations of the Board for Barbers and the Board for Cosmetology in effect

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# Notices of Intended Regulatory Action

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on June 13, 2000, shall remain in effect until July 1, 2002, or until the Board for Barbers and Cosmetology adopts new regulations, whichever occurs first. The agency intends to hold a public hearing on the proposed regulations after publication.

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

Public comments may be submitted until August 31, 2001.

**Contact:** David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-2785 or FAX (804) 367-2474.

VA.R. Doc. Nos. R01-236, R01-238, R01-240; Filed June 27, 2001, 10:57 a.m.

## Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Barbers and Cosmetology intends to consider repealing regulations entitled: **18 VAC 40-20-10 et seq. Board for Barbers Rules and Regulations, and 18 VAC 55-22-10 et seq. Board for Cosmetology Rules and Regulations;** and promulgating regulations entitled: **18 VAC 41-30-10 et seq. Board for Barbers and Cosmetology Rules and Regulations.** The purpose of the proposed action is to repeal existing individual regulations for the Board for Barbers and the Board for Cosmetology governing licensure and practice, and promulgate one new regulation for the Board of Barbers and Cosmetology governing licensure and practice as directed by § 54.1-706 of the Code of Virginia, to (i) sub-regulate the licensure and practice of waxing and haircutting; (ii) provide for and ensure that health and sanitary standards and safety are adequate in shops, salons, schools and other facilities where barbering and cosmetology are practiced; (iii) review regulatory provisions for the purpose of assuring that the board is meeting its statutory mandate to ensure minimal competence of all licensees without burdensome requirements; and (iv) provide for a fee increase for regulators that is adequate to support the costs of board operations and a proportionate share of the department's operations. The agency intends to hold a public hearing on the proposed regulations after publication.

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

Public comments may be submitted until August 31, 2001.

**Contact:** David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-2785 or FAX (804) 367-2474.

VA.R. Doc. Nos. R01-237, R01-239, R01-241; Filed June 27, 2001, 10:57 a.m.

## BOARD FOR HEARING AID SPECIALISTS

### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Hearing Aid Specialists intends to consider amending regulations entitled: **18 VAC 80-20-10 et seq. Board for Hearing Aid Specialists Rules and Regulations.** The purpose of the proposed action is to

clarify entry requirements for licensure, modify the procedures and provisions regarding renewal and reinstatement, and ensure that the standards of practice and conduct meet all current laws and statutes. The board proposes to review several provisions of its regulations and simplify them so that the board is meeting its statutory mandate to ensure minimal competence of all licensees without burdensome requirements. The agency intends to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until September 7, 2001.

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

VA.R. Doc. No. R01-244; Filed July 1, 2001, 11:13 a.m.

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## TITLE 22. SOCIAL SERVICES

### STATE BOARD OF SOCIAL SERVICES

#### Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-71-10 et seq. Standards and Regulations for Licensed Adult Care Residences.** The purpose of the proposed action is to replace an emergency regulation for adult care residences that will expire October 8, 2002. The replacement regulation will cover the same subject matter as the emergency regulation. The amendments are prompted by House Bills 1051 and 1251 passed by the 2000 Session of the General Assembly. The subject matter will include (i) requirements regarding an administrator who is shared between an assisted living facility and a nursing home; (ii) standards for safe, secure environments for residents with serious cognitive impairments; (iii) change in name from "adult care residence" to "assisted living facility"; (iv) possible amendments based on consideration of cost constraints of smaller operations; and (v) other revisions based on additional legislative mandates in the two bills. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 63.1-25, 63.1-174 and 63.1-174.001 of the Code of Virginia.

Public comments may be submitted until September 12, 2001.

**Contact:** Judith Z. McGreal, Program Development Consultant, Department of Social Services, Division of Licensing Programs, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1792 or FAX (804) 692-2370.

VA.R. Doc. No. R01-258; Filed July 23, 2001, 1 p.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 9. ENVIRONMENT

### STATE AIR POLLUTION CONTROL BOARD

#### Notice of Public Comment Period for Proposed Regulation Revision YY Concerning New and Modified Source Review

Title of Regulations: Regulations for the Control and Abatement of Air Pollution (Revision YY).

**9 VAC 5-50-10 et seq. New and Modified Stationary Sources (amending 9 VAC 5-50-250, 9 VAC 5-50-260 and 9 VAC 5-50-390).**

**9 VAC 5-80-10 et seq. Permits for Stationary Sources (adding Article 6: 9 VAC 5-80-1100 through 9 VAC 5-80-1320; repealing 9 VAC 5-80-10 and 9 VAC 5-80-11).**

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

Public Hearing Date: September 26, 2001 - 10 a.m.

Public comments may be submitted until 4:30 p.m. on October 11, 2001.

(See Calendar of Events section for additional information)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia and the requirements of § 110(a)(1) of the federal Clean Air Act that the State Air Pollution Control Board intends to amend regulations entitled: Regulations for the Control and Abatement of Air Pollution, specifically the provisions concerning permits for new and modified sources (9 VAC 5 Chapter 80). The regulations establish limits for sources of air pollution to the extent necessary to attain and maintain levels of air quality as will protect human health and welfare.

BACKGROUND AND NOTICE OF OPPORTUNITY TO COMMENT: On February 15, 1999 (15:11 VA.R. 1555-1580 February 15, 1999), the board published for public comment a proposal (hereafter called the 1999 proposal) to amend its regulations concerning new and modified new source review. In response to that request, comments were submitted that resulted in several changes being made to the 1999 proposal. Because of the substantive nature of some of these additional changes, the board is now promulgating the additional changes for public comment. **THE BOARD IS RECEIVING COMMENT ONLY ON THE CHANGES MADE TO THE 1999 PROPOSAL. THESE CHANGES ARE SHOWN IN BRACKETS IN THE REVISED PROPOSAL. ALL COMMENTS MADE IN RESPONSE TO THE ORIGINAL NOTICE OF PUBLIC COMMENT ISSUED ON FEBRUARY 15, 1999, ARE STILL CONSIDERED VALID AND WILL BE CONSIDERED IN MAKING THE DECISION ON THE FINAL REGULATION; THEREFORE, IT IS NOT NECESSARY TO RESUBMIT THOSE COMMENTS. HOWEVER, FURTHER COMMENTS**

ON PORTIONS OF THE 1999 PROPOSAL NOT AFFECTED BY THE ADDITIONAL CHANGES WILL NOT BE CONSIDERED IN MAKING THE DECISION ON THE FINAL REGULATION.

SUMMARY OF CHANGES TO THE 1999 PROPOSAL: A number of substantive have been made to the 1999 proposal; they are listed below. The changes are derived from (i) comments made by the general public during the public comment periods on the original proposal, (ii) comments made by EPA during the public comment periods on the original proposal and during subsequent discussions and negotiations, and (iii) clarifications and other improvements noted by DEQ staff during subsequent reviews.

1. The provisions that would convert permit applicability from an emissions unit approach to a plantwide approach have been changed to use uncontrolled emissions rather than actual emissions as the baseline for determining emission changes due to physical or operational changes. Major source new source review (NSR) programs use actual emissions as the baseline. (See 9 VAC 5-80-1110 C, definitions of "modification," "net emissions increase" and "uncontrolled emission rate.")
2. Provisions have been added to (i) state that exemption from minor NSR does not exempt a project from major source NSR and (ii) require certification from the permit applicant that the project is not subject to major source NSR. (See 9 VAC 5-80-1100 H and 9 VAC 5-80-1140 E.)
3. Provisions have been added to allow permit terms and conditions that are state-only enforceable to be designated as such in the permit. (See 9 VAC 5-80-1100 I 4 and 9 VAC 5-80-1120 F.)
4. The provisions to allow concurrent construction have been deleted.
5. The provisions covering public participation for sources of hazardous air pollutants have been changed to require a public comment period only for permit applications requiring a case-by-case maximum available control technology (MACT) determination under the FHAPNSR program. (See 9 VAC 5-80-1170 D 1.)
6. The provisions to allow plantwide applicability limits have been deleted.
7. Provisions have been added to allow permit pollution control projects under this permit program and exempt them from major NSR. Pollution control projects are physical or operational changes at a source whose primary function is the reduction of emissions of targeted regulated air pollutants but which result in an increase in emissions of nontargeted regulated air pollutants that qualify as a major modification subject to major source NSR. (See 9 VAC 5-80-1110 C, definition of "pollution control project" and 9 VAC 5-80-1310.)

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# Proposed Regulations

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8. The provisions concerning exemption levels have been simplified somewhat and clarified in some cases. (See 9 VAC 5-80-1320.)

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

## PUBLIC PARTICIPATION INFORMATION

**REQUEST FOR COMMENTS:** The purpose of this notice is to provide the public with the opportunity to comment on the additional changes made to the 1999 proposal. All comments must be received by the department by 4:30 p.m. on October 11, 2001, to be considered. It is preferred that all comments be provided in writing to the department, along with any supporting documents or exhibits; however, oral comments will be accepted at the meeting. Comments may be submitted by mail, facsimile transmission, e-mail, or personal appearance at the hearing mentioned below; however, all written comments not provided at the meeting must be submitted to the agency contact listed below. Comments by facsimile transmission will be accepted only if followed by receipt of the signed original within one week. Comments by e-mail will be accepted only if the name, address, and phone number of the commenter are included. All testimony, exhibits and documents received are a matter of public record.

**PUBLIC HEARING:** A public hearing will be held by the Department of Environmental Quality to accept public testimony on the additional changes to the 1999 proposal. The date, time and location of the hearing will be held on September 26, 2001, at 10 a.m. in the Department of Environmental Quality Conference Room, Lower Level, Main Street Centre, 600 East Main Street, Richmond, Virginia.

**ACCESSIBILITY TO PERSONS WITH DISABILITIES:** This hearing is being held at a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility should contact Ms. Alma Jenkins at the Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240, or by telephone at (804) 698-4070 or TTY (804) 698-4021. Persons needing interpreter services for the deaf must notify Ms. Jenkins no later than September 12, 2001.

**AGENCY CONTACT:** Direct any questions about the revised proposal or this notice to Mary E. Major, Environmental Program Manager, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240, telephone (804) 698-4423.

**LOCATION OF PROPOSAL:** The revised proposal may be examined at the department's Office of Air Regulatory Development (Eighth Floor), 629 East Main Street, Richmond, Virginia, and at the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

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

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

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

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

Fredericksburg Satellite Office  
Department of Environmental Quality  
806 Westwood Office Park  
Fredericksburg, Virginia 22401  
Ph: (540) 899-4600

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

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

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

VA.R. Doc. No. R96-151; Filed August 1, 2001, 9:51 a.m.



## TITLE 14. INSURANCE

### STATE CORPORATION COMMISSION

**REGISTRAR'S NOTICE:** The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency which by the Constitution is expressly granted any of the powers of a court of record.

**Title of Regulation:** 14 VAC 5-330-10. Reporting of Salvage and Subrogation Recoveries (REPEALING).

**Statutory Authority:** §§ 12.1-13 and 38.2-223 of the Code of Virginia.

Summary:

The Bureau of Insurance is proposing to repeal 14 VAC 5-330-10, Reporting of Salvage and Subrogation Recoveries.

The Bureau of Insurance will require the reporting of salvage and subrogation to be in accordance with the National Association of Insurance Commissioners Accounting Practices and Procedures Manual (manual). The manual, in the Statement of Statutory Accounting Principles No. 55 and elsewhere, provides guidance for anticipating salvage and subrogation, and for accounting for changes in estimates resulting from differences between estimated and actual payments.

Agency Contact: Raquel Pino-Moreno, Bureau of Insurance, State Corporation Commission, 1300 E. Main Street, 6th Floor, Richmond, VA 23219; mailing address: P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9499, or e-mail rpino-moreno@scc.state.va.us.

AT RICHMOND, AUGUST 2, 2001

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. INS010154

Ex Parte: In the matter of Repealing the regulation entitled Reporting of Salvage and Subrogation Recoveries

ORDER TO TAKE NOTICE

WHEREAS, § 12.1-13 of the Code of Virginia provides that the Commission shall have the power to promulgate rules and regulations in the enforcement and administration of all laws within its jurisdiction, and § 38.2-223 of the Code of Virginia provides that the Commission may issue any rules and regulations necessary or appropriate for the administration and enforcement of Title 38.2 of the Code of Virginia;

WHEREAS, the rules and regulations issued by the Commission pursuant to § 38.2-223 of the Code of Virginia are set forth in Title 14 of the Virginia Administrative Code;

WHEREAS, the Bureau of Insurance has recommended that Chapter 330 of Title 14 of the Virginia Administrative Code entitled "Reporting of Salvage and Subrogation Recoveries" and specifically designated as 14 VAC 5-330-10 be repealed;

WHEREAS, the Bureau's recommendation to repeal 14 VAC 5-330-10 results from the Bureau's adoption of the requirement that the reporting of salvage and subrogation be in accordance with the National Association of Insurance Commissioners Accounting Practices and Procedures Manual as provided by §§ 38.2-1300 and 38.2-1306.2 of the Code of Virginia; and

WHEREAS, the Commission is of the opinion that the proposed repeal of 14 VAC 5-330-110 should be considered with a proposed effective date of December 31, 2001; thus, annual statements for the year ending December 31, 2001, and any other documents prepared on, after or as of December 31, 2001, shall be governed by the National Association of Insurance Commissioners Accounting

Practices and Procedures Manual as to reporting, disclosing or accounting for salvage and subrogation;

THEREFORE, IT IS ORDERED THAT:

(1) All interested persons who desire to comment in support of or in opposition to, or to request a hearing to oppose the repeal of, 14 VAC 5-330-10 shall file such comments or hearing request on or before September 17, 2001, in writing with the Clerk of the Commission, Document Control Center, Post Office Box 2118, Richmond, Virginia 23218 and shall refer to Case No. INS010154.

(2) If no written request for a hearing on the proposed repeal is filed on or before September 17, 2001, the Commission, upon consideration of any comments submitted in support of or in opposition to the proposed repeal, shall consider the repeal of 14 VAC 5-330-10 as recommended by the Bureau of Insurance;

(3) AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to the Bureau of Insurance in care of Deputy Commissioner Douglas C. Stolte, who forthwith shall give further notice of the proposed repeal of 14 VAC 5-330-10 by mailing a copy of this Order to all insurers licensed to write property and casualty insurance in the Commonwealth of Virginia, including any entity licensed to write policies providing a class of insurance defined in §§ 38.2-110 through 38.2-134 of the Code of Virginia or licensed and subject to regulation as an insurer pursuant to Chapters 11, 12, 25, 26, 46, or 51 of Title 38.2 of the Code of Virginia, and interested persons; and by forwarding a copy of this Order to the Virginia Registrar of Regulations for appropriate publication in the Virginia Register of Regulations; and

(4) The Bureau of Insurance shall file with the Clerk of the Commission an affidavit of compliance with the notice requirements of paragraph (3) above.

VA.R. Doc. No. R01-266; Filed August 7, 2001, 9:43 p.m.

TITLE 22. SOCIAL SERVICES

DEPARTMENT FOR THE BLIND AND VISION IMPAIRED

Title of Regulation: 22 VAC 45-60-10 et seq. Regulations Governing Provision of Services for the Infants, Children, and Youth Program (REPEALING).

Statutory Authority: § 22.1-217 of the Code of Virginia.

Public Hearing Date: September 6, 2001 - 4 p.m.

Public comments may be submitted until October 26, 2001. (See Calendar of Events section for additional information)

Agency Contact: Glen R. Slonneger, Program Director, Education Services, Department for the Blind and Vision Impaired, 397 Azalea Avenue, Richmond, VA 23227, telephone (804) 371-3113, toll free (800) 622-2155, FAX (804) 371-3351, or (804) 371-3140/TDD.

Basis: Section 22.1-217 of the Code of Virginia provides that special education for visually impaired children provided by a

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# Proposed Regulations

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school division be established, maintained and operated jointly by the school board and the Virginia Department for the Blind and Vision Impaired subject to the regulations of the Board of Education.

The Office of the Attorney General has advised the department that it does not have the statutory authority to promulgate this regulation.

Purpose: This regulation was developed to provide uniform service delivery to blind and visually impaired infants, children and youth. The regulation is being repealed because the Office of the Attorney General has advised the agency that it does not possess the statutory authority to promulgate the regulation. However, services continue to be provided to blind and visually impaired infants, children and youth through the agency's Education Services Program as outlined in the Education Services Policies and Procedures Manual.

Substance: The regulations are being proposed for repeal based on advice from the Attorney General's office that the agency does not have the authority to establish the regulations.

Issues: The Office of the Attorney General has advised the agency that it does not have the statutory authority to promulgate and enforce this regulation. The advantage of repealing this regulation is to eliminate a regulation that cannot be enforced by the agency and to reduce any confusion caused to the public by having a regulation on the books that is unenforceable. Repealing this regulation creates no known disadvantages to the public or Commonwealth since the program will continue operation consistent with the policies contained in the regulation.

#### 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 § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1 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 for the Blind and Vision Impaired (DBVI) is proposing to repeal its Regulations Governing the Provision of Services for the Infants, Children and Youth Program. The Office of the Attorney General has determined that DBVI (formerly the Department for the Visually Handicapped) lacks the required statutory authority to promulgate and enforce this regulation. While § 22.1-217 of the Code of Virginia gives DBVI the authority to operate a special education services program for infants, children and youth, § 22.1-217 (A) states that this program is to be "established, maintained, and operated jointly by the school board and the Virginia Department for the Visually Handicapped subject to the regulations of the Board of Education."

Estimated economic impact. According to DBVI, the department will continue to operate its program providing special education services to visually impaired infants, children and youth consistent with the policies contained in the regulation. However, in addition to addressing eligibility and services provided, this regulation also contains provisions that provide safeguards for recipients of these services, such as an appeals process for individuals who have a complaint regarding DBVI's delivery of services and an assurance of confidentiality of personal information. These protections will not be lost with the repeal of this regulation, however, as they are specified in other state regulations or federal statute. The Department of Education regulation governing special education programs (8 VAC 20-80-70) provides procedures for an impartial due process hearing. Confidentiality of personal information is guaranteed by the Family Educational Rights and Privacy Act (20 USC § 1232g, 34 CFR 99) referenced in the Department of Education regulation on the management of the student's scholastic record in the public schools of Virginia (8 VAC 20-150). Based on this information, the repeal of this regulation is not expected to have any economic impact on providers or recipients of these services.

Businesses and entities affected. The proposed repeal of this regulation will not involve any change in current practices or remove any protections guaranteed to recipients, and therefore is not expected to affect any of the providers or recipients of special education services for infants, children, and youth in Virginia.

Localities particularly affected. The proposed repeal of this regulation is not expected to uniquely affect any particular localities.

Projected impact on employment. The proposed repeal of this regulation is not expected to have any impact on employment in Virginia.

Effects on the use and value of private property. The repeal of this regulation is 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 agency concurs with the analysis of the Department of Planning and Budget.

#### Summary:

*This regulation was established to provide uniform service delivery to blind and visually impaired infants, children and youth. The regulation is proposed for repeal since the agency was advised by the Office of the Attorney General that it does not possess the statutory authority to promulgate or enforce the regulation. Services continue to be provided through the agency's Education Services Program as outlined in the Education Services Policies and Procedures Manual. Provisions of the regulation that provide an appeals process for individuals who have a complaint regarding the department's delivery of services and provide for confidentiality of personal information are covered in Board of Education regulations (8 VAC 20-80-70 and 8 VAC 20-150-10 et seq.) and federal law (20 USC § 1232g) and regulations (34 CFR Part 99).*

VA.R. Doc. No. R97-139; Filed July 6, 2001, 11:12 a.m.

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# FINAL REGULATIONS

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For information concerning Final Regulations, see Information Page.

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## Symbol Key

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

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## TITLE 9. ENVIRONMENT

### STATE WATER CONTROL BOARD

Title of Regulation: **9 VAC 25-430-10 et seq. Roanoke River Basin Water Quality Management Plan (amending 9 VAC 25-430-20, 9 VAC 25-430-30, and 9 VAC 25-430-60).**

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

Effective Date: September 26, 2001.

Summary:

*The amendment increases the BOD<sub>5</sub> wasteload allocations in the plan for the Chase City Municipal Sewage Treatment Plant.*

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: Kyle Winter, Department of Environmental Quality, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5048, FAX (804) 527-5106 or (804) 698-4021/TTY.

**REGISTRAR'S NOTICE:** The proposed regulation was adopted as published in 17:11 VA.R. 1654-1668 February 12, 2001, without change. Therefore, pursuant to § 9-6.14:22 A of the Code of Virginia, the text of the final regulation is not set out.

VA.R. Doc. No. R00-56; Filed August 2, 2001, 8:50 a.m.

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF PHYSICAL THERAPY

**REGISTRAR'S NOTICE:** The following regulatory action is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 C 4 (a) of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Board of Physical Therapy will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **18 VAC 112-20-10 et seq. Regulations Governing the Practice of Physical Therapy (amending 18 VAC 112-20-10 and 18 VAC 112-20-90).**

Statutory Authority: §§ 54.1-2400, 54.1-3475 and 54.1-3482 of the Code of Virginia.

Effective Date: September 12, 2001.

Summary:

*In conformity with Chapter 858 of the 2001 Acts of the Assembly, which provides for limited direct access to physical therapy, the amendments conform the regulation with changes in statute relating to referral and direction for physical therapy by a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery.*

Agency Contact: Copies of the regulation may be obtained from Elizabeth Young Tisdale, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9924.

### 18 VAC 112-20-10. Definitions.

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

"*Approved program*" means an educational program accredited by the Commission on Accreditation in Physical Therapy Education of the American Physical Therapy Association.

"*Board*" means the Virginia Board of Physical Therapy.

"*CLEP*" means the College Level Examination Program.

"*Direct supervision*" means a physical therapist is present and is fully responsible for the activities performed by the nonlicensed physical therapy personnel.

"*Evaluation*" means the carrying out by a physical therapist of the sequential process of assessing a patient, planning the patient's physical therapy treatment program, and recording appropriate documentation.

"*FCCPT*" means the Foreign Credentialing Commission on Physical Therapy.

"*General supervision*" means a physical therapist shall be available for consultation.

"*Nonlicensed personnel*" means any individual not licensed or certified by a health regulatory board within the Department of Health Professions who is performing patient care functions at the direction of a physical therapist or physical therapist assistant within the scope of this chapter.

"*Physical therapist*" means a person qualified by education and training to administer a physical therapy program ~~under the direction of a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery.~~

"*Physical therapist assistant*" means a person qualified by education and training to perform physical therapy functions under the supervision of and as directed by a physical therapist.

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# Final Regulations

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~~"Referral and direction" means the referral of a patient by a licensed doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery to a physical therapist for a specific purpose and for consequent treatment that will be performed under the direction of and in continuing communication with the referring doctor.~~

"TOEFL" means the Test of English as a Foreign Language.

"Trainee" means a person undergoing a traineeship.

1. "Foreign educated trainee" means a physical therapist or physical therapist assistant who graduated from a school not approved by an accrediting agency recognized by the board and who is seeking licensure to practice in Virginia.

2. "Inactive practice trainee" means a physical therapist or physical therapist assistant who has previously been licensed and has not practiced for at least 320 hours within the past four years and who is seeking licensure or relicensure in Virginia.

3. "Unlicensed graduate trainee" means a graduate of an approved physical therapist or physical therapist assistant program who has not taken the state licensure examination or who has taken the examination but not yet received a license from the board.

"Traineeship" means a period of full-time activity during which an unlicensed physical therapist or physical therapist assistant works under the direct supervision of a physical therapist approved by the board.

## 18 VAC 112-20-90. Individual responsibilities to patients.

The physical therapist's responsibilities are to evaluate a patient, plan the treatment program, administer and document treatment within the limit of his professional knowledge, judgment and skills and communicate with the referring doctor of medicine, osteopathy, chiropractic, podiatry, or dental surgery to the extent required by § 54.1-3482 of the Code of Virginia.

VA.R. Doc. No. R01-260; Filed July 27, 2001, 1:32 p.m.

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## TITLE 24. TRANSPORTATION AND MOTOR VEHICLES

### COMMONWEALTH TRANSPORTATION BOARD

**REGISTRAR'S NOTICE:** The following regulation filed by the Commonwealth Transportation Board is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 B 2 of the Code of Virginia, which exempts regulations relating to the award or denial of state contracts, as well as decisions regarding compliance therewith.

**Title of Regulation:** 24 VAC 30-260-10 et seq. **Debarment of Bidders (REPEALED).**

**Statutory Authority:** §§ 11-46.1 and 33.1-12 of the Code of Virginia.

**Effective Date:** July 26, 2001.

**Summary:**

*The regulations related to debarment of bidders are administered by the Construction Division of the Virginia Department of Transportation under 24 VAC 30-340-10 et seq., Debarment of Suspension of Contractors. Because of the possibility of confusion with two regulations addressing the same subject, this regulation is being repealed.*

**Agency Contact:** Donnie H. Warren, External and Construction Audit Division, Department of Transportation, 1401 E. Broad St., 12th Floor, Annex Building, Richmond, VA 23219.

VA.R. Doc. No. R01-261; Filed July 26, 2001, 10:42 a.m.

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**REGISTRAR'S NOTICE:** The following regulation filed by the Commonwealth Transportation Board is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 B 3 of the Code of Virginia, which exempts regulations relating to the location, design, specifications or construction of public buildings or other facilities and § 9-6.14:4.1 B 11 of the Code of Virginia, which exempts regulations relating to traffic signs, markers, or control devices.

**Title of Regulation:** 24 VAC 30-520-10 et seq. **Classifying and Marking State Highways (amending 24 VAC 30-520-10; adding 24 VAC 30-520-20).**

**Statutory Authority:** § 46.2-830 of the Code of Virginia.

**Effective Date:** July 26, 2001.

**Summary:**

*The amendments clarify matters relating to classifying, designating, and marking state highways, and the installation of signs and markings.*

**Agency Contact:** Copies of the regulation may be obtained from David L. Roberts, Management Services Division, Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-3620.

### 24 VAC 30-520-10. Policy Authority.

The Commonwealth Transportation Commissioner is authorized to act for and on behalf of the Commonwealth Transportation Board in matters relating to classifying, designating, and marking state highways and the posting installation of signs and markings.

### 24 VAC 30-520-20. Rules Classification and marking.

These are the rules for implementation of the policy:

A. All signs, signals, pavement markings, and other traffic control devices, and other message relating mediums shall conform to the most current edition of the Manual on Uniform Traffic Control Devices 1988 edition of the federal Manual on Uniform Traffic Control Devices for Streets and Highways, along with any revisions or associated rulings, when effective, as referenced in the Adoption of the Federal Manual on Uniform Traffic Control Devices (24 VAC 30-561-10 et seq.).



**Note:** *B.* Where state standards exceed the minimum federal requirements, or where the Manual on Uniform Traffic Control Devices for Streets and Highways does not cover some design, installation, and operation details, the *Traffic Engineering Division Instructional Memoranda (1996-2001)* and the Virginia Supplement to the ~~Federal~~ Manual on Uniform Traffic Control Devices for Streets and Highways (24 VAC 30-310-10 et seq.) will govern.

### INCORPORATION BY REFERENCE

*Manual on Uniform Traffic Control Devices for Streets and Highways (1988 Edition).*

*Traffic Engineering Division Instructional Memoranda (1996-2001).*

VA.R. Doc. No. R01-262; Filed July 26, 2001, 10:42 a.m.



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# EMERGENCY REGULATIONS

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## TITLE 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Title of Regulation: 12 VAC 30-141-10 et seq. **Family Access to Medical Insurance Security Plan.**

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

Effective Dates: August 1, 2001, through July 31, 2002.

Preamble:

*Section 9-6.14:4.1(C)(5) of the Code of Virginia provides for regulations that an agency finds are necessitated by an emergency situation. To enable the Director of the Department of Medical Assistance Services (DMAS), in lieu of the Board of Medical Assistance Services, to comply with Chapters 824 and 848 of the 2000 Acts of Assembly, he must take this adoption action. This issue qualifies as an emergency regulation as provided for in § 9-6.14:4.1(C)(5)(ii) because Virginia statutory law requires this promulgation action as an emergency. As such, this regulation may be adopted without public comment with the prior approval of the Governor.*

*The 2000 Acts of Assembly, Chapters 824 and 848 cl. 5 provides: "that a seamless transition between the Children's Medical Security Insurance Plan and the implementation of the Family Access to Medical Insurance Security Plan shall be deemed to be a public emergency situation pursuant to § 9-6.14:4.1; therefore, to meet this emergency situation, the Board shall promulgate emergency regulations to implement this act." Therefore, this emergency regulation is necessary in accordance with § 32.1-351 of the Code of Virginia.*

*In accordance with § 32.1-351 of the Code of Virginia, this emergency regulation changes the name of the Virginia Children's Medical Security Insurance Plan to the Family Access to Medical Insurance Security Plan (FAMIS).*

*The FAMIS Plan is expected to increase participation of children over Virginia's current Children's Medical Security Insurance Plan by increasing the maximum income eligibility levels from 185% to 200% of the Federal Poverty Income Guidelines (see 12 VAC 30-141-90).*

*FAMIS also expands the types of medical benefits covered for program participants to include well-child and preventive services, medical, dental, vision, mental health, and substance abuse services, and physical therapy, occupational therapy, speech-language pathology, and skilled nursing services for special education students in addition to the standard inpatient hospital, physician, laboratory and x-ray, and prescription drug services, for example. (See 12 VAC 30-140-200 through 12 VAC 30-140-440.)*

*FAMIS also establishes a premium assistance program. This provision permits participants who have access to employer-sponsored health insurance coverage, as defined in § 32.1-351.1 of the Code of Virginia, to voluntarily enroll*

*in their employers' health plans. DMAS or its designee will then make premium payments to such employers' plans on behalf of these eligible participants if the DMAS or its designee determines that such enrollment is cost effective, as defined in § 32.1-351.1. The FAMIS Plan is to provide for health benefits that are not included in the employer-sponsored health insurance benefit plan through supplemental insurance equivalent to the comprehensive health care benefits provided above. (See 12 VAC 30-141-160.)*

*FAMIS also incorporates cost sharing requirements for all recipients (see 12 VAC 30-141-150). Specifically, FAMIS Plan participants whose incomes are above 150% of the Federal Poverty Income Guidelines will be required to participate in cost-sharing by means of monthly premium payments as well as copayments. The annual aggregate cost-sharing for all eligible children in a family at or above 150% of the federal poverty level shall not exceed 5.0% of the family's gross income. Cost-sharing for all eligible children in a family between 100% and 150% of federal poverty level will be limited to nominal copayments and the annual aggregate cost-sharing will not exceed 2.5% of such family's gross income. Furthermore, cost-sharing will not be applied to specific preventive health care services such as well child care and age-appropriate childhood immunizations.*

*FAMIS also creates a central processing unit (CPU) for the administration of the program to include responding to inquiries, distributing applications and program information, and receiving and processing applications for program eligibility (see 12 VAC 30-141-140).*

Agency Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7959.

#### CHAPTER 141.

#### FAMILY ACCESS TO MEDICAL INSURANCE SECURITY PLAN.

#### PART I. GENERAL PROVISIONS.

#### 12 VAC 30-141-10. Definitions.

*"Abuse by providers" means practices which are inconsistent with sound fiscal, business, or medical practices and result in unnecessary costs to the Virginia FAMIS Program or in reimbursement for a level of utilization or pattern of services that is not medically necessary.*

*"Abuse by recipients" means practices by a recipient or recipients, which are inconsistent with sound fiscal or medical practices and result in unnecessary costs to the Virginia FAMIS Program.*

*"Adverse action" means the denial of eligibility; failure to make a timely determination of eligibility; suspension or termination of enrollment; or delay, denial, reduction, suspension, or termination of health services, in whole or in part.*

*"Agency"* means a local department of social services, the Central Processing Unit, or other entity designated by DMAS to make eligibility determinations for FAMIS.

*"Agency error"* means cases in which a person(s) received benefits to which they were not entitled as a result of an error on the part of someone at the Central Processing Unit.

*"Agent"* means an individual designated in writing to act on behalf of a FAMIS Plan applicant or enrollee during the administrative review process.

*"Act"* means the Social Security Act.

*"Applicant"* means a child who has filed an application (or who has an application filed on his behalf) for health coverage through FAMIS. A child is an applicant until the child's eligibility has been determined for FAMIS.

*"Authorized representative"* means a person who is authorized to conduct the personal or financial affairs for an individual who is 18 years of age or older.

*"Central Processing Unit"* means the entity that will determine eligibility for and administer part of the Family Access to Medical Insurance Security Plan or FAMIS.

*"Child"* means an individual under the age of 19 years.

*"Competent individual"* means a person who has not been judged by a court to be legally incapacitated.

*"Comprehensive health insurance coverage"* means health benefits coverage, which includes the following categories of services at a minimum: inpatient and outpatient hospital services, physician's surgical and medical services, and laboratory and radiological services.

*"Conservator"* means a person appointed by the court who is responsible for managing the estate and financial affairs of an incapacitated person as defined in § 37.1-134.6 of the Code of Virginia.

*"Continuation of Enrollment"* means ensuring an enrollee's benefits are continued until completion of the review process, with the condition that should the enrollee not prevail in the review process, the enrollee shall be liable for the repayment of all benefits received during the review process.

*"COV"* means Code of Virginia.

*"Creditable health coverage"* means that health coverage as defined in 42 USC 1397jj(c)(2).

*"Director"* means the individual, or his designee, specified in § 32.1-324 of the Code of Virginia with all of the attendant duties and responsibilities to administer the State Plan for Medical Assistance and the State Plan for FAMIS.

*"DMAS" or "department"* means the Department of Medical Assistance.

*"Employer-sponsored health insurance coverage"* means comprehensive health insurance coverage offered by the employer when the employer contributes at least 50% towards the cost of dependent or family coverage, or as otherwise approved by the Health Care Financing

Administration in the U.S. Department of Health and Human Services.

*"Enrollee"* means a child who has been determined eligible to participate in FAMIS and is enrolled in the FAMIS program.

*"ESHI" or "ESHI component"* means employer-sponsored health insurance and this component of FAMIS refers to the ability of DMAS to provide coverage to FAMIS children by providing premium assistance to families who enroll the FAMIS children in their employer's health plan.

*"External Quality Review Organization"* means the independent contractor assigned by DMAS to conduct final review of MCE determinations for FAMIS.

*"Family" (when determining financial eligibility)* means parents, including adoptive and step-parents and their children who are living in the same household. Family shall not mean grandparents or legal guardians. A child who is temporarily living outside the home while attending an educational or training program shall be considered to be living in the same household with his parents.

*"Family" (when used in the context of the ESHI component)* means a unit or group that has access to an employer's group health plan. Thus, it includes the employee and any dependents who can be covered under the employer's plan.

*"FAMIS"* means Family Access to Medical Insurance Security Plan.

*"FAMIS premium"* means the monthly premium which families having incomes exceeding 150% of FPL pay to have their children enrolled in the FAMIS program. Families having incomes exceeding 150% of the Federal Poverty Level are also required to pay this premium if they are enrolled in the ESHI component.

*"Federal poverty level" or "FPL"* means that income standard as published annually by the U.S. Department of Health and Human Services in the Federal Register.

*"Fraud"* means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or some other person. It includes any act that constitutes fraud under applicable federal or state laws.

*"Gross family income"* means the total income of all family members in a household. Income includes, but is not necessarily limited to, before tax earnings from a job, including cash, wages, salary, commissions and tips, self-employment net profits, Social Security, Retirement Survivor Disability Insurance (RSDI), veterans benefits, Railroad Retirement, disability workers' compensation, unemployment benefits, child support, alimony, spousal support, pensions and retirement benefits, settlement benefits, rental income, and lottery/bingo winnings. Income excludes public assistance program benefits such as SSI and TANF payments, foster care payments, general relief, loans, grants, or scholarships for educational expenses or earned income of a child who is a full-time student.

*"Group health plan" or "health insurance coverage"* means that health care coverage as defined in 42 USC 1397jj(c)(3).

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# Emergency Regulations

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"Guardian" means a person appointed by the court who is responsible for the personal affairs of an incapacitated person as defined in § 37.1-134.6 of the Code of Virginia.

"Incapacitated individual" means person who has been judged by a court to be incapacitated and for whom a guardian or conservator has been appointed as defined in § 37.1-134.6 of the Code of Virginia.

"Legal emancipation" means that the parents and child have gone through the court and a judge has declared that the parents have surrendered the right to care, custody, and earnings of the child and have renounced parental duties. A married minor is not emancipated unless a court has declared the married minor emancipated from his parents.

"MCE" means an entity that enters into a contract to provide services in a managed care delivery system, including but not limited to managed care organizations, prepaid health plans, and primary care case managers.

"Member of a family," for purposes of determining whether the child is eligible for coverage under a state employee health insurance plan means (i) parent or parents, including absent parents, or (ii) stepparent or stepparents with whom the child is living if the stepparent claims the child as a dependent on the employee's federal tax return.

"Premium assistance" means the portion of the family's cost of participating in the employer's plan that DMAS will pay to the family to cover the FAMIS children under the employer plan if DMAS determines it is cost effective to do so.

"Provider" means the individual, facility or other entity registered, licensed, or certified, as appropriate, and enrolled by an MCE to render services to FAMIS recipients eligible for services.

"Recipient" means an individual who is enrolled to receive services under FAMIS.

"Supplemental coverage" means additional coverage provided to FAMIS children covered under the ESHI component so that they can receive all of the FAMIS benefits and they are not required to pay any more cost sharing than they would have under FAMIS.

"Title XXI" means the Federal State Children's Health Insurance Program as established by Subtitle J of the Balanced Budget Act of 1997.

"Virginia State Employee Health Insurance Plan" means a health insurance plan offered by the Commonwealth of Virginia to its employees and includes the Local Choice Program whereby local governmental entities elect to provide local employees' enrollment in the State Employee Health Insurance Plan.

## **12 VAC 30-141-20. Administration and general background.**

A. The state shall use funds provided under Title XXI for obtaining coverage that meets the requirements for a State Child Health Insurance Plan (also known as Title XXI).

B. The DMAS Director will have the authority to contract with entities for the purpose of establishing a centralized

processing site, determining eligibility, enrolling eligible children into health plans, collecting premiums, performing outreach, data collection, reporting, and other services necessary for the administration of the Family Access to Medical Insurance Security Plan and for employing state staff to perform Medicaid eligibility determinations on children referred by FAMIS staff.

C. Health care services under FAMIS shall be provided through the delivery systems established under § 32.1-351 F of the Code of Virginia. These delivery systems may consist of prepaid health plans that manage and deliver health care for enrollees for a monthly capitated amount and through the Primary Care Case Management Program (PCCM) that may be reimbursed on a fee-for-service basis. Services may be offered through preferred provider organizations or other providers not currently under contract with DMAS.

## **12 VAC 30-141-30. Outreach and public participation.**

Public participation. DMAS will work cooperatively with other state agencies and contractors to ensure that federal law and any applicable federal regulations are met.

### **PART II. REVIEW OF ADVERSE ACTIONS.**

## **12 VAC 30-141-40. Review of adverse actions.**

A. Upon written request, all FAMIS Plan applicants and enrollees shall have the right to a review of an adverse action made by the MCE, CPU or DMAS.

B. During review of a suspension or termination of enrollment the enrollee shall have a right to continuation of enrollment, if the enrollee requests review prior to the effective date of the suspension or termination of enrollment.

C. Review of an adverse action made by the CPU or DMAS shall be heard and decided by an agent of DMAS who has not been directly involved in the adverse action under review.

D. Review of an adverse action made by the MCE must be conducted by a person or agent of the MCE who has not been directly involved in the adverse action under review. After final review by the MCE, there shall also be opportunity for final independent external review by the External Quality Review Organization.

E. There will be no opportunity for review of an adverse action to the extent that such adverse action is based on a determination by the Director that funding for FAMIS has been terminated or exhausted.

F. The burden of proof shall be upon the applicant or enrollee to show that an adverse action is incorrect.

G. At no time shall the MCE's, the CPU's, or DMAS' failure to meet the time frames set in this chapter or set in the MCE's or DMAS' written review procedures constitute a basis for granting the applicant or enrollee the relief sought.

H. Adverse actions related to health benefits covered under an employer sponsored health insurance (ESHI) plan shall be resolved between the employer's plan and the ESHI enrollee, and are not subject to further review by DMAS or its contractors. Adverse actions made by an MCE, the CPU, or

DMAS shall be subject to the review process set forth in this part of the regulations.

## **12 VAC 30-141-50. Notice of adverse action.**

The MCE shall send written notification to enrollees of an adverse action within 10 calendar days. The CPU or DMAS shall send written notification to applicants of an adverse action within 10 calendar days of an adverse action. The CPU or DMAS shall send written notification to enrollees 10 days prior to suspension or termination of enrollment. Notice shall include the reasons for determination, an explanation of applicable rights to review of that determination, the standard and expedited time frames for review, the manner in which a review can be requested, and the circumstances under which enrollment may continue pending review.

## **12 VAC 30-141-60. Request for review.**

A. Requests for review of adverse actions made by the MCE shall be submitted in writing to the MCE, and requests for review of adverse actions made by the CPU or DMAS shall be submitted in writing to DMAS.

B. Any written communication clearly expressing a desire to have an adverse action reviewed shall be treated as a request for review.

C. To be timely, requests for review of a MCE determination shall be received by the MCE no later than 30 calendar days from the date of the MCE's notice of adverse action. Requests for review of a DMAS or CPU determination shall be received by DMAS no later than 30 calendar days from the date of the CPU's or DMAS' notice of adverse action. Requests for review of a DMAS or CPU determination shall be considered received by DMAS when the request is date stamped by the DMAS Appeals Division in Richmond, Virginia.

## **12 VAC 30-141-70. Review procedures.**

A. MCE review shall be conducted pursuant to written procedures developed by the MCE, and DMAS review shall be conducted pursuant to written procedures developed by DMAS.

B. The MCE's written procedures and any modifications thereto shall be reviewed and approved in writing by DMAS.

C. The procedures in effect on the date a particular request for review is received by the MCE or DMAS shall apply throughout the review.

D. Copies of the procedures shall be promptly mailed by the MCE or DMAS to applicants and enrollees upon receipt of timely requests for review.

E. The written procedures shall include but not be limited to the following:

1. The right to representation by an attorney or other agent of the applicant's or enrollee's choice, but at no time shall the MCE, the CPU, or DMAS be required to obtain or compensate attorneys or other agents acting on behalf of applicants or enrollees;

2. The right to have personal and medical information and records maintained as confidential; and

3. The right to a written final decision within 90 calendar days of receipt of the request for review.

4. If the enrollee's physician or health plan determines that the 90-day time frame could seriously jeopardize the enrollee's life or health or ability to attain, maintain, or regain maximum function, an enrollee will have the opportunity to expedited review. Under these conditions, review by the MCE and review by the External Quality Review Organization may each take no longer than 72 hours from the time an enrollee requests expedited review. Expedited review may be extended up to 14 calendar days, if the enrollee requests an extension.

## **PART III. ELIGIBILITY DETERMINATION AND APPLICATION REQUIREMENTS.**

### **12 VAC 30-141-90. Eligibility requirements.**

A. This section shall be used to determine eligibility of children for FAMIS.

B. FAMIS shall be in effect statewide.

C. Eligible children must be under 19 years of age, be residents of the Commonwealth, and be either U.S. citizens, U.S. nationals or qualified noncitizens.

D. Income.

1. Screening. All FAMIS applications must be screened to identify applicants who are potentially eligible for Medicaid. Children found potentially eligible for Medicaid cannot be enrolled in FAMIS until there has been a finding of ineligibility for Medicaid based on a full review of a Medicaid application. Children who do not appear to be eligible for Medicaid shall have their eligibility for FAMIS determined.

2. Standards. Income standards for FAMIS are based on a comparison of gross family income to 200% of the Federal Poverty Level for the family size. Children who have gross family income at or below 200% of the Federal Poverty Level, but are ineligible for Medicaid due to excess income, will be income eligible to participate in FAMIS.

3. Children enrolled in the Children's Medical Security Insurance Plan will be automatically enrolled in FAMIS at the time of conversion from CMSIP to FAMIS. To protect those currently enrolled children whose eligibility determination was based on the requirements of CMSIP and whose gross family income exceeds the FAMIS standard, income eligibility will be based on countable income using the same income methodologies applied under the Virginia State Plan for Medical Assistance for children as set forth in 12 VAC 30-40-90. Income that would be excluded when determining Medicaid eligibility will be excluded when determining countable income for the former CMSIP children. Use of the Medicaid income methodologies shall only be applied in determining the financial eligibility of former CMSIP children for FAMIS and for only as long as the children meet the income eligibility requirements for CMSIP. When a former CMSIP child is determined to be ineligible for FAMIS, these income

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# Emergency Regulations

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methodologies shall no longer apply and income eligibility will be based on the FAMIS income standards.

4. *Spenddown.* Deduction of incurred medical expenses from countable income (spenddown) shall not apply in FAMIS. If the family income exceeds the income limits described in this section, the individual shall be ineligible for FAMIS regardless of the amount of any incurred medical expenses.

E. *Residency.* The requirements for residency, as set forth in 42 CFR 435.403, will be used when determining whether a child is a resident of Virginia for purposes of eligibility for FAMIS.

F. *Qualified noncitizen.* The requirements for qualified aliens set out in Public Law 104-193, as amended, and the requirements for noncitizens set out in 12 VAC 30-110-1300 B will be used when determining whether a child is a qualified noncitizen for purposes of FAMIS eligibility.

G. *Coverage under other health plans.*

1. Any child covered under a group health plan or under health insurance coverage, as defined in § 2791 of the Public Health Services Act (42 USC § 300gg-91(a) and (b)(1)), shall not be eligible for FAMIS.

2. No substitution for private insurance.

a. Only uninsured children shall be eligible for FAMIS. Each application for FAMIS shall include a declaratory statement that the child for whom the application is being filed is not covered under any group health plan. Each application and re-determination of eligibility shall document inquiry about health insurance within the past six months. If the child has been covered under a health insurance plan other than through the ESHI component of FAMIS within six months of application for or receipt of FAMIS services, the child will be ineligible, unless the parent, guardian, or legal custodian demonstrates good cause for discontinuing the coverage.

b. Health insurance does not include Medicaid nor insurance for which DMAS paid premiums under Title XIX through the Health Insurance Premium Payment (HIPP) Program.

c. *Good cause.* A child shall not be ineligible for FAMIS if health insurance was discontinued for good cause within the six-month period prior to the month of application. The Director shall make a determination of good cause based upon DMAS written policy.

3. Health Insurance Premium Payment (HIPP) Program does not apply to FAMIS. DMAS shall not enroll children who are in FAMIS in the HIPP Program.

## **12 VAC 30-141-100. Duration of eligibility.**

A. The effective date of FAMIS eligibility shall be no earlier than the first day of the month following the month the child was determined to meet all eligibility factors for the program. In no case shall a child's eligibility be effective earlier than the date of the start of the program.

B. Eligibility for FAMIS will continue for 12-months so long as the child meets all eligibility requirements. The parent, legal guardian, or authorized representative of the child must report all changes affecting eligibility when such changes occur. A change in eligibility will be effective the first of the month following expiration of a ten-day advance notice. Eligibility will be re-determined no less often than annually.

C. *Exception.* If the child becomes an inpatient in an institution for mental disease or an inmate of a public institution, ineligibility will be effective the date that the child is admitted to the institution.

## **12 VAC 30-141-110. Children ineligible for FAMIS.**

A. If a child is:

1. Eligible for Medicaid, or would be eligible if he applied for Medicaid, he shall be ineligible for coverage under FAMIS. A child found through the screening process to be potentially eligible for Medicaid but who fails to complete the Medicaid application process for any reason, cannot be enrolled in FAMIS.

2. A member of a family eligible for coverage under any Virginia State Employee Health Insurance Plan, including members of any family eligible for coverage under the Virginia State Employee Health Insurance Plan through the Local Choice Program where the employer contributes towards the cost of dependent coverage, shall be ineligible for FAMIS. Children of an absent parent shall be ineligible for FAMIS if the absent parent is eligible for coverage under the State Employee Health Insurance Plan or through the Local Choice Program where the employer contributes towards the cost of dependent coverage;

3. An inmate of a public institution as defined in 42 CFR 435.1009, shall be ineligible for FAMIS; or

4. An inpatient in an institution for mental disease (IMD) as defined in 42 CFR 435.1009, shall be ineligible for FAMIS.

B. If a parent, guardian, or legal custodian obtained benefits for a child or children who would otherwise be ineligible by willfully misrepresenting material facts on the application or failing to report changes, the child or children for whom the application is made shall be ineligible for FAMIS. An administrative hearing shall be held to present the facts and, upon a finding of intentional misrepresentation, the child or children shall be excluded from participation for 12 months from the date of the finding. The parent, guardian, or legal custodian who signed the application shall be liable for repayment of the cost of all benefits issued as the result of the misrepresentation.

## **12 VAC 30-141-120. Nondiscriminatory provisions.**

FAMIS shall be conducted in compliance with all civil rights requirements. FAMIS shall not:

A. Discriminate during the eligibility determination process on the basis of diagnosis;

B. Cover children of higher income without first covering children with a lower family income within a defined group of covered targeted low-income children; and

C. Deny eligibility based on a child having a preexisting medical condition.

**12 VAC 30-141-130. No entitlement.**

In accordance with § 2102(b)(4) of the Social Security Act and § 32.1-353 of the Code of Virginia, FAMIS shall not create any individual entitlement for, right to, or interest in payment of medical services on the part of any medically indigent child or any right or entitlement to participation.

**12 VAC 30-141-140. Application requirements.**

A. Availability of program information. DMAS or its designee shall furnish the following information in written form and orally as appropriate to all applicants and to other individuals who request it:

1. The eligibility requirements;
2. Summary of covered benefits;
3. Premium and copayment amounts required; and
4. The rights and responsibilities of applicants and recipients.

B. Opportunity to apply. DMAS or its designee must afford an individual wishing to do so the opportunity to apply for FAMIS. FAMIS applications will be accepted at a central site designated by DMAS. Applicants may apply for the FAMIS program by mail, by phone, by fax, or by Internet. Face-to-face interviews for the program will not be conducted at the central site. Local departments of social services may provide applications and assist families in completing FAMIS applications; however, eligibility determinations for FAMIS shall occur at the DMAS designated central site.

C. Right to apply. An individual who is 18 years of age shall not be refused the right to complete a Family Access to Medical Insurance Security application for himself and shall not be discouraged from asking for assistance for himself under any circumstances.

D. Applicant's signature. The applicant must sign a state approved official application form, even if another person fills out the form, unless the application is filed and signed by the applicant's parent, legal guardian or conservator, attorney-in-fact or authorized representative.

E. Authorized representative for individuals 18 years of age or older.

1. The authorized representative of an incapacitated individual shall be the individual's legally appointed conservator or guardian.
2. A competent individual may sign an application on his own behalf where appropriate, or he may designate anyone to be his authorized representative to file a Family Access to Medical Insurance Security application on his behalf. If a competent individual wants another person to file a Family Access to Medical Insurance Security application for him, he must designate the authorized representative in a written statement that is signed by the individual applicant. The authorized representative statement is valid for the life of the Family Access to Medical Insurance Security application or until the applicant changes his authorized

representative. If the application is approved, the authorized representative statement is valid for any subsequent review and re-determination until the applicant's Family Access to Medical Insurance Security eligibility is cancelled. If the applicant reapplies for the Family Access to Medical Insurance Security, he must sign the application or a new authorized representative statement.

3. When an individual has given power-of-attorney to another person that includes the power to conduct the applicant's business affairs, the attorney-in-fact is considered the applicant's authorized representative.

4. For an individual who has not been determined by a court to be legally incapacitated, but who is reported to be mentally unable to sign his name or to make a mark, an application may be signed under the following circumstances. When it is reported that an individual cannot sign the application and the individual does not have an attorney-in-fact, or authorized representative, the individual's inability to sign the application must be verified by a written statement from the individual's doctor that the individual is mentally unable to sign and file a Family Access to Medical Insurance Security application because of the individual's diagnosis or condition.

F. Authorized representative for children under 18 years of age.

1. A minor child under 18 years of age who is a parent may apply for the Family Access to Medical Insurance Security for his or her own child.

2. An authorized employee of the public or private child placing agency that has custody of the child must sign the Family Access to Medical Insurance Security application for a child under 18 years of age that is in foster care.

3. A child applicant who is under 18 years of age is not legally able to sign a Family Access to Medical Insurance Security application for himself unless he is legally emancipated from his parents. If the child applicant is not legally emancipated, his parents shall sign the application on the child applicant's behalf. If the child applicant is married and the child applicant's spouse is 18 years of age or older, the spouse may sign the application on the child applicant's behalf. If the child applicant does not live with a parent or spouse who is 18 years of age or older, the adult who has legal custody or who is the legal guardian of the child applicant must sign the application. A child applicant's parent, guardian or legal custodian may designate an authorized representative to complete a Family Access to Medical Insurance Security application on behalf of the child applicant. The authorization must be in writing in accordance with this section.

G. If no adult is the child applicant's guardian or no adult has legal custody of the child applicant, whoever is caring for the child applicant shall be responsible for seeking custody or guardianship of the child applicant:

1. If a motion has been filed in court to appoint a guardian or seek legal custody of the child, the Family Access to Medical Insurance Security application shall be held in a

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# Emergency Regulations

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pending status. If verification is received within 10 working days that court action has been initiated, the application will be continued until the guardian is appointed or custody is awarded. When the guardian has been appointed or custody awarded, the eligibility worker must provide the Family Access to Medical Insurance Security application to the guardian or custodian. The guardian or custodian must return the signed application and documentation of his appointment within 10 working days. If the application or documentation is not returned by either 10 day deadline, the Family Access to Medical Insurance Security eligibility shall be denied.

2. If guardianship or custody procedures have not been filed with the court, the eligibility worker must refer the child to the appropriate child welfare service worker. The application for the Family Access to Medical Insurance Security shall be held in a pending status until the service investigation is completed and any court proceedings are completed. If the court emancipated the child, the child must sign the application and return it to the eligibility worker within 10 working days. If a guardian has been appointed or custody awarded, the eligibility worker must provide the Family Access to Medical Insurance Security application to the guardian or custodian. The guardian or custodian must return the signed application and documentation of his appointment within 10 working days. If the application or documentation is not returned by the deadline, the Family Access to Medical Insurance Security eligibility shall be denied.

H. Persons prohibited from signing an application. An employee of, or an entity hired by, a medical service provider who stands to obtain Family Access to Medical Insurance Security payments shall not sign a Family Access to Medical Insurance Security application on behalf of an individual who cannot designate an authorized representative.

I. Written application. DMAS or its designee shall require a written application for the FAMIS program from the applicant if at least 18 years of age or older, or from a parent, guardian, legal custodian, or authorized representative if the applicant is less than 18 years of age or the applicant is incapacitated. The application must be on a separate form prescribed by DMAS, one not used to determine eligibility under Title XIX (Medicaid), and must be signed under a penalty of perjury. The application form shall contain information sufficient to screen applicants for Medicaid eligibility, but shall not serve as a Medicaid application.

J. Assistance with application. DMAS or its designee shall allow an individual or individuals of the applicant's choice to assist and represent the applicant in the application process, or a re-determination process for eligibility.

K. Timely determination of eligibility. Except for cases of unusual circumstances as described below, DMAS or its designee shall determine eligibility and inform the applicant of a decision within 10 business days from the date of receiving an application that contains all information and verifications necessary to determine eligibility.

1. Unusual circumstances include: administrative or other emergency beyond the agency's control. In such case,

DMAS or its designee must document, in the applicant's case record, the reasons for delay. DMAS or its designee must not use the time standards as a waiting period before determining eligibility or as a reason for denying eligibility because it has not determined eligibility within the time standards.

2. Incomplete applications shall be held open for a period of 30 calendar days to enable applicants to provide outstanding information needed for an eligibility determination. Any applicant who fails to provide, within 30 calendar days of the receipt of the initial application, information or verifications necessary to determine eligibility, shall have his application for FAMIS eligibility denied.

L. Notice of DMAS' or its designee's decision concerning eligibility. DMAS or its designee must send each applicant a written notice of the agency's/designee's decision on his application, and, if approved, his obligations under the program. If eligibility for FAMIS is denied, notice must be given concerning the reasons for the action and an explanation of the applicant's right to request a review of adverse case actions.

M. Case documentation. DMAS or its designee must include in each applicant's record all necessary facts to support the decision on his application, and must dispose of each application by a finding of eligibility or ineligibility, unless (i) there is an entry in the case record that the applicant voluntarily withdrew the application and that the agency or its designee sent a notice confirming his decision; (ii) there is a supporting entry in the case record that the applicant has died; or (iii) there is a supporting entry in the case record that the applicant cannot be located.

N. Re-determination of eligibility. DMAS or its designee must re-determine the eligibility of recipients with respect to circumstances that may change at least every 12 months. Recipients must make timely and accurate reports of all changes in circumstances that may affect their eligibility. DMAS or its designee must promptly re-determine eligibility when it receives information about changes in a recipient's circumstances that may affect eligibility. If the agency has information about anticipated changes in a recipient's circumstances, it must re-determine eligibility at the appropriate time based on those changes.

O. Notice of decision concerning eligibility. DMAS or its designee must give recipients timely notice of proposed action to terminate their eligibility under FAMIS. The notice must meet the requirements of 42 CFR 457.1180.

## PART IV. COST SHARING.

### **12 VAC 30-141-150. Copayments and premiums for families not participating in employer sponsored health insurance (ESHI).**

A. Premiums. FAMIS-eligible children, in families with incomes above 150% of the Federal Poverty Level (FPL) Income Guidelines (as published annually by the U.S. Department of Health and Human Services in the Federal Register), shall be required to contribute to the cost of health



care coverage by paying premium payments. Income levels are provided as a percentage of FPL based on gross income.

**B. Copayments.** Copayments shall apply to all recipients (above and below 150% of the FPL).

**C.** These cost-sharing provisions shall be implemented with the following restrictions:

1. Total cost sharing shall be limited to 2.5% of a family's income for the year (or 12-month eligibility period) for income equal to or under 150% of FPL, and 5.0% for family incomes above 150% of FPL.

2. The state shall ensure that the annual aggregate cost sharing for all FAMIS enrollees in a family does not exceed the aforementioned 5.0% and 2.5% caps as required by § 2103(e)(3)(b) of Title XXI.

3. Families will be required to submit documentation to DMAS or its designee, showing that their maximum copayment amounts are met for the year.

4. Cost sharing will be monitored to ensure that maximum allowable cost sharing per family is not exceeded. Once the cap is met, DMAS or its designee will issue a new eligibility card excluding such families from paying additional copays.

**D. Exceptions to the above cost-sharing provisions:**

1. Copayments shall not be required for well-child, other preventive services, and families participating in ESHI. This shall include:

a. All healthy newborn inpatient physician visits, including routine screening (inpatient or outpatient);

b. Routine physical examinations, laboratory tests, immunizations, and related office visits; and,

c. Routine preventive and diagnostic dental services (i.e., oral examinations, prophylaxis and topical fluoride applications, sealants, and x-rays).

2. Enrollees are not held liable for any additional costs, beyond the standard copayment amount, for emergency services furnished outside of the individual's managed care network. Only one copayment charge will be imposed for a single office visit.

3. No cost sharing will be charged to American Indians and Alaska Natives.

**E. Disenrollment for nonpayment of premium.** FAMIS will disenroll families who fail to make their family contribution. DMAS or its designee shall provide a 30-day prior notice to the family in writing that premium payment has not been received. The child will be disenrolled 60 days after the period covered by the last payment. During the disenrollment process the enrollee will have the opportunity to show that the enrollee's income has declined prior to disenrollment for nonpayment of cost sharing charges. Children disenrolled pursuant to this section will be eligible for reenrollment after six months and payment of the premiums in arrears. FAMIS may waive the six-month reenrollment exclusion period if it finds that a family had "good cause for nonpayment." The director shall make a determination of good cause based on DMAS written policy.

## **12 VAC 30-141-160. Employer sponsored health insurance (ESHI).**

Enrollees in FAMIS who have access to employer sponsored health insurance coverage may, but shall not be required to, enroll in an employer's health plan if DMAS or its designee determines that such enrollment is cost effective, as defined below. DMAS reserves the right to implement in phases the ESHI component for children enrolled in CMSIP. The method and the timing for phasing in the ESHI component will be determined by DMAS after it has assessed the potential volume of CMSIP enrollees with access to an employer plan and interest in the ESHI component

**A. Eligibility determination.** FAMIS children who have access to health insurance coverage under an employer-sponsored plan may elect to receive coverage under the employer plan and DMAS may elect to provide coverage by paying a portion of the premium if the following conditions are met:

1. The children are enrolled in FAMIS.

2. The employer's plan provides comprehensive health insurance coverage.

3. The employer contributes at least 40 percent of the cost of family or dependent coverage.

4. The cost of coverage for the child or children under ESHI is equal to or less than the Commonwealth's cost of obtaining coverage under FAMIS only for the eligible targeted low-income children involved. The cost-effectiveness determination methodology is described below.

5. The family receives the full premium contribution from the employer.

6. The applicant agrees to assign rights to benefits under the employer's plan to DMAS to assist the Commonwealth in pursuing these third party payments. (When a child is provided coverage under an employer's plan, that plan becomes the primary payer for the services covered under that plan.)

**B.** When more than one employer plan is available to the family, the family shall enroll in the plan that DMAS has determined to be the most cost effective for the state.

**C.** DMAS will continually verify the child's or children's coverage under the employer's plan and will re-determine the eligibility of the child or children for the ESHI component when it receives information concerning an applicant's or enrollee's circumstances that may affect eligibility.

**D. Application requirements.**

1. DMAS shall furnish the following information in written form and orally as appropriate to the families of FAMIS children who have access to employer sponsored health insurance:

a. The eligibility requirements;

b. Summary of covered benefits and supplementation of employer benefits;

c. Cost sharing requirements; and

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# Emergency Regulations

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d. *The rights and responsibilities of applicants and recipients.*

2. *Opportunity to apply.* DMAS may elect to provide health insurance coverage to FAMIS children by having FAMIS children and their families enroll in ESHI. Families with access to employer coverage for family members will be identified through the FAMIS application. DMAS will provide these families with applications for ESHI.

3. *Written application.* A written application for the ESHI component shall be required from interested families.

4. *Timely determination of eligibility.* DMAS shall determine eligibility for the ESHI component promptly not to exceed 45 calendar days from the date of receiving an application which contains all information and verifications necessary to determine eligibility except in unusual circumstances beyond the agency's control. Actual enrollment into the ESHI component may not occur for extended periods of time depending on the ability of the family to enroll in the employer's plan.

5. *Incomplete ESHI applications shall be held for a period of 30 calendar days to enable applicants to provide outstanding information needed for an ESHI eligibility determination. Any applicant who, within 30 calendar days of the receipt of the initial application, fails to provide information or verifications necessary to determine ESHI eligibility shall have his application denied.*

6. *DMAS must send each applicant a written notice of the agency's decision on his application, and, if approved, his obligations under the program. If eligibility is denied, notice will be given concerning the reasons for the action.*

E. *Cost effectiveness.* DMAS may elect to provide coverage to FAMIS children by paying a portion of the family's employer-sponsored health insurance premium if the cost of family coverage under ESHI is equal to or less than the Commonwealth's cost of obtaining coverage under FAMIS only for the eligible targeted low-income child or children involved. The cost-effectiveness determination will be conducted for individual families on a case-by-case basis. DMAS must determine that the premium subsidy plus the cost of the supplemental coverage, plus the administrative cost for a family enrolled in the ESHI component is less than the amount the Commonwealth would have paid to cover the child or children in that family under FAMIS.

1. *The cost-effectiveness determination is a three-step process:*

a. *The cost of covering only the FAMIS child or children under the employer plan must be isolated as much as possible from the cost of covering the adults.*

b. *The premium subsidy DMAS would pay is obtained by taking the cost of covering the children obtained in step one, and subtracting any FAMIS premium the family is responsible for paying.*

c. *To determine whether it is cost effective to cover the family, DMAS will compare the following two amounts:*

(1) *The sum of the premium assistance amount from step two plus the cost of supplemental coverage, plus the administrative cost; and*

(2) *The cost of covering the FAMIS child or children under FAMIS. The cost will be determined by using the capitated payment rate paid to managed care entities, or an average cost amount developed by DMAS.*

d. *If (1) is less than (2), covering the child or children under the ESHI component is cost effective.*

F. *Enrollment and disenrollment.*

1. *FAMIS children with access to employer-sponsored health insurance will be enrolled in a FAMIS MCE if in a nonmanaged care entity area until their eligibility for coverage under the ESHI component is established and until they are able to enroll in the employer sponsored health plan.*

2. *The timing and procedures employed to transfer FAMIS children to the ESHI component will be coordinated between DMAS and the Central Processing Unit to ensure continuation of health plan coverage.*

3. *Participation by families in the ESHI component shall be voluntary. Families may disenroll their child or children from the ESHI component and enroll them in a FAMIS MCE if in a nonmanaged care entity area as long as the proper timing and procedures established by DMAS are followed to ensure continuation of health plan coverage.*

4. *If a child becomes ineligible to participate in the ESHI component, but is still eligible for FAMIS, DMAS will transfer this child back to a FAMIS MCE. DMAS will coordinate with the Central Processing Unit to ensure continuous health plan coverage.*

G. *Premium assistance.* When a child is determined eligible for coverage under the ESHI component, premium assistance payments shall become effective the month in which the FAMIS child or children are enrolled in the employer's plan.

1. *Payment of premium assistance shall end:*

a. *On the last day of the month in which FAMIS eligibility ends;*

b. *The last day of the month in which the child or children lose eligibility for coverage under the employer's plan;*

c. *The last day of the month in which the family notifies DMAS that they wish to disenroll their child or children from the ESHI component and enroll them in a FAMIS MCE, or*

d. *The last day of the month in which adequate notice period expires (consistent with federal requirements) given by DMAS whereby DMAS has determined that the employer's plan is no longer cost effective.*

H. *Supplemental health benefits coverage will be provided to ensure that FAMIS children enrolled in the ESHI component receive all of the FAMIS benefits. FAMIS children can obtain these supplemental benefits through DMAS providers.*

*I. Cost Sharing. ESHI families will not be responsible for copayments for FAMIS Title XXI benefits. DMAS will instruct providers to submit billings to DMAS or its designee for payment of applicable copayments. In situations where the provider refuses to bill DMAS for the copayment amount, DMAS will reimburse the enrollee directly.*

*1. FAMIS children will have to pay copays for any services covered under the employer's plan that are not FAMIS benefits and for benefits provided beyond the FAMIS Title XXI benefits. The cost sharing paid by families for these benefits do not count towards the cost-sharing cap.*

*2. Families with incomes equal to or less than 150% of FPL will not pay premiums. All families above 150% FPL shall be required to contribute to the cost of health care coverage by means of monthly premium payments.*

*3. ESHI families will pay deductibles, coinsurance, and enrollment fee amounts under their employers' plans up to the cost sharing limits allowed for non-ESHI FAMIS families (\$180 for those equal to or less than 150% FPL and \$350 for those over 150% FPL). After the family has reached its cost-sharing cap, DMAS will reimburse the family for any additional deductibles or coinsurance they incur for the FAMIS-enrolled children in the family for FAMIS Title XXI benefits received. Families will need to track their deductibles and coinsurance. Once the cap is reached for a family, that family will submit Explanation of Benefits forms or other forms approved by DMAS for reimbursement each time the family incurs a deductible or coinsurance amount for a FAMIS child for a FAMIS Title XXI benefit. DMAS will track these caps by family and reimburse these families.*

**12 VAC 30-141-175. Third party liability for excess benefits; liability for excess benefits or payments obtained without intent; recovery of FAMIS payments.**

*A. Any person who, without intent to violate this section obtains benefits or payments under FAMIS to which he is not entitled shall be liable for any excess benefits or payments received. If the recipient knew or reasonably should have known that he was not entitled to the excess benefits, he may also be liable for interest on the amount of the excess benefits or payments at the judgment rate as defined in the § 6.1-330.49 of the Code of Virginia from the date upon which excess benefits or payments to the date on which repayment is made to the Commonwealth. No person shall be liable for payment of interest, however, when excess benefits or payments were obtained as a result of errors made solely by the DMAS.*

*B. Any payment erroneously made on behalf of a FAMIS recipient or former recipient may be recovered by DMAS from the recipient or the recipient's income, assets, or estate unless state or federal law or regulation otherwise exempts such property.*

**PART V.  
BENEFITS AND REIMBURSEMENT.**

**12 VAC 30-141-200. Benefits and reimbursement.**

*The following benefits shall be covered for persons eligible for FAMIS consistent with the XXI State Plan as set out, and amended, in the member handbook, the PPO option for state*

*employees that is offered statewide, with several enhanced or additional benefits.*

*This benchmark will be used for both the regular FAMIS plan and for the employer sponsored health insurance component (ESHI). The covered services shall be: inpatient hospital, outpatient, physician, surgical, clinic, prescription drugs, laboratory and radiological, prenatal care and prepregnancy family services and supplies, inpatient mental health, outpatient mental health, durable medical equipment and other medically-related or remedial devices, disposable medical supplies, home and community-based health care services, nursing care, abortion if necessary to save the life of the mother, dental services, inpatient substance abuse treatment services and residential substance abuse treatment, outpatient substance abuse treatment, physical/occupational/speech-hearing-language therapies, chiropractic services, premiums for private health care insurance coverage, ambulance services under certain conditions as defined in the Virginia Title XXI State Plan.*

**12 VAC 30-141-210. Enhanced services in excess of the benchmark package.**

*A. Well-child care from ages 6 through 18 years of age including visits, laboratory services, and any immunizations recommended by the Advisory Committee on Immunization Practice (ACIP).*

*B. Physical therapy, occupational therapy, speech language pathology, and skilled nursing services for special education students.*

**12 VAC 30-141-220. Services covered in excess of the benchmark package covered with all state funds.**

*These specified services shall not be subject to the limits on cost sharing applicable to other covered services and cost sharing for these services shall not be credited towards the cumulative cap.*

*A. Complex restorative dental services: inlays, onlays, crowns, dentures, bridges, relining dentures for a better fit, and implants, covered at 50% of the approved charge.*

*B. Orthodontic services for specified conditions are covered up to a maximum of \$1,200 per lifetime per enrolled member.*

*C. Lead testing.*

*D. Vision Services.*

*E. Hearing Aids.*

**12 VAC 30-141-500. Benefits reimbursement.**

*Reimbursement for the services covered under FAMIS shall be as specified below.*

*A. Reimbursement for physician services, surgical services, clinic services, prescription drugs, laboratory and radiological services, outpatient mental health services, early intervention services, emergency services, home health services, immunizations, mammograms, medical transportation, organ transplants, skilled nursing services, well baby and well child care, vision services, durable medical equipment, disposable medical supplies, dental services, case management services, physical therapy/occupational therapy/speech-*

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# Emergency Regulations

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language therapy services, hospice services, vision services, medical transportation shall be based on the Title XIX rates in effect as of July 1 of each year for the subsequent state fiscal year.

## B. Exceptions.

1. Reimbursement for inpatient hospital services will be based on the Title XIX rates in effect for each hospital as of July 1 each year for the subsequent state fiscal year. Reimbursement shall not include payments for disproportionate share or graduate medical education payments made to hospitals. Payments made shall be final and there shall be no retrospective cost settlements.

2. Reimbursement for outpatient hospital services shall be based on the Title XIX rates in effect for each hospital as of July 1 each year for the subsequent state fiscal year. Payments made will be final and there will be no retrospective cost settlements.

3. Reimbursement for inpatient mental health services will be based on the Title XIX rates in effect for each hospital as of July 1 each year for the subsequent state fiscal year. Reimbursement will not include payments for disproportionate share or graduate medical education payments made to hospitals. Payments made will be final and there will be no retrospective cost settlements.

4. Reimbursement for outpatient rehabilitation services will be based on the Title XIX rates in effect for each rehabilitation agency as of July 1 each year for the subsequent state fiscal year. Payments made will be final and there will be no retrospective cost settlements.

5. Reimbursement for inpatient and outpatient substance abuse treatment services will be based on rates determined for children ages 6-18. Payments made will be final and there will be no retrospective cost settlements.

## PART VI.

### QUALITY ASSURANCE AND UTILIZATION CONTROL.

#### 12 VAC 30-141-560. Quality assurance.

A. Each provider entity shall meet requirements determined by contract with DMAS for the following: access to well-baby, well-child, and well-adolescent care, immunizations; referral systems, prior authorization requirements, clinical practice guidelines, provider network adequacy, a system to provide enrollees urgent care and emergency services, implementation of systems for complaints, grievances and reviews, implementation of a data management system to meet data collection requirements of quality assurance projects, a quality improvement program and annual quality improvement plan, and annual performance measures.

B. Each provider entity shall meet requirements determined by contract for the monitoring and reporting of access to services, timeliness of services, appropriateness of services, and prior authorization decisions for all enrollees, including those with complex or serious medical conditions. Requirements may include the calculation and reporting of performance measures and the implementation of performance improvement projects, as determined by DMAS.

#### 12 VAC 30-141-570. Utilization control.

A. Each provider entity shall implement a utilization review system as determined by contract with DMAS.

B. DMAS may collect and review comprehensive encounter and fee-for-service claims data to monitor utilization after receipt of services.

#### 12 VAC 30-141-600. Recipient audit unit.

A. Pursuant to § 32.1-310 et seq. of the Code of Virginia, the recipient audit unit shall investigate allegations of acts of fraud or abuse, committed by persons enrolled in the FAMIS program, which result in misspent funds.

B. Any FAMIS recipient, either on his own behalf or on the behalf of others, who attempts to obtain benefits to which he is not entitled by means of a willful false statement or by willful misrepresentation, or by willful concealment of any material facts, shall be liable for repayment of any excess benefits received and the appropriate interest charges.

C. Upon the determination that the recipient has committed fraud or abuse, criminal or civil action may be initiated.

D. When determining the amount of misspent funds to be recovered, capitation fees shall be included for FAMIS recipients who are in managed care.

E. Access to FAMIS recipients' eligibility records by authorized DMAS representatives will be permitted upon request.

#### 12 VAC 30-141-650. Provider review.

A. Provider review unit shall be responsible for reviewing enrolled FAMIS providers to identify potential inappropriate utilization of services and potential billing errors.

B. Providers agree to keep such records as DMAS determines necessary. The providers will furnish DMAS upon request information regarding payments claimed for providing services under the State Plan for Title XXI.

C. Access to records and facilities by authorized DMAS representatives will be permitted upon reasonable request.

D. Providers will be required to refund payments made by DMAS if they are found to have billed DMAS contrary to policy, failed to maintain any record or adequate documentation to support their claims, or billed for medically unnecessary services.

E. A review of adverse actions concerning provider reimbursement shall be heard in accordance with the Administrative Process Act (§ 9-6.14:1 et seq.) and the State Plan for Medical Assistance provided for in § 32.1-325 of the Code of Virginia.

F. Managed Care providers will be reviewed by the managed care unit of DMAS.

/s/ James S. Gilmore, III

Governor

Date: July 30, 2001

VA.R. Doc. No. R01-264; Filed August 1, 2001, 9:38 a.m.



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# GENERAL NOTICES/ERRATA

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## GENERAL NOTICES

### STATE CORPORATION COMMISSION

The State Corporation Commission (commission) issued Rules Governing the Certification of Notification Centers in 1990, in Case No. PUE900033, pursuant to the authority granted to it by § 56-265.16:1 of the Code of Virginia. The 2001 General Assembly amended § 56-265.16:1 of the Code of Virginia and expanded the factors the commission must consider when certifying or revoking or modifying a certificate that it has granted to a notification center.

A notification center is an organization whose membership is open to all utility operators ("operators") of underground utility lines located within the notification center's designated service area. The notification center maintains a data base, provided by its member operators, that includes the geographic areas in which utility operators desire transmissions of notices of proposed excavation. The notification center notifies its operators when proposed excavations are going to occur in locations where operators have underground utility lines.

The commission has initiated an investigation to determine whether its existing Rules Governing Certification of Notification Centers, 20 VAC 5-300-90 need to be clarified, expanded, or revised. The commission is inviting comments on certain issues identified in an attachment to its order on how its current rules may be revised, if at all, and how an acceptable level of performance by a notification center may be maintained once a notification center is certificated.

Contact Person: Massoud Tahamtani, Assistant Director of the Division of Energy Regulation (804) 371-9264

AT RICHMOND, JULY 30, 2001

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUE010422

Ex Parte: In the matter concerning the Rules Governing Certification and Maintenance of Notification Centers

#### ORDER ESTABLISHING INVESTIGATION AND INVITING COMMENTS

Section 56-265.16:1 of the Code of Virginia was amended by House Bill No. 720 (1989 Va. Acts ch. 448) and directed the State Corporation Commission ("Commission") to promulgate rules governing the certification of notification centers and to certificate notification centers.<sup>1</sup> Accordingly, the Commission

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<sup>1</sup> Section 56-265.15 of the Underground Utility Damage Prevention Act ("Act") defines "notification center" as

an organization whose membership is open to all operators of underground facilities located within the notification center's designated service area, which maintains a data base, provided by its member operators, that includes the geographic areas in which its member operators desire transmissions of notices of proposed excavation, and

adopted Rules Governing the Certification of Notification Centers ("Rules"), effective October 3, 1990.<sup>2</sup>

The 2001 General Assembly amended § 56-265.16:1 of the Code of Virginia effective July 1, 2001. See 2001 Va. Acts ch. 399. As amended, this statute directs the Commission to determine "the optimum number of notification centers in the Commonwealth." Further, it requires that if the Commission determines that there should be more than one notification center in the Commonwealth, the Commission "shall define the geographic area to be served by each notification center." Section 56-265.16:1 D of the Code of Virginia also provides that

[e]very Commission action regarding the optimum number of notification centers, the geographic area to be served by each notification center, the promulgation of notification center certification regulations, and the grant, amendment, or revocation of notification center certifications shall be made in furtherance of the purpose of preventing or mitigating loss of, or damage to, life, health, property or essential public services resulting from damage to underground utility lines.

The statute further directs the Commission, when approving or revoking any notification center certification to:

1. Ensure protection for the public from the hazards that this chapter [Chapter 10.3 of Title 56] is intended to prevent or mitigate;
2. Ensure that all persons served by the notification center receive an acceptable level of performance, which level shall be maintained throughout the period of the notification center's certification; and
3. Require the notification center and its agents to demonstrate financial responsibility for any damages that may result from their violation of any provision of this chapter. Such requirement may be met by purchasing and maintaining liability insurance on such terms and in such amount as the Commission deems appropriate.

The Commission, therefore, is initiating this proceeding to assist it in developing appropriate policies and rules applicable to the certification of a notification center and maintenance of an acceptable level of performance by a notification center once it is certified. This Order seeks public comment on a variety of issues identified in Attachment A hereto, including the Commission's authority to adopt specific regulations concerning the identified issues.

Comments concerning the issues set out in Attachment A should be specific, detailing the roles to be played by the Commission, the notification center, and other stakeholders. To the extent possible and practicable, interested parties should include with their responses to this Order, proposed

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which has the capability to transmit, within one hour of receipt, notices of proposed excavation to member operators by teletype, telecopy, personal computer, or telephone.

<sup>2</sup> See *Commonwealth of Virginia, At the relation of the State Corporation Commission, Ex Parte: In the matter of adopting Rules Governing the Certification of Notification Centers Pursuant to § 56-265.16:1 of the Code of Virginia*, Case No. PUE900033, 1990 S.C.C. Ann. Rept. 344.

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## General Notices/Errata

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Rules corresponding to their comments on the issues set forth in Attachment A to the Order. Such concrete proposals will assist the Commission in accomplishing the goals of this proceeding.<sup>3</sup>

Following a thorough review of any responses and comments received herein, including a review of any suggested Rules, we will direct our Staff to propose revisions to the Rules regarding the certification of notification centers, where appropriate. We will seek further public comment on Staff's proposals, and conduct further proceedings as may be necessary herein.

Therefore, we find that this matter should be docketed; that notice of this rulemaking should be published in major newspapers of general circulation throughout the Commonwealth; that this Order and Attachment A thereto should be forwarded to the Virginia Register of Regulations; that interested persons should be afforded an opportunity to file written comments concerning the issues identified in Attachment A to this Order; and that the Staff should file a report responding to the comments filed herein and proposing further revisions to the Rules, where appropriate.

Accordingly, IT IS ORDERED THAT:

(1) This matter be docketed and assigned Case No. PUE010422.

(2) Interested persons may obtain a copy of this Order, together with a copy of the issues upon which comment is sought (Attachment A hereto), by directing a request in writing for the same on or before September 5, 2001, to Massoud Tahamtani, Assistant Director, Division of Energy Regulation, State Corporation Commission, P.O. Box 1197, Richmond, Virginia 23218.

(3) A copy of this Order and the issues identified in Attachment A hereto shall be made available for public review at the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, during the Commission's regular hours of operation, Monday through Friday, from 8:15 a.m. to 5:00 p.m. Interested persons may also review a copy of the Order and Attachment A thereto on the Commission's website, <http://www.state.va.us/scc/caseinfo/orders.htm>.

(4) Interested parties wishing to file comments concerning the issues identified in Attachment A shall file an original and fifteen (15) copies of such comments in writing on or before September 28, 2001, with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and shall refer to Case No. PUE010422.

(5) On or before August 25, 2001, the Commission's Division of Information Resources shall cause the following notice to be published as classified advertising on two occasions in newspapers of general circulation throughout the Commonwealth of Virginia:

NOTICE OF INVESTIGATION AND INVITING  
COMMENTS BY THE STATE CORPORATION  
COMMISSION TO CONSIDER REVISIONS TO THE  
RULES FOR CERTIFICATION AND  
MAINTENANCE OF NOTIFICATION CENTERS  
CASE NO. PUE010422

In 1990, the State Corporation Commission ("Commission") adopted Rules Governing the Certification of Notification Centers pursuant to the authority granted to it by § 56-265.16:1 of the Code of Virginia. A notification center is an organization whose membership is open to all utility operators ("operators") of underground utility lines located within the notification center's designated service area. The notification center maintains a data base, provided by its member operators, that includes the geographic areas in which utility operators desire transmissions of notices of proposed excavation. The notification center notifies the operators when proposed excavations are planned in locations where the operators have underground utility facilities.

The 2001 General Assembly amended § 56-265.16:1 of the Code of Virginia, changing the criteria that a notification center must meet in order to be certificated by the Commission. As amended, § 56-265.16:1 of the Code of Virginia directs the Commission in approving or revoking any notification center certification to: (i) ensure protection for the public from the hazards the Underground Utility Damage Prevention Act, Chapter 10.3 (§ 56-265.14 et seq.) of Title 56 of the Code of Virginia ("the Act") is intended to prevent or mitigate; (ii) ensure that all persons served by the notification center receive an acceptable level of performance, which level shall be maintained throughout the period of the notification center's certification; and (iii) require the notification center and its agents to demonstrate financial responsibility for any damages that may result from their violation of any provision of the Act. Such requirement may be met by purchasing and maintaining liability insurance on such terms and in such amounts as the Commission deems appropriate.

The Commission's present Rules Governing Certification of Notification Centers, 20 VAC 5-300-90 ("Rules"), were adopted in 1990, before the amendment of § 56-265.16:1 of the Code of Virginia. Consequently the Commission is initiating a proceeding to assist it in developing appropriate rules regarding the certification and maintenance of notification centers. In this regard, the Commission is soliciting comments on how the existing Rules should best be revised, if at all, regarding certification of a notification center and maintenance of an acceptable level of performance by a notification center once it is certified.

A copy of the Order Establishing Investigation and Inviting Comments, together with the issues upon

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<sup>3</sup> To aid the Commission, each request for comments is lettered and numbered in Attachment A. Interested parties are requested to correlate their responses to the lettering and numbering system set forth in Attachment A to this Order in their comments.

which comment is sought, may be reviewed from 8:15 a.m. to 5:00 p.m. Monday through Friday, in the State Corporation Commission's Document Control Center, located at 1300 East Main Street, Tyler Building, First Floor, Richmond, Virginia 23219. Interested persons may obtain a copy of the Commission's Order, together with the issues upon which comment is sought (Attachment A to the Order) by directing a written request for a copy of same on or before September 5, 2001, to Massoud Tahamtani, Assistant Director, Division of Energy Regulation, State Corporation Commission, P.O. Box 1197, Richmond, Virginia 23218, and referring to Case No. PUE010422. Interested persons may also obtain a copy of the Order and Attachment A from the Commission's website (<http://www.state.va.us/scc/caseinfo/orders.htm>).

Any person who wishes to comment upon the issues identified in Attachment A to the Commission's Order Establishing Investigation and Inviting Comment shall file an original and fifteen (15) copies of such comments with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, on or before September 28, 2001, and shall refer to Case No. PUE010422.

All written communications to the Commission regarding this proceeding shall refer to Case No. PUE010422, and shall be directed to the Clerk of the State Corporation Commission, at the address set forth above.

### THE DIVISION OF ENERGY REGULATION OF THE STATE CORPORATION COMMISSION

(6) On or before November 9, 2001, the Division of Energy Regulation shall file a report, summarizing and responding to the comments received herein, and proposing revisions to the Rules, where appropriate. The Division of Energy Regulation shall mail a copy of its report to all parties of record.

(7) The Commission's Division of Information Resources shall forthwith cause this Order and Attachment A thereto to be forwarded for publication in the Virginia Register of Regulations.

(8) On or before October 26, 2001, the Division of Information Resources shall file with the Clerk of the Commission proof of the publication of notice required in Ordering Paragraph (5) herein.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: all the certificated water and sewer utilities subject to the Commission's regulation as set out in Appendix A hereto; all of the telephone companies regulated by the Commission as set out in Appendix B hereto; all of Virginia's certificated interexchange carriers as set out in Appendix C hereto; all the certificated gas companies as set out in Appendix D hereto; all the certificated electric cooperatives and electric companies as set out in Appendix E hereto; Jack Combs, President, Virginia Underground Utility Protection Service, Inc., P.O. Box 28477, Richmond, Virginia 23228; Phil Thompson, General Manager, One Number

Information Systems, Inc., 204 Rivers Bend Boulevard, Chester, Virginia 23831; Jim Holzer, One Cell Concepts, Inc., 7223 Parkway Drive, Hanover, Maryland 21076; Roddy Mowe, Chairman, Northern Virginia Utility Protection Service, Inc., P.O. Box 1849, Frederick, Maryland 21702-0849; John F. Dudley, Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; Cynthia Oakey, Esquire, and Karen L. Bell, Esquire, Virginia Electric and Power Company, P.O. Box 26532, Richmond, Virginia 23261; Michael T. Hubbard, Manager, Underground Damage Prevention, Virginia Electric and Power Company, P. O. Box 26666, Richmond, Virginia 23261; Gray Pruitt, 2415 Grenoble Road, Richmond, Virginia 23294; Thomas A. Dick, 1108 East Main Street, Suite 904, Richmond, Virginia 23219; Honorable Malfourd W. Trumbo, P.O. Box 448, Fincastle, Virginia 24090; Richard L. Hall, Vice President, W. R. Hall, Inc., 1214 Bill Street, Norfolk, Virginia 23518; Kevin Robertson, Miss Utility Supervisor, Capco Construction Corp., 15433 Farm Creek Drive, Woodbridge, Virginia 22191; Larry Friedman, Sr. Vice President, Long Fence Company, Inc., P.O. Box 220429, Chantilly, Virginia 20153-0429; Robert L. Kent, President, J. L. Kent & Sons, Inc., P.O. Box 69, Spotsylvania, Virginia 22553; John F. Gionfriddo, Town of Vienna, 127 Center Street South, Vienna, Virginia 22180; R. Lance Terpenney, Town Manager, and Wayne O. Nelson, P.E., Director of Engineering and Public Works, Town of Christiansburg, 100 East Main Street, Christiansburg, Virginia 24073-3029; Mike Bowersox, Ben Lewis Plumbing, Inc. U.S.A., 20220 Frederick Road, P.O. Box 93, Germantown, Maryland 20875-0093; John G. Whitacre, Engineer, Frederick County Sanitation Authority, P.O. Box 1877, Winchester, Virginia 22604-8377; Jim Stepahin, Executive Director, Virginia Utility & Heavy Contractors Council, 9303 Center Street, Suite 109, Manassas, Virginia 20110-5547; Peter S. Fortin, P.E., Engineering Manager, City of Norfolk, Department of Utilities, P.O. Box 1080, Norfolk, Virginia 23501; Russell L. Quesenberry, Safety Officer, S. W. Rodgers Co., Inc., P.O. Box 398, Gainesville, Virginia 20156; William M. Hackworth, City Attorney, and Gary E. Tegenkamp, Assistant City Attorney, City of Roanoke, Dept. of Utility Line Services, 464 Municipal Building, 215 Church Avenue, S.W., Roanoke, Virginia 24011; Bettie L. Cahoon, Construction Inspector Supervisor, City of Chesapeake, Department of Public Utilities, P.O. Box 15225, Chesapeake, Virginia 23328; Steven C. Vermillion, Executive Director, Associated General Contractors of Virginia, Inc., P.O. Box 5700, Glen Allen, Virginia 23058-5700; Christopher J. Dolena, Engineer II, City of Virginia Beach, Department of Public Utilities, 3500 Dam Neck Road, Virginia Beach, Virginia 23456; Rodney W. McClain, General Manager, Stoney Creek Sanitary District, Toms Brook-Maurertown Sanitary District, P.O. Box 42, Basye, Virginia 22810; Richard P. Chaffin, Secretary-Treasurer, May Bros., Inc., General Contractors, P.O. Box 165, Forest, Virginia 24551; Stanley C. Feuerberg, General Manager, Northern Virginia Electric Cooperative, P.O. Box 2710, Manassas, Virginia 20108-2710; John E. Moore, Director of Public Works, Town of Herndon, P.O. Box 427, Herndon, Virginia 20172-0427; Louis S. Kiger, F. L. Showalter, Inc., 2900 Fulks Street, P.O. Box 11525, Lynchburg, Virginia 24506-1525; Margaret L. Palmer, Vice President, Guy C. Eavers Excavating Corp.,

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## General Notices/Errata

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P.O. Box 124, Staunton, Virginia 24402-0124; John Garrett, Engineering Field Supervisor/Utilities Locator, Planning & Engineering Dept., Town of Blacksburg, 300 South Main Street, Blacksburg, Virginia 24060; Frank Boxley, Jr., President, Central & Southwest Virginia Utility Contractors Association, P.O. Box 5772, Roanoke, Virginia 24012; J. David Austin, State Utility Engineer, Department of Transportation, Commonwealth of Virginia, 1401 East Broad Street, Richmond, Virginia 23219-2000; Philip J. Bray, Esquire, The Potomac Edison Company, d/b/a Allegheny Power, 10435 Downsview Pike, Hagerstown, Maryland 21740-1766; Robert B. Evans, Esquire, Washington Gas Light Company, 1100 H Street, N.W., Washington, D.C. 20080; Stephen T. Theis, Corporate Director of Safety, Health & Environment, Henkels & McCoy, Inc., P.O. Box 950, Blue Bell, Pennsylvania 19422-0900; Michael J. Quinan, Esquire, Woods, Rogers & Hazlegrove, P.L.C., 823 East Main Street, Suite 1200, Richmond, Virginia 23219; Terry St. Clair, Jack St. Clair, Inc., P.O. Box 12961, Roanoke, Virginia 24030; Robert A. Omberg, Esquire, Virginia, Maryland & Delaware Association of Electric Cooperatives, Innsbrook Corporate Center, 4201 Dominion Boulevard, First Floor, P.O. Box 2340, Glen Allen, Virginia 23058; Richard D. Gary, Esquire, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; Dennis Showalter, Utiliquist, L.L.C., 4390 Forbes Boulevard, Suite 100, Lanham, Maryland 20726; James B. Wright, Senior Attorney, Sprint, 14111 Capital Boulevard, Wake Forest, North Carolina 27587-5900; Larry G. Conner, Sr., P.E., President, Aaron J. Conner General Contractor, Inc., P.O. Box 6068, Roanoke, Virginia 24017; Charlie C. Crowder, Jr., General Manager, Fairfax County Water Authority, 8570 Executive Park Avenue, P.O. Box 1500, Merrifield, Virginia 22116-0815; M. Daniel Kuhns, Jr., Distribution Superintendent, Newport News Waterworks, 2600 Washington Avenue, Newport News, Virginia 23607; Tim Rioux, Area Manager, UTILX Corporation, 8391 Euclid Avenue, Unit D, Manassas, Virginia 20111; James S. Copenhaver, Senior Attorney, Columbia Gas of Virginia, Inc., P.O. Box 35674, Richmond, Virginia 23235-0674; Marvin McClain, Jr., Director of Quality Management, Utiliquist, L.L.C., 11781 Lee Jackson Highway, Fairfax, Virginia 22033; Diane L. Freeman, Administrative Assistant, Atlas Plumbing & Mechanical, L.L.C., 9095 Owens Court, Manassas Park, Virginia 20111; David R. Conner, President, E. C. Pace Company, Inc., P.O. Box 12685, Roanoke, Virginia 24027; Gary L. Robertson, Utility Director, County of Roanoke Utility Department, 1206 Kessler Mill Road, Salem, Virginia 24153; Diana L. McColgan, Utility Coordinator, Arlington County, Department of Public Works, Engineering Division, #1 Courthouse Plaza, Suite 813, 2100 Clarendon Boulevard, Arlington, Virginia 22201; Ronald L. Willhite, Director, Regulatory Affairs, LG&E Energy Corp., 220 West Main Street, P.O. Box 32030, Louisville, Kentucky 40232; Moe M. Wadda, P.E., Civil Engineer, City of Falls Church, Department of Environmental Services, Harry E. Wells Building, 300 Park Avenue, Falls Church, Virginia 22046-3332; Philip Monger, Director of Public Works, City of Harrisonburg, Water & Sewer Operations Center, 2155 Beery Road, Harrisonburg, Virginia 22801; Ifty Khan, Director, Fairfax County Wastewater Collection Division, 6000 Fred's Oak Road, Burke, Virginia 22015; Roy E. Covington, P.E., Assistant Director of Utilities,

Chesterfield County, P.O. Box 40, Chesterfield, Virginia 23832-0040; Dustin L. Harbaugh, Risk Manager, Flippo Construction Company, Inc., General Contractors, 3820 Penn-Belt Place, Forestville, Maryland 20747; Kenneth E. Tawney, Esquire, Columbia Gas Transmission Corp., P.O. Box 1273, Charleston, West Virginia 25325-1273; Jeffrey M. Karp, Esquire, and Heather A. Thomas, Esquire, Swidler Berlin Shereff Friedman, L.L.P., 3000 K Street, N.W., Suite 300, Washington, D.C. 20007; Robert M. Gillespie, Esquire, Christian & Barton, L.L.P., 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; Theodore F. Adams, III, Esquire, and Matthew B. Kirsner, Esquire, Mays & Valentine, L.L.P., P.O. Box 1122, Richmond, Virginia 23218; Dale P. Moore, Director of Rates, Regulatory Affairs, and Financial Planning, Roanoke Gas Company, P.O. Box 13007, Roanoke, Virginia 24030; John Berrettini, Accurate Locating, Inc., 1327 Ashton Road, Suite 101, Hanover, Maryland 21076; Danny Hylton, Operations Supervisor, Campbell County Utilities and Service Authority, 20644 Timberlake Road, Lynchburg, Virginia 24502; John R. Kern, Vice President of Operations, General Excavation Inc., 9745 James Madison Highway, Warrenton, Virginia 20187; Jack Watts, Loss Control, Contracting Enterprises Incorporated, P.O. Box 13725, Roanoke, Virginia 24036; and the Commission's Office of General Counsel and Division of Energy Regulation.

### ATTACHMENT A

#### ISSUES RELATING TO THE CERTIFICATION AND MAINTENANCE OF NOTIFICATION CENTERS UPON WHICH COMMENT IS SOUGHT

##### I. APPLICATION FOR CERTIFICATION OF NOTIFICATION CENTERS

- A. 1. Rule 20 VAC 5-300-90 I of the Commission's Rules governing certification of notification centers provides in pertinent part that

[a]n application for a certificate may be submitted for any geographic area (i) for which a certificate has been previously granted by the Commission, or (ii) in which a notification center exempt from the requirements of § 56-265.16:1 of the Code of Virginia is currently operating, if such application is supported by the operators of the underground facilities responsible for more than half of the ticket volume applicable to Virginia of the existing notification center during the most recent 12-month period preceding the filing of the application for which data is available. . . .

Should the requirement that an application be supported by operators of the underground facilities responsible for more than half of the ticket volume applicable to Virginia of the existing notification center be retained as a condition for filing an application for certification of a notification center?

2. How do the requirements of existing Rule 20 VAC 5-300-90 I affect the protection of the public against loss of, or damage to, life, health, property, or essential public services resulting from damage to underground utility lines?

3. What information about an applicant's operational plan for a notification center should be provided to the



Commission when considering an application for a certificate to become a notification center?

- a. Should the Commission require information about the vendors and agents a notification center may plan to use to carry out its notification functions?
- b. What information about a notification center's vendors and agents should the Commission require?
- c. Should the Commission require information about the notification center's training of its employees involved in the center's operation?
- d. Should the Commission require information relative to procedures the notification center uses to verify an operator's data provided to the notification center in accordance with Commission's Rule 20 VAC 5-309-130 of the Rules for Enforcement of the Underground Utility Damage Prevention Act?
- e. Should the Commission require information relative to specific procedures the notification center uses to reduce over-notification?
- f. Should the Commission require a notification center to file a copy of its current disaster recovery plan, which, when implemented, would allow the center to continue its operation in the event of a disaster?
- g. Should the Commission require information from the notification center regarding the center's quality standards for the purpose of promoting accuracy, cost effectiveness and efficiency?

4. What evidence should be required of a notification center and its agents to demonstrate financial responsibility for damages that may result from a notification center or its agent's violation of the provisions of the Underground Utility Damage Prevention Act, Chapter 10.3 (§ 56-265.14 et seq.) of Title 56 of the Code of Virginia?

5. How much liability insurance and what kind of liability insurance should be required of an applicant for certification as a notification center?

## II. NUMBER OF NOTIFICATION CENTERS IN THE COMMONWEALTH

B. 1. What criteria should the Commission consider to determine the optimum number of notification centers in the Commonwealth?

2. What advantages or disadvantages are there to having more than one notification center serving the Commonwealth?

3. What advantages or disadvantages are there to having a single notification center serve the Commonwealth?

4. If the Commission determines that there shall be more than one notification center in the Commonwealth, identify the criteria that the Commission should consider when defining the geographic area to be served by each notification center.

5. If the Commission determines that there shall be more than one notification center to serve the Commonwealth,

should the Commission require a single statewide toll-free number for contacting the notification centers regarding a proposed excavation?

## III. MAINTENANCE OF AN EXCAVATOR-OPERATOR INFORMATION EXCHANGE SYSTEM

C. 1. Should the Commission require a notification center to file with the Commission annually the center's operational plan to keep itself apprised of the center's activities that may impact its operation in the future?

2. Should a notification center be required to advise the Commission in writing when it proposes to change its agents or vendors that assist the center in its primary operating notification functions?

3. Notification centers currently use a set of codes and subcodes for the operation of the Ticket Information Exchange ("TIE") System. Should the Commission formally recognize these codes and subcodes in any rules it adopts?

4. Should the TIE System be "locked up" at a certain time after the original notification to prevent changing responses by the operator or locator to the TIE? If so, how long after the original notification should the TIE System be locked up to prevent operators or locators from changing responses?

5. Should notification centers provide users the means to permit remote data entry for operators, locators, and excavators?

6. The current Rules require a center to provide emergency service 365 days a year, 24 hours per day and regular service Monday through Friday, 7:00 a.m. through 5:00 p.m., excluding designated holidays. Should hours of operation for regular service be expanded? If the hours of operation for regular service should be expanded, what should the hours of operation for regular service for a notification center be?

## IV. GENERAL ISSUES

D. 1. Should the Commission require a notification center to file with the Commission annually the center's plan for public education/awareness regarding damage prevention?

2. Should the Commission regularly review a notification center's governing structure to ensure that the center functions to the best benefit of the entire community and in furtherance of the purpose of the Act?

3. Are there other issues that should be considered by the commission relative to certification of and maintenance of a notification center? State why these issues should be considered.

4. Comment on whether the Commission's authority to promulgate rules regarding notification centers permits the Commission to adopt specific regulations relating to each of the questions set out above. Set out all legal authority supporting your response as well as detailed comments concerning the merits of adopting specific regulations on each of the foregoing issues.

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# General Notices/Errata

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## Bureau of Insurance

August 1, 2001

### ADMINISTRATIVE LETTER 2001-6

**TO: All Licensed Carriers Required to File Rules, Rates and Forms with the Bureau of Insurance**

**RE: Rule, Rate and Form Submission Checklists**

In an effort to facilitate the Rule, Rate and Form submission and approval process, the Bureau of Insurance ("the Bureau") has developed a number of filing checklists. These checklists are now available on the Bureau's website at [www.state.va.us/scc/division/boi/webpages/insuranceco.htm](http://www.state.va.us/scc/division/boi/webpages/insuranceco.htm), and are indexed alphabetically by product type under separate categories for the Life and Health Division and the Property and Casualty Division of the Bureau.

The Bureau is committed to working with carriers to facilitate and improve the rule, rate and form filing, review and approval process. We believe that these checklists will serve as very useful tools, and that attention to the requirements enumerated in the checklists may eliminate errors, thereby expediting the overall filing process. We strongly encourage carriers to use these checklists.

The checklists have been formatted in a manner consistent with the directives of the Speed to Market working groups of the National Association of Insurance Commissioners (NAIC). Every effort has been made to make them as comprehensive and as understandable as possible. It should be noted, however, that the checklists provide guidance only. Carriers are expected and required to refer to the applicable sections of the Code of Virginia and the Virginia Administrative Code, all related administrative letters and administrative orders, and the Property and Casualty Filing Guidelines Handbook for complete requirements. Links to the Code of Virginia, the Virginia Administrative Code, the Bureau's administrative letters and administrative orders, and the Property and Casualty Filing Guidelines Handbook are provided through the Bureau's website at the address identified above. A link to the Bureau's website is also provided on each product checklist.

As checklists are revised and/or updated, the latest changes will be highlighted in contrasting color. While checklists will obviously be revised to reflect any legislative changes, it is also our expectation that some changes may be made simply for improvement or clarification. To that end, we welcome your comments or suggestions.

Each checklist includes a certification to be signed and submitted to the Bureau with each Rule, Rate or Form submission. The certification will serve to notify the Bureau that the filer used the checklist in preparing the submission, and that attention was given to the applicable requirements included therein.

Questions or comments concerning the checklists may be directed to the Rates, Rules and Forms Section responsible

for the review of the product(s), at the following telephone numbers:

Property and Casualty Rates, Rules and Forms (Commercial Lines)	804-371-9298
Property and Casualty Rates, Rules and Forms (Personal Lines)	804-371-9965
Life and Health Forms and Rates	804-371-9110

/s/ Alfred W. Gross  
Commissioner of Insurance

## BOARD OF CORRECTIONS

### Periodic Review of Regulations

Pursuant to Executive Order Number 25 (98), the Virginia Board of Corrections will review the following regulations to determine whether the regulation should be terminated, amended, or retained as written. If any changes are deemed necessary, the Department of Corrections will file the appropriate documentation as required by statute of procedures established by the Register of Regulations.

The board and the department seek public comment on the review of this regulation regarding pertinent issues relating to the standards, including (i) whether the regulation is effective in achieving its goals; (ii) whether the regulation is essential to protect the health, safety or welfare of the citizens; (iii) whether there are less burdensome and less intrusive alternatives for achieving the purpose of the regulation; and (iv) whether the regulation is clearly written and easily understandable by affected persons.

#### **6 VAC 15-28-10 et seq. Regulations for Public/Private Joint Venture Work Programs Operated in a State Correctional Facility.**

These regulations govern the form and review process for proposed agreements between the Department of Corrections and a public or private entity to operate a work program in a state correctional facility.

Written or electronically submitted comments may be submitted from August 27, 2001, until 5 p.m. on September 28, 2001. All comments should be addressed to Donald R. Guillory, Director, Virginia Correctional Enterprises, 8030 White Bark Terrace, Richmond, Virginia 23237, telephone (804) 743-4101 or e-mail [guillorydr@vadoc.state.va.us](mailto:guillorydr@vadoc.state.va.us).

#### **6 VAC 15-45-10 et seq. Regulations for Private Management and Operation of Prison Facilities.**

Section 53.1-266 of the Code of Virginia directs the Board of Corrections to promulgate regulations governing certain aspects of private management and operation of prison facilities. This regulation ensures that basic services, programs, and conditions in private facilities are comparable with state facilities. It also provides for administrative regulations governing contract termination, access to the facilities, and other agreements regarding the relationship between the Commonwealth and the vendors.

Written or electronically submitted comments may be submitted from August 27, 2001, until 5 p.m. on September 28, 2001. All comments should be addressed to Russell L. Boraas, Privatization Administrator, Virginia Department of Corrections, 6900 Atmore Drive, Richmond, Virginia 23225, telephone (804) 674-3300 or e-mail boraasrl@vadoc.state.va.us.

### DEPARTMENT OF CRIMINAL JUSTICE SERVICES

#### Division of Forensic Science

##### List of Approved Laboratories for Drugs and Alcohol Analysis

Title of Regulation: 6 VAC 20-200-10 et seq. Regulations for Approval of Independent Laboratories to Analyze Blood for Alcohol and Drugs in Driving Under the Influence Cases.

Statutory Authority: §§ 18.2-267 and 18.2-268.9 of the Code of Virginia.

Pursuant to 6 VAC 20-200-130, a list of approved laboratories for drugs and alcohol analysis is published below:

Medical College of Virginia  
Toxicology Laboratory  
403 North 13<sup>th</sup> Street  
Room 626  
Richmond, VA 23298-0597

### STATE BOARD OF SOCIAL SERVICES

#### Notice of Periodic Review of Regulations

Pursuant to Executive Order Number Twenty-five (98), the Department of Social Services is currently reviewing the below listed regulations to determine if they should be terminated, amended, or retained in their current form. The review will be guided by the principles listed in Executive Order Number Twenty-five (98) and in the department's Plan for Review of Existing Agency Regulations.

The department seeks public comment regarding the regulations' interference in private enterprise and life, essential need of the regulations, less burdensome and intrusive alternatives to the regulations, specific and measurable goals that the regulations are/is intended to achieve, and whether the regulations are clearly written and easily understandable.

The regulations are:

22 VAC 40-400-10 et seq., Funding Limitations for the Refugee Resettlement Program. Phyl Parrish, Program Specialist, Division of Community Programs, telephone (804) 692-2380, FAX (804) 692-1869 or e-mail psp2@email1.dss.state.va.us.

22 VAC 40-410-10 et seq., Entitlement Date in the General Relief Program. Contact: Terry Smith, Program Manager,

Adult Services Program, telephone (804) 692-1208, FAX (804) 692-2209 or e-mail tas2@email1.dss.state.va.us.

22 VAC 40-570-10 et seq., General Relief Program-Locality Options. Contact: Terry Smith, Program Manager, Adult Services Program, telephone (804) 692-1208, FAX (804) 692-2209 or e-mail tas2@email1.dss.state.va.us.

22 VAC 40-630-10 et seq., Disability Advocacy Project. Contact: Terry Smith, Program Manager, Adult Services Program, telephone (804) 692-1208, FAX (804) 692-2209 or e-mail tas2@email1.dss.state.va.us.

22 VAC 40-640-10 et seq., General Relief Program—Deeming Income from Alien Sponsors. Contact: Terry Smith, Program Manager, Adult Services Program, telephone (804) 692-1208, FAX (804) 692-2209 or e-mail tas2@email1.dss.state.va.us.

Written comments may be submitted until September 16, 2001, in care of the above listed contacts at 730 East Broad Street, Richmond, Virginia 23219-1849, or by facsimile to the above listed numbers.

### STATE WATER CONTROL BOARD

#### Notice of Intent to Approve Use of Virginia Wetlands Restoration Trust Fund as a Form of Compensatory Mitigation under 9 VAC 25-210-10 et seq.

Pursuant to § 62.1-44.15:5 D of the Code of Virginia and 9 VAC 25-210-115 E, the State Water Control Board (board) is giving notice of its intent to approve use of the Virginia Wetlands Restoration Trust Fund (the fund) as an acceptable form of compensatory mitigation for permitted impacts to state waters, including wetlands, after considering public comment for a 30-day period starting August 27, 2001. The Norfolk District Corps of Engineers (the "corps"), in their letter of August 7, 2001, has requested that the board approve use of the fund as meeting the requirements set forth in 9 VAC 25-210-115 E, including: dedication to the achievement of no net loss of wetland or stream acreage and function; consultation with the board on site selection; provision of annual reports detailing contributions by watershed; and a mechanism to establish fee amounts. In addition to their letter, the corps has provided a report on fund activities as they meet the above stated requirements. The letter and report are available on the Department of Environmental Quality web site at <http://www.deq.state.va.us> or by calling or e-mailing Ellen Gilinsky, Virginia Water Protection Permit Program Manager. Written comments, including those by e-mail, must be received no later than 4 p.m. on September 26, 2001, and should be submitted to Ellen Gilinsky at the address given below. Only those comments received within this period will be considered by the board. Written comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments.

Contact person: For additional information, contact Ellen Gilinsky, VWPP Program Manager, Office of Water Permit

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## General Notices/Errata

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Programs, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240, telephone (804) 698-4375, FAX (804) 698-4347 or e-mail [egilinsky@deq.state.va.us](mailto:egilinsky@deq.state.va.us).

### **Proposed Consent Special Order City Of Bedford**

The State Water Control Board ("SWCB") proposes to issue a Consent Special Order ("CSO") to the City Of Bedford regarding settlement of a civil enforcement action related to compliance with Consent Special Order effective February 2, 1999. On behalf of the SWCB, the department will consider written comments relating to this settlement for 30 days after the date of publication of this notice. Comments should be addressed to Steven B. Wright, DEQ West Central Regional Office, 3019 Peters Creek Road, NW, Roanoke, VA 24019.

The final CSO may be examined at the department during regular business hours. Copies are available from Mr. Wright at the address above or by calling him at (540) 562-6792.

### **Proposed Consent Special Orders City of Norfolk Ballard Brothers Fish Company, Inc. Concrete Placement Systems, Inc.**

The State Water Control Board proposes to take enforcement actions against the facilities listed above.

The proposed enforcement actions against these facilities are consent special orders. The proposed orders will require the payment of a civil charge to settle violations of the Virginia Water Control Law.

The Department of Environmental Quality will receive written comments relating to the board's proposed consent special orders from August 27, 2001, through September 26, 2001. Comments should be addressed to David S. Gussman, Department of Environmental Quality - Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, Virginia 23462 and should refer to one of the orders specified above. The proposed orders may be examined at the above address and copies of the orders may be obtained in person or by mail.

### **Proposed Consent Special Order Highland Oil Co., Inc./Cascades Market**

The State Water Control Board proposes to take enforcement action against Highland Oil Company, Inc. The company has agreed to the terms of a consent special order to address violations of the State Water Control Law and regulations at Cascades Market in Bath County, Virginia. Violations include the failure to take actions necessary to upgrade its facility to meet the December 22, 1998, deadline for underground storage tank compliance.

To settle these violations, the company has agreed to a schedule of corrective action at the facility. In addition, a release of petroleum products has been found on site, and the order requires corrective action to characterize and abate

this release. The company has also agreed to pay a civil charge for the violations.

The board will receive written comments relating to the proposed consent special order for 30 days from the date of publication of this notice. Comments should be addressed to Elizabeth V. Scott, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, Virginia, 22801, and should refer to the consent special order. Comments may also be submitted via electronic mail to [evscott@deq.state.va.us](mailto:evscott@deq.state.va.us). In order to be considered, electronic comments must be received prior to the close of the comment period and must include the name, address, and telephone number of the person making the comment.

The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia 22801. A copy of the order may be obtained in person or by mail from this office.

### **Proposed Amendment to Consent Special Order Mohanhbai C. Patel d/b/a Lighthouse Motel**

The State Water Control Board proposes to issue an amendment to the consent special order issued to Lighthouse Motel in Mecklenburg County, Virginia, on November 24, 1997. The Motel was required to eliminate the sewer treatment plant by connecting onto the Town of Clarksville's sewer treatment plant. The collection system extension to serve Lighthouse Motel was delayed by the securing of necessary easements. This amended order updates the compliance schedule to resolve the alleged violations of environmental laws and regulations occurring at their facility.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive for 30 days from the date of publication of this notice written comments related to the proposed consent special order. Comments should be addressed to Frank Lupini, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 23060-6295; or sent to the e-mail address of [felupini@deq.state.va.us](mailto:felupini@deq.state.va.us). All comments received by e-mail must include your name, address and phone number. A copy of the order may be obtained in person or by mail from the above office.

### **Proposed Consent Special Order Shockey Bros., Inc.**

The State Water Control Board (Board) proposes to issue a Consent Special Order (Order) to Shockey Bros., Inc., regarding the Shockey Precast Group's acid etching operation (VPDES Permit No. VA0067326) located in Spotsylvania County, Virginia.

The order provides, among other things, that Shockey Bros., Inc. construct a containment area to restrict run-off from the acid etching operation, install ground water monitoring wells, and commence monthly monitoring of the wells. In addition, Shockey Bros., Inc., is required to submit a revision to the Operation and Maintenance Manual and Storm Water

Pollution Prevention Plan that incorporates changes to the daily operation. Shockey Bros., Inc., has agreed to the issuance of the order.

On behalf of the board, the Department of Environmental Quality's Northern Virginia Regional Office will receive written comments relating to the Order through September 26, 2001. Address comments to Douglas E. Washington, Northern Virginia Regional Office, Department of Environmental Quality, 13901 Crown Court, Woodbridge, Virginia 22193. Please address comments sent via e-mail to [dewashingt@deq.state.va.us](mailto:dewashingt@deq.state.va.us). In order to be considered commenter's name, address, and telephone number. Write or visit the Woodbridge office or call at (703) 583-3888 in order to obtain or examine a copy of the consent order.

### **Proposed Consent Special Order Town of Kilmarnock**

The State Water Control Board proposes to issue a consent special order to the Town of Kilmarnock to resolve certain alleged violations of environmental laws and regulations occurring at their facility in Lancaster County, Virginia. The proposed order requires the Town of Kilmarnock to complete corrective action and pay a civil penalty.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive for 30 days from the date of publication of this notice written comments related to the proposed consent special order. Comments should be addressed to Frank Lupini, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia 23060-6295; or sent to the e-mail address of [felupini@deq.state.va.us](mailto:felupini@deq.state.va.us). All comments received by e-mail must include your name, address and phone number. 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

## **ERRATA**

### **DEPARTMENT OF SOCIAL SERVICES**

Title of Regulation: **22 VAC 40-730-10 et seq. Investigation of Child Abuse and Neglect in Out of Family Complaints.**

Publication: 17:13 VA.R. 2103-2104 March 12, 2001.

#### Correction to Emergency Regulation:

Page 2103, 22 VAC 40-730-10, no change should have been made to the "Central Registry" definition. The definition should read as follows:

"Central Registry" means the name index of individuals involved in child abuse and neglect reports maintained by the Virginia Department of Social Services.



VA.R. Doc. No. R01-122; Filed August 20, 2001, 11:16 a.m.

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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


### VIRGINIA AGRICULTURAL COUNCIL

**August 27, 2001 - 9 a.m.** -- Open Meeting

**August 28, 2001 - 8:30 a.m.** -- Open Meeting

The Best Western, Route 360, Warsaw, Virginia.   
(Interpreter for the deaf provided upon request)


An annual meeting to act upon the financial and business affairs of the council. The council will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes on August 27, 2001. Any person who needs any accommodation in order to participate at the meeting should contact Thomas Yates at least five days before the meeting date so that suitable arrangements can be made. Field trips to various agricultural interests start at 11 a.m. on August 27, 2001, and resume on August 28, 2001, from 8:30 a.m. to noon.

**Contact:** Thomas R. Yates, Assistant Secretary, Department of Agriculture and Consumer Services, 1100 Bank St., 5th Floor, Room 509, Richmond, VA, telephone (804) 786-6060, FAX (804) 371-8372, (800) 828-1120/TTY 

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Virginia Charity Food Assistance Advisory Board

**September 27, 2001 - 10:30 a.m.** -- Open Meeting


Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia. 

A routine meeting to discuss issues related to hunger, malnutrition, and food insecurity in the Commonwealth and potential opportunities to alleviate the problem. 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 Steven W. Thomas at least five days before the meeting date so that suitable arrangements can be made.

**Contact:** Steven W. Thomas, Executive Director, Department of Agriculture and Consumer Services, 1100 Bank St., Room 809, Richmond, VA 23219, telephone (804) 786-3936, FAX (804) 371-7788.

### Virginia Horse Industry Board

**September 26, 2001 - 9:30 a.m.** -- Open Meeting


Virginia Department of Forestry, 900 Natural Resources Drive, 2nd Floor, Conference Room, Charlottesville, Virginia. 

A meeting to (i) review the minutes of the previous meeting; (ii) review fiscal year marketing projects and budget; and (iii) consider revision of the grant guidelines and strategic plans. 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, Virginia Horse Industry Board, 1100 Bank St., Suite 1004, Richmond, VA 23219, telephone (804) 786-5842 or FAX (804) 371-7786.

### STATE AIR POLLUTION CONTROL BOARD

**August 28, 2001 - 7:30 p.m.** -- Public Hearing

City Hall, 441 Market Street, City Council Chambers, Suffolk, Virginia. 

A public hearing to receive comments on the proposed issuance of a State Operating Permit for the Ciba Specialty Chemical Corporation located in Suffolk, Virginia.

**Contact:** B. W. Halcrow, State Air Pollution Control Board, 5636 Southern Blvd., Virginia Beach, VA 23462, telephone (757) 518-2184, FAX (757) 518-2103, e-mail [bwhalcrow@deq.state.va.us](mailto:bwhalcrow@deq.state.va.us).

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**September 6, 2001** - Public comments may be submitted until 4:30 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **Regulations for the Control and Abatement of Air Pollution (Rev. B00): 9 VAC 5-10-10 et seq. General Definitions, 9 VAC 5-20-10 et seq. General Provisions, 9 VAC 5-40-10 et seq. Existing Stationary Sources, 9 VAC 5-80-10 et seq. Permits for Stationary Sources.** The purpose of the proposed amendments is to incorporate by reference the newest editions of technical documents that are required by federal law or regulation. They are included in order to ensure that the air pollution control regulations are properly implemented. The proposed amendments are being made to ensure that the most up-to-date and technically accurate documents are used, thus ensuring the proper implementation of the air pollution control regulations, and thereby protecting the public health and welfare.

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

Public comments may be submitted until September 6, 2001, to Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

**Contact:** Karen G. Sabasteanski, Policy Analyst, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, FAX (804) 698-4510, toll-free 1-800-592-5482, (804) 698-4021/TTY ☎, e-mail kgsabastea@deq.state.va.us.

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**September 14, 2001** - Public comments may be submitted until 4:30 p.m. on this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled: **NO<sub>x</sub> Emissions Budget Trading Program (Rev. D98): 9 VAC 5-140-10 et seq. Regulations for Emissions Trading.** The purpose of the proposed regulation is to establish a NO<sub>x</sub> Budget Trading Program as a means of mitigating the interstate transport of ozone and nitrogen oxides including the following provisions: permitting allowance methodology, monitoring, banking, compliance supplement pool, compliance determination and opt-in provisions for sources not covered by the regulation.

Beginning May 31, 2004, electric generating units with a nameplate capacity greater than 25 MWe and nonelectric generating units above 250 mmBtu will be subject to the provisions of the regulation. NO<sub>x</sub> emissions from subject units shall be capped to a specific limit (measured in tons) during the summer months of May 1 through September 31, otherwise known as the control period. The NO<sub>x</sub> cap shall be determined through a methodology based upon emission rates multiplied by heat input. If a unit does not

use all of its allowances for a specific control period, those extra tons may be banked for future use or sold. If a unit exceeds the capped limit, additional allowances may be purchased or the source may use banked allowances to offset the amount of NO<sub>x</sub> generated above the capped limit.

Sources found to be out of compliance will be forced to surrender allowances for the next year on a ratio of 3:1, i.e., for every ton over the cap, three tons will be forfeited from the next year's allocation.

Emissions will need to be monitored according to 40 CFR Part 75 for all sources subject to the regulation and for any sources wishing to opt-in to the program.

A compliance supplement pool is provided for sources that generate early reduction credits or demonstrate "undue risk." The allowances from the pool are good for only two years and cannot be banked after that two-year period.

Statutory Authority: §§ 10.1-1308 and 10.1-1322.3 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m. on September 14, 2001, to Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

**Contact:** Mary E. Major, Environmental Program Manager, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510, toll free 1-800-592-5482, (804) 698-4021 TTY ☎, e-mail memajor@deq.state.va.us.

† **September 20, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Richmond, Virginia. ♿

A regular meeting.

**Contact:** Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail cmb Berndt@deq.state.va.us.

† **September 26, 2001 - 10 a.m.** -- Public Hearing  
Main Street Centre, 600 East Main Street, Lower Level Conference Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A public hearing to receive comments on the proposed revision to the Regulations for the Control and Abatement of Air Pollution, concerning minor new and modified source review (9 VAC 5 Chapter 80, Revision YY) and the State Implementation Plan. On February 15, 1999, the board published a proposal (hereafter called the original proposal) to amend its regulations concerning new and modified new source review. In response to that request, comments were submitted that resulted in several changes being made to the original proposal. Because of the nature of the changes, the board is now seeking comment on the additional changes.

**Contact:** Mary Major, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-

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# Calendar of Events

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4423, FAX (804) 698-4510, (804) 698-4021/TTY ☎, e-mail mlmajor@deq.state.va.us.

† **November 7, 2001 - 9:30 a.m.** -- Open Meeting  
Wyndham Garden, 4600 South Laburnum Avenue,  
Richmond, Virginia. ♿

A regular meeting of the board and joint meeting with the State Advisory Board on Air Pollution.

**Contact:** Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail cmb Berndt@deq.state.va.us.

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

**September 12, 2001 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia. ♿

A meeting to conduct board business.

**Contact:** Mark N. Courtney, Assistant Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail apelsla@dpor.state.va.us.

### Certified Interior Designer Section

**September 5, 2001 - 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 board business. Persons desiring to participate in the meeting and requiring special accommodations or interpretative 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.

### Landscape Architect Section

**August 29, 2001 - 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 board business. Persons desiring to participate in the meeting and requiring special accommodations or interpretative 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.

## ART AND ARCHITECTURAL REVIEW BOARD

**September 7, 2001 - 10 a.m.** -- Open Meeting  
**October 5, 2001 - 10 a.m.** -- Open Meeting  
**November 2, 2001 - 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.

**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 ☎

## ASSISTIVE TECHNOLOGY LOAN FUND AUTHORITY

**September 20, 2001 - 10 a.m.** -- Open Meeting  
**October 18, 2001 - 10 a.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the Board of Directors. The board invites persons with disabilities, advocates or other interested parties to participate during the public comment session. Following the business meeting the board will meet in closed session to review loan applications.

**Contact:** Shilpa Joshi, Assistive Technology Loan Fund Authority, 8004 Franklin Farms Dr., Richmond, VA 23228, telephone (804) 662-9000, FAX (804) 662-9533, toll-free (800) 552-5019, (804) 662-9000/TTY ☎, e-mail loanfund@erols.com.

## COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND FAMILIES

### State Executive Council

**August 29, 2001 - 9 a.m.** -- Open Meeting  
**September 26, 2001 - 9 a.m.** -- Open Meeting  
**October 31, 2001 - 9 a.m.** -- Open Meeting  
Department of Social Services, 730 East Broad Street, Lower Level, Training Room 1, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting. An agenda will be posted on the web (<http://www.csa.state.va.us>) a week prior to the meeting.



**Contact:** Alan G. Saunders, Director, Comprehensive Services for At-Risk Youth and Families, 1604 Santa Rosa Rd., Suite 137, Richmond, VA 23229, telephone (804) 662-9815, FAX (804) 662-9831, e-mail AGS992@central.dss.state.va.us.

## BOARD FOR BARBERS AND COSMETOLOGY

**September 10, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation and the time of the meeting is subject to change. Any person desiring to attend and requiring special accommodations or interpretative services should contact the department at (804) 367-8590 or (804) 367-9753/TTY 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:** Zeldia W. Dugger, Board Administrator, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY, e-mail barbercosmo@dpor.state.va.us.

## DEPARTMENT FOR THE BLIND AND VISION IMPAIRED

† **September 6, 2001 - 4 p.m.** -- Public Hearing  
Virginia Rehabilitation Center for the Blind and Vision Impaired, 401 Azalea Avenue, Administration Building, Assembly Room, Richmond, Virginia.

† **October 26, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Blind and Vision Impaired intends to repeal regulations entitled: **22 VAC 45-60-10 et seq. Regulations Governing Provision of Services for the Infants, Children, and Youth Program.** The purpose of the proposed action is to repeal the regulations because the Office of the Attorney General has advised the Department for the Blind and Vision Impaired that it lacks the authority to promulgate this regulation.

Statutory Authority: § 22.1-217 of the Code of Virginia.

**Contact:** Glen R. Slonneger, Program Director, Education Services, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3113, FAX (804) 371-3351, toll-free 1-800-622-2155 or (804) 371-3140/TTY

## Statewide Rehabilitation Council for the Blind

**September 15, 2001 - 10 a.m.** -- Open Meeting  
Department for the Blind and Vision Impaired, 397 Azalea Avenue, Richmond, Virginia. (Interpreter for the deaf provided upon request)

Council meets quarterly to advise the Department for the Blind and Vision Impaired on matters related to vocational rehabilitation services for the blind and visually impaired citizens of the Commonwealth.

**Contact:** James G. Taylor, VR Program Director, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3111, FAX (804) 371-3390, toll-free (800) 622-2155, (804) 371-3140/TTY, e-mail taylorjg@dbvi.state.va.us.

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**September 28, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Blind and Vision Impaired intends to amend regulations entitled: **22 VAC 45-70-10 et seq. Provision of Services in Rehabilitation Teaching.** The regulation provides both eligibility requirements and services that are provided under the department's rehabilitation teaching program. The department is making content changes to eliminate unnecessary detail and bring the regulation up to date in the areas of visual eligibility.

**Contact:** Jane B. Ward-Solomon, Program Director, Rehabilitation Teaching/Independent Living, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3112, FAX (804) 371-3351, toll-free 1-800-622-2155 or (804) 371-3140/TTY

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**September 28, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Blind and Vision Impaired intends to repeal regulations entitled: **22 VAC 45-90-10 et seq. Supervision of Administrative Regulations Governing Intake and Social Services.** The existing regulation outlines the department's internal procedures for processing individuals referred to the department for services and specifies circumstances in which individuals may not be referred to other service that the department provides.

**Contact:** Joseph A. Bowman, Deputy Commissioner, Services Delivery, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3144, FAX (804) 371-3157, toll-free 1-800-622-2155 or (804) 371-3140/TTY

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# Calendar of Events

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**September 28, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department for the Blind and Vision Impaired intends to amend regulations entitled: **22 VAC 45-110-10 et seq. Regulations Governing Low Vision.** The amendments delete the obsolete section that deals with using the department's endowment funds as sponsorship for low vision services and require consumer financial participation in the cost of low vision aids. The section dealing with driving with bioptics is repealed and changes are made to update and simplify terminology.

Statutory Authority: § 63.1-85 of the Code of Virginia.

**Contact:** Marge A. Owens, Human Services Program Coordinator, Department for the Blind and Vision Impaired, 401 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3344, FAX (804) 371-3092, toll-free 1-800-622-2155 or (804) 371-3151/TTY ☎

† **October 16, 2001 - 1 p.m.** -- Open Meeting  
Department for the Blind and Vision Impaired, 397 Azalea Avenue, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

A meeting to review and comment on policies, budget and request for appropriations for the department, review information regarding department activities and operations, review expenditures from the board's endowment fund, and discuss other issues raised for the board members.

**Contact:** Katherine C. Proffitt, Administrative Staff Assistant, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3145, FAX (804) 371-3157, toll-free (800) 622-2155, (804) 371-3140/TTY ☎, e-mail proffikc@dbvi.state.va.us.

## CHARITABLE GAMING COMMISSION

**August 30, 2001 - 10 a.m.** -- Open Meeting  
Sheraton Oceanfront Hotel, 36th and Atlantic Avenue, Virginia Beach, Virginia.🗣️

A regular commission meeting.

**Contact:** Frances C. Jones, Administrative Staff Assistant, Charitable Gaming Commission, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-3014, FAX (804) 786-1079, e-mail jones@cgc.state.va.us.

## CHILD DAY-CARE COUNCIL

† **September 13, 2001 - 9 a.m.** -- Open Meeting  
Theater Row Building, 730 East Broad Street, Conference Room 1, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

A meeting to discuss issues and concerns that impact child day centers, camps, school age programs and preschools/nursery schools. Public comment period will be

at noon. Please call ahead for possible changes in meeting time.

**Contact:** Arlene Kasper, Program Development Consultant, Child Day-Care Council, 730 E. Broad St., Richmond, VA 23219-1849, telephone (804) 692-1791, FAX (804) 692-2370.

## STATE BOARD FOR COMMUNITY COLLEGES

† **September 19, 2001 - 2:30 p.m.** -- Open Meeting  
Virginia Community College System, James Monroe Building, 101 North 14th Street, 15th Floor, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

Meetings of the Academic and Student Affairs Committee, Audit Committee, and Budget and Finance Committee, beginning at 2:30. The Facilities and Personnel Committee will meet at 3:30 p.m.

**Contact:** D. Susan Hayden, Public Relations Manager, State Board for Community Colleges, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY ☎

† **September 20, 2001 - 9 a.m.** -- Open Meeting  
Virginia Community College System, James Monroe Building, 101 North 14th Street, Godwin-Hamel Board Room, 15th Floor, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

A regular meeting. Public comment will be received at the beginning of the meeting.

**Contact:** D. Susan Hayden, Public Relations Manager, State Board for Community Colleges, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY ☎

## COMPENSATION BOARD

**August 28, 2001 - 11 a.m.** -- Open Meeting  
Ninth Street Office Building, 202 N. 9th Street, 10th Floor, Richmond, Virginia.🗣️

A monthly board meeting.

**Contact:** Cindy P. 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.

## DEPARTMENT OF CONSERVATION AND RECREATION


### Falls of the James Scenic River Advisory Board

**September 13, 2001 - Noon** -- Open Meeting  
Richmond City Hall, 900 East Broad Street, 5th Floor Conference Room, Richmond, Virginia.🗣️ (Interpreter for the deaf provided upon request)

A meeting to discuss river issues. Requests for an interpreter for the deaf must 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.


## Virginia Soil and Water Conservation Board

**September 20, 2001 - 9 a.m.** -- Open Meeting  
Virginia State University, Petersburg, Virginia.  (Interpreter for the deaf provided upon request)


A regular business meeting. Requests for interpreter for the deaf should be filed at least 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.


## BOARD FOR CONTRACTORS

**September 19, 2001 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


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

**Contact:** David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.state.va.us.


## BOARD OF CORRECTIONAL EDUCATION

**† September 21, 2001 - 10 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A general business meeting.


**Contact:** Patty Ennis, Board Clerk, Board of Correctional Education, James Monroe Bldg., 101 N. 14th St., 7th Floor, Richmond, VA 23219, telephone (804) 225-3314, FAX (804) 786-7642, (804) 371-8647/TTY , e-mail paennis@dce.state.va.us.

## CRIMINAL JUSTICE SERVICES BOARD

**† September 13, 2001 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

A regular meeting of the Committee on Training. Agenda to be announced.


**Contact:** George Gotschalk, DCJS Standards and Training Section Chief, Criminal Justice Services Board, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-8001, FAX (804) 786-8981, e-mail ggotschalk@dcjs.state.va.us.

**† September 13, 2001 - 11 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 


A regular meeting to include the director's report, Committee on Training report, voting on proposed bylaw changes to CJIS Committee, state police witness protection program, and consideration of grants.

**Contact:** Christine Wiedemer, Administrative Staff Assistant to the Director, Criminal Justice Services Board, 805 E. Broad St., Richmond, VA 23219, telephone (804) 786-8718, FAX (804) 786-8981, e-mail cwiedemer@dcjs.state.va.us.

## BOARD OF DENTISTRY

**† September 7, 2001 - 9:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia. 


A meeting of the Regulatory Committee to consider its periodic review report, a NOIRA on professional designations, and any other business as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** Sandra Reen, Executive Director, Board of Dentistry, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9906, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail sandra\_reen@dhp.state.va.us.

## DISABILITY SERVICES COUNCIL

**September 6, 2001 - 10 a.m.** -- Open Meeting  
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The council will review Rehabilitative Services Incentive Fund grant proposals submitted by Disability Services Boards in response to Competitive Application packages and make grant awards.


**Contact:** LaDonna Rogers, Administrative Staff Assistant, Department of Rehabilitative Services, 8004 Franklin Farms Dr., P.O. Box K-300, Richmond, VA 23288-0300, telephone (804) 662-7154, FAX (804) 662-9533, toll-free (800) 552-5019, (800) 464-9950/TTY , e-mail rogersll@drs.state.va.us.

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# Calendar of Events

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## VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP

† **September 4, 2001 - 11 a.m.** -- Open Meeting  
Department of Economic Development, Riverfront Plaza, 901 East Byrd Street, West Tower, 19th Floor, Richmond, Virginia. 

A meeting of the Board of Directors to discuss issues pertaining to the Virginia Economic Development Partnership.

**Contact:** Kimberly M. Ellett, Administrative Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218-0798, telephone (804) 371-8108, FAX (804) 371-8112.


## BOARD OF EDUCATION


**September 20, 2001 - 9:30 a.m.** -- Open Meeting  
Henrico County School Board Office, 3820 Nine Mile Road, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A working session of the Accountability Advisory Committee. Public comment will not be received. Persons requesting the services of an interpreter for the deaf should do so in advance.

**Contact:** Cam Harris, Board of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2102, FAX (804) 225-2524.

NOTE: CHANGE IN MEETING DATE

**September 26, 2001 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

**October 22, 2001 - 9 a.m.** -- Open Meeting  
Virginia School For the Deaf and Blind, East Beverley Street, Staunton, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting. Public comment will 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, Board 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](mailto:mroberts@mail.vak12ed.edu).

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**September 26, 2001 - 2:30 p.m.** -- Public Hearing  
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia.

**October 12, 2001** - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to amend regulations entitled: **9 VAC 20-120-10 et**

**seq. Regulations Governing Vocational Education (Career and Technical Education).** The purpose of the proposed action is to align the regulations with state and federal law and regulations.

Statutory Authority: §§ 22.1-16 and 22.1-227 of the Code of Virginia.


**Contact:** Dr. Neils Brooks, Director, Career and Technical Education, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2847 or FAX (804) 371-2456.

## STATE BOARD OF ELECTIONS


† **August 30, 2001 - 10:30 a.m.** -- Open Meeting  
State Capitol, House Room 1, Richmond, Virginia. 


Certification of the August 21, 2001, results.

**Contact:** Vanessa E. Archie, Executive Secretary Senior, State Board of Elections, 200 N. 9th St., Room 101, Richmond, VA 23219, telephone (804) 786-6551, FAX (804) 371-0194, toll-free (800) 552-9745, (804) 260-3466/TTY , e-mail [varchie@sbe.state.va.us](mailto:varchie@sbe.state.va.us).


† **September 7, 2001 - 1 p.m.** -- Open Meeting  
State Capitol, House Room 1, Richmond, Virginia. 

Certification of September 4, 2001, results.

**Contact:** Vanessa Archie, Executive Secretary Senior, State Board of Elections, 200 N. 9th St., Room 101, Richmond, VA 23219, telephone (804) 786-6551, FAX (804) 371-0194, toll-free (800) 552-9745, (804) 260-3466/TTY , e-mail [varchie@sbe.state.va.us](mailto:varchie@sbe.state.va.us).

† **November 26, 2001 - 1 p.m.** -- Open Meeting  
State Capitol, House Room 1, Richmond, Virginia. 


Certification of November 6, 2001, results.

**Contact:** Vanessa E. Archie, Executive Secretary Senior, State Board of Elections, 200 N. 9th St., Room 101, Richmond, VA 23219, telephone (804) 786-6551, FAX (804) 371-0194, toll-free (800) 552-9745, (804) 260-3466/TTY , e-mail [varchie@sbe.state.va.us](mailto:varchie@sbe.state.va.us).

## LOCAL EMERGENCY PLANNING COMMITTEE - WINCHESTER

† **September 5, 2001 - 3 p.m.** -- Open Meeting  
Shawnee Fire Department, 2333 Roosevelt Boulevard, Winchester, Virginia.

A regular business meeting.

**Contact:** L. A. Miller, Fire and Rescue Chief, Winchester Fire and Rescue Department, Local Emergency Planning Committee, 126 N. Cameron St., Winchester, VA 22601, telephone (540) 662-2298, (540) 662-4131/TTY .

## DEPARTMENT OF ENVIRONMENTAL QUALITY

† **August 30, 2001 - 7 p.m.** -- Public Hearing  
Yorktown Public Library, 8500 George Washington Highway  
(Route 17), Yorktown, Virginia. ☎

A public hearing to receive comments on the proposed permit amendment for the Virginia Power Yorktown Power Station Industrial Waste Landfill located on State Route 30, approximately 3/4 mile north of the intersection of State Route 630 and State Route 173 in York County.

**Contact:** Donald H. Brunson, III, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4239, e-mail dhbrunson@deq.state.va.us.

† **September 10, 2001 - 7 p.m.** -- Public Hearing  
City of Radford Courthouse, 619 Second Street, Circuit Courtroom, Radford, Virginia. ☎

A public hearing to receive comments on the proposed issuance of a permit for post-closure care of hazardous waste management unit 5.

**Contact:** Garwin W. Eng, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4131, e-mail gweng@deq.state.va.us.

## BOARD OF FUNERAL DIRECTORS AND EMBALMERS

† **September 11, 2001 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ☎

The board will consider its periodic review of regulations report and conduct a general business meeting. Public comment will be received at the beginning of the meeting.

**Contact:** Elizabeth Young Tisdale, 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 etisdale@dhp.state.va.us.

† **September 19, 2001 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ☎

A meeting of the Regulatory/Bylaws Committee to consider issues related to the regulations and bylaws of the board. Public comment will be received at the beginning of the meeting.

**Contact:** Elizabeth Young Tisdale, 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 etisdale@dhp.state.va.us.

## STATE BOARD OF HEALTH

† **September 4, 2001 - 10 a.m.** -- Open Meeting  
Department of Health, 1500 East Main Street, 3rd Floor, Conference Room, Richmond, Virginia. ☎

A meeting of the Minimum "Footprint" Committee to allow various stakeholders to discuss and craft a direction for developing amendments to the Sewage Handling and Disposal Regulations that will incorporate the concept of a minimum footprint in designing and constructing onsite sewage disposal systems.

**Contact:** Dwayne Roadcap, Environmental Health Coordinator, Department of Health, Main Street Station, 1500 E. Main St., Room 115, Richmond, VA 23219, telephone (804) 786-1620, FAX (804) 225-4003, toll-free 1-800-858-1120/TTY ☎, e-mail droadcap@vdh.state.va.us.

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**September 10, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to adopt regulations entitled: **12 VAC 5-581-10 et seq. Sewage Collection and Treatment (SCAT) Regulations.** The purpose of the proposed action is to provide uniform statewide standards governing the design, construction, and operation of the sewage collection systems and sewage treatment works.

Statutory Authority: §§ 32.1-164 and 62.1-44.19 of the Code of Virginia.

**Contact:** Calmet M. Sawyer, Ph.D., P.E., Division Director, Division of Wastewater Engineering, Department of Health, 1500 E. Main St., Room 109, Richmond, VA 23219, telephone (804) 786-1755, FAX (804) 786-5567.

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**August 27, 2001 - 7 p.m.** -- Public Hearing  
1 County Complex, McCoart Building, Prince William County Board Chambers, Prince William, Virginia.

**August 29, 2001 - 7 p.m.** -- Public Hearing  
Virginia Beach Central Library, 4100 Virginia Beach Boulevard, Auditorium, Virginia Beach, Virginia.

**August 31, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to **repeal** regulations entitled: **12 VAC 5-420-10 et seq. Rules and Regulations Governing Restaurants** and **adopt** regulations entitled: **12 VAC 5-421-10 et seq. Regulations Governing Restaurants.** The purpose of the proposed action is to repeal the existing regulations and adopt new regulations that comply with the 1997 FDA Model Food Code. The proposed regulations address the emergence of new strains of bacteria and other organisms and incorporate new control measures for the prevention of food borne disease.

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# Calendar of Events

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Statutory Authority: §§ 35.1-11 and 35.1-14 of the Code of Virginia.

**Contact:** Gary L. Hagy, Director, Division of Food and Environmental Services, Department of Health, P.O. Box 2448, Richmond, VA 23218-2448, telephone (804) 225-4022.

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**August 27, 2001 - 7 p.m.** -- Public Hearing  
Thomas Jefferson Health District Office Conference Room,  
1138 Rose Hill Drive, Charlottesville, Virginia.

**August 29, 2001 - 7 p.m.** -- Public Hearing  
Board of Supervisors Room, Holbert Building, 9104  
Courthouse Road, Spotsylvania, Virginia.

**September 5, 2001 - 7 p.m.** -- Public Hearing  
Human Services Auditorium, James City County Human  
Services Building, 5249 Old Towne Road, Williamsburg,  
Virginia.

**September 24, 2001** - Public comments may be submitted  
until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to **repeal** regulations entitled: **12 VAC 5-430-10 et seq. Transient Lodging and Hotel Sanitation in Virginia** and **adopt** regulations entitled: **12 VAC 5-431-10 et seq. Sanitary Regulations Governing Hotels**. The proposed amendments update the regulations to more modern industry and public health standards. The regulations require annual inspections of a percentage of the total number of hotels. They also require automatic ice dispenser in lieu of ice machines with common ice bins.

Statutory Authority: §§ 35.1-11 and 35.1-13 of the Code of Virginia.

**Contact:** Gary L. Hagy, Director, Division of Food and Environmental Services, Department of Health, P.O. Box 2448, Room 115, Richmond, VA 23218, telephone (804) 225-4022 or FAX (804) 225-4003.

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**October 12, 2001** - Public comments may be submitted until  
this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Health intends to amend regulations entitled: **12 VAC 5-371-10 et seq. Regulations for Licensure of Hospitals** and **12 VAC 5-410-10 et seq. Regulations for the Licensure of Nursing Facilities**. Section 32.1-102.2 of the Code of Virginia requires the State Health Commissioner, through regulation, to condition a nursing facility or hospital license on whether the applicant has complied with any agreement as a result of the granting of a Certificate of Public Need (COPN) or upon the up-to-date payment of any civil penalties owned as a result of the willful failure to honor the condition of a COPN. This action is to finalize the emergency regulatory action that became effective on December 31, 1999.


Statutory Authority: §§ 32.1-12 and 32.1-102.2 of the Code of Virginia.

**Contact:** Carrie Eddy, Policy Analyst, Center for Quality Health Care Services, Department of Health, 3600 W. Broad St., Suite 216, Richmond, VA 23230, telephone (804) 367-2102 or FAX (804) 367-2149.

## BOARD FOR HEARING AID SPECIALISTS

**September 17, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, 4th Floor, Richmond, Virginia.   
(Interpreter for the deaf provided upon request)

An open meeting to discuss regulatory review and other matters requiring board action, including disciplinary cases. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation and the time of the meeting is subject to change. Any person who desires to attend the meeting and requires special accommodations or interpretative services should contact the department at (804) 367-2785 or (804) 367-9753/TTY 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:** Susan Luebehusen, Board Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-2785, FAX (804) 367-6295, (804) 367-9753/TTY , e-mail hearingaidspec@dpor.state.va.us.

## STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA


**September 11, 2001 - 11 a.m.** -- Open Meeting  
Virginia Commonwealth University, Siegel Center, Founders  
Room, Richmond, Virginia.

Agenda materials will be available on the website approximately one week prior to the meeting at [www.schev.edu](http://www.schev.edu).

**Contact:** Lee Ann Rung, State Council of Higher Education for Virginia, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 225-2602, e-mail [lrung@schev.edu](mailto:lrung@schev.edu).

## DEPARTMENT OF HISTORIC RESOURCES

### State Review Board and Historic Resources Board

**September 12, 2001 - 10 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, Boulevard and Grove Avenue,  
Auditorium, Richmond, Virginia. 

A quarterly meeting to consider proposed nominations to the Virginia Landmarks Register and to the National Register of Historic Places. Register preliminary applications, state highway markers, and historic preservation easements will also be considered.

**Contact:** Marc C. Wagner, Register Manager, Department of Historic Resources, 2801 Kensington Ave., Richmond, VA 23221, telephone (804) 367-2323, FAX (804) 367-2391, (804) 367-2386/TTY ☎, e-mail mwagner@dhr.state.va.us.

## BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

**September 12, 2001 - 11:30 a.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia. ♿

A joint luncheon meeting of the Board of Housing and Community Development and the Virginia Housing Development Authority Board of Commissioners.

**Contact:** Steve Calhoun, Department of Housing and Community Development, 501 N. 2nd St, Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090.

**September 12, 2001 - 1 p.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia. ♿

A regular business meeting. This meeting is held at the location of the 2001 Virginia Housing Conference.

**Contact:** Stephen W. Calhoun, Department of Housing and Community Development, 501 N. Second St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090, e-mail scalhoun@dhcd.state.va.us.

## Codes and Standards Committee

**September 12, 2001 - 8 a.m.** -- Open Meeting  
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia. ♿

Consideration of issues related to building and fire safety regulation and development of proposals for the full board.

**Contact:** Stephen W. Calhoun, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090, e-mail scalhoun@dhcd.state.va.us.

## STATEWIDE INDEPENDENT LIVING COUNCIL

† **October 11, 2001 - 1 p.m.** -- Open Meeting  
Blue Ridge Center for Independent Living, 1502 D Williamson Road, Roanoke, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular quarterly meeting.

**Contact:** Jim Rothrock, SILC Staff, Department of Rehabilitative Services, 1802 Marroit Rd. Richmond, VA 23229, telephone (804) 673-0119, FAX (804) 282-7118.

## VIRGINIA INTERAGENCY COORDINATING COUNCIL

† **September 12, 2001 - 9:30 a.m.** -- Open Meeting  
Department of Information Technology, Richmond Plaza Building, 110 South 7th Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting to advise and assist the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services as lead agency for Part C (of IDEA), early intervention for infants and toddlers with disabilities and their families. Discussion will focus on issues related to Virginia's implementation of the Part C program.

**Contact:** LaKeishia L. White, Part C Office Services Specialist, Department of Mental Health, Mental Retardation and Substance Abuse Services, Early Intervention, 9th Floor, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3710 or FAX (804) 371-7959.

## JAMESTOWN-YORKTOWN FOUNDATION

**November 8, 2001 - 10 a.m.** -- Open Meeting  
**November 9, 2001 - 8 a.m.** -- Open Meeting  
Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia. ♿ (Interpreter for the deaf provided upon request)

† **November 18, 2001 - Noon** -- Open Meeting  
† **November 19, 2001 - 8 a.m.** -- Open Meeting  
Radisson Fort Magruder Inn, 6945 Pocahontas Trail, Williamsburg, Virginia. ♿ (Interpreter for the deaf provided upon request)

A semi-annual meeting of the Board of Trustees. Specific schedule to be confirmed. Public comment will not be heard.

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

## DEPARTMENT OF LABOR AND INDUSTRY

### Virginia Apprenticeship Council

**August 29, 2001 - 10 a.m.** -- Open Meeting  
Department of Labor and Industry, Powers-Taylor Building, 13 South 13th Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)


A special subcommittee meeting of the council.

**Contact:** Beverley Donati, Assistant Program Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail bgd@doli.state.va.us.


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# Calendar of Events


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**September 20, 2001 - 10 a.m.** -- Open Meeting  
Virginia Employment Commission, 703 East Main Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A quarterly meeting of the council.

**Contact:** Beverley Donati, Assistant Program Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY , e-mail [bgd@doli.state.va.us](mailto:bgd@doli.state.va.us).


## Virginia Apprenticeship Council Exemption from Examination Subcommittee

† **September 20, 2001 - 10 a.m.** -- Open Meeting  
Virginia Employment Commission, 703 East Main Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A general meeting.

**Contact:** Beverley Donati, Assistant Program Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY , e-mail [bgd@doli.state.va.us](mailto:bgd@doli.state.va.us).

## Virginia Migrant and Seasonal Farmworkers Board

**October 24, 2001 - 10 a.m.** -- Open Meeting  
State Capitol, House Room 1, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular quarterly meeting.

**Contact:** Betty B. Jenkins, Board Administrator, Department of Labor and Industry, 13 S. 13th Street, Richmond, VA 23219, telephone (804) 782-2391, FAX (804) 371-6524, (804) 786-2376/TTY , e-mail [bbj@doli.state.va.us](mailto:bbj@doli.state.va.us).


## STATE LAND EVALUATION ADVISORY COUNCIL

**September 20, 2001 - 10 a.m.** -- Open Meeting  
Department of Taxation, Richmond District Office, 1708 Commonwealth Avenue, Richmond, Virginia.

A meeting to adopt ranges of values for agricultural, horticultural, forest and open-space land use and the use-value assessment program.

**Contact:** H. Keith Mawyer, Property Tax Manager, Department of Taxation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8020.

## THE LIBRARY OF VIRGINIA

**September 17, 2001 - 8:15 a.m.** -- Open Meeting  
† **November 19, 2001 - 8:15 a.m.** -- Open Meeting  
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. 


A meeting 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](mailto:jtaylor@lva.lib.va.us).


## COMMISSION ON LOCAL GOVERNMENT

**September 5, 2001 - 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.

**Contact:** Barbara W. Bingham, Administrative Assistant, Commission on Local Government, 900 E. 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](mailto:bbingham@clg.state.va.us).

## LONGWOOD COLLEGE

† **September 7, 2001 - 9 a.m.** -- Open Meeting  
The Stallard Board Room, Lancaster Hall, Longwood College, 201 High Street, Farmville, Virginia. 

Routine business meetings of the following committees:


Academic and Student Affairs Committee - 9 a.m.

Audit Committee - 11:30 a.m.

Administration, Finance and Facilities Committees - 1 p.m.

Institutional Advancement Committee - 3:45 p.m.

**Contact:** Jeanne Hayden, Administrative Staff Assistant, Longwood College, Office of the President, Longwood College, 201 High St., Farmville, VA 23909, telephone (434) 395-2004.

† **September 8, 2001 - 9 a.m.** -- Open Meeting  
The Stallard Board Room, Lancaster Hall, Longwood College, 201 High Street, Farmville, Virginia. 


A meeting of the Board of Visitors to conduct routine business of the college.

**Contact:** Jeanne Hayden, Administrative Staff Assistant, Longwood College, Office of the President, Longwood




College, 201 High St., Farmville, VA 23909, telephone (434) 395-2004.

## MARINE RESOURCES COMMISSION


**August 28, 2001 - 9:30 a.m.** -- Open Meeting  
**September 25, 2001 - 9:30 a.m.** -- Open Meeting  
**† October 23, 2001 - 9:30 a.m.** -- Open Meeting  
Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia. 

A monthly meeting.


**Contact:** LaVerne Lewis, Commission Secretary, Marine Resources Commission, 2600 Washington Ave., Newport News, VA 23607, telephone (757) 247-2261, FAX (757) 247-2020, toll-free (800) 541-4646, (757) 247-2292/TTY , e-mail llewis@mrc.state.va.us.

## DEPARTMENT OF MEDICAL ASSISTANCE SERVICES


### Pharmacy Liaison Committee

**September 10, 2001 - 1 p.m.** -- Open Meeting  
Department of Medical Assistance Services, 600 East Broad Street, Board Room, Suite 1300, Richmond, Virginia. 


A general meeting.


**Contact:** Marianne Rollings, R.Ph., Committee Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4268, FAX (804) 225-4393, (800) 343-0634/TTY , e-mail mrollings@dmas.state.va.us.

## BOARD OF MEDICINE

**† September 12, 2001 - 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 periodic review of regulations and other issues 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.

**† September 13, 2001 - 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 matters related to regulations and other issues 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.


**† September 13, 2001 - 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 periodic review of regulations and other issues 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.

**† September 14, 2001 - 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 Physician Assistants to discuss regulations and legislation and other issues 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.


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**September 14, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled: **18 VAC 85-20-10 et seq. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, and Chiropractic.** The proposed amendments replace emergency regulations establishing that of the 200 hours of acupuncture training required for doctors of medicine, osteopathy, podiatry and chiropractic to practice acupuncture, 50 hours must be in clinical practice.

Statutory Authority: §§ 54.1-2400 and 54.1-2956.9 of the Code of Virginia.

**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, (804) 662-7197/TTY , e-mail wharp@dhp.state.va.us.

**† September 26, 2001 - 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 proposed regulations pursuant to its periodic review, related to supervision of unlicensed persons and

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# Calendar of Events

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other issues 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.

† **September 26, 2001 - 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 Committee on Radiologic Technology to consider periodic review of regulations and other issues 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.

† **September 28, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A meeting of the Legislative Committee to discuss matters related to legislative and regulatory issues, receive reports from advisory committees, and consider other business 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.

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**September 28, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled: **18 VAC 85-110-10 et seq. Regulations Governing the Practice of Licensed Acupuncturists.** The purpose of the proposed amendments is to establish the requirements for licensed acupuncturists to provide a form to patients recommending a diagnostic examination by a physician.

Statutory Authority: §§ 54.1-2400 and 54.1-2956.9 of the Code of Virginia.

**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, (804) 662-7197/TTY ☎, e-mail wharp@dhp.state.va.us.

**October 24, 2001 - 8:30 a.m.** -- Open Meeting  
Wyndham Hotel, 2801 Hershberger Road, Roanoke, Virginia.

A panel of the board will convene a formal hearing to inquire into allegations that a practitioner may have violated

laws and regulations governing the practice medicine and other healing arts in Virginia. The panel 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, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail psadler@dhp.state.va.us.

## Informal Conference Committee

**August 30, 2001 - 9 a.m.** -- Open Meeting  
**September 27, 2001 - 9 a.m.** -- Open Meeting  
Williamsburg Marriott Hotel, 50 Kingsmill Road, Williamsburg, Virginia.

**September 6, 2001 - 9 a.m.** -- Open Meeting  
† **October 4, 2001 - 9 a.m.** -- Open Meeting  
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia.

† **September 12, 2001 - 9 a.m.** -- Open Meeting  
† **November 14, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia.

† **September 20, 2001 - 9:45 a.m.** -- Open Meeting  
Wyndham Hotel, 2801 Hershberger Road, Roanoke, Virginia.

An informal conference committee composed of three members of the board will 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/Renee Dixson, Staff, Board of Medicine, 6606 W. Broad St., Richmond, VA, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail PSadler@dhp.state.va.us.

## DEPARTMENT OF MINES, MINERALS AND ENERGY


### Abandoned Mine Land Advisory Committee

† **September 5, 2001 - 3 p.m.** -- Open Meeting  
Powell River Project, Route 620, Norton, Virginia. ♿  
(Interpreter for the deaf provided upon request)

The semiannual meeting for the review of current and outstanding issues of the Abandoned Mine Land Program (AML) and Rural Abandoned Mine Program (RAMP). An interpreter for the hearing impaired is available upon request.

**Contact:** Roger L. Williams, AML Services Manager, Department of Mines, Minerals and Energy, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (540) 523-8208, FAX (540) 523-8247, (800) 828-1120/TTY ☎, e-mail rlw@mme.state.va.us.

## MOTOR VEHICLE DEALER BOARD

† **September 10, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street,  
Room 702, Richmond, Virginia.  (Interpreter for the deaf  
provided upon request)


Committees will meet as follows:

Dealer Practices Committee - 8:30 a.m.  
Franchise Law Committee - Five minutes after Dealer  
Practices Committee  
Licensing Committee - 10 a.m.  
Advertising Committee - Five minutes after Licensing  
Committee  
Personnel Committee - Five minutes after Advertising  
Committee  
Transaction Recovery Fund Committee - 1 p.m.  
Finance Committee - Five minutes after Transaction  
Recovery Fund Committee


The full board meets at 1:45 p.m. Meetings may begin  
later, but not earlier than scheduled. Meeting end times are  
approximate. Any person who needs any accommodation  
in order to participate in the meeting should contact the  
board at least 10 days before the meeting so that suitable  
arrangements can be made.

**Contact:** Alice R. Weedon, Administrative Assistant, Motor  
Vehicle Dealer Board, 2201 W. Broad St., Suite 104,  
Richmond, VA 23220, telephone (804) 367-1100, FAX (804)  
367-1053, toll-free (877) 270-0203, e-mail  
dboard@mvb.state.va.us.


## VIRGINIA MUSEUM OF FINE ARTS

**September 20, 2001 - 12:30 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue,  
Auditorium, Richmond, Virginia. 


A quarterly meeting. 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.


## Architect Search Committee

**September 19, 2001 - 10 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO  
Building, 2nd Floor Conference Room, Richmond, Virginia. 


A quarterly meeting.

**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.


## Buildings and Grounds Committee

**September 20, 2001 - 8:30 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO  
Building, 2nd Floor Conference Room, Richmond, Virginia. 


A quarterly meeting. 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.


## Collections Committee

**September 20, 2001 - 9:30 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue,  
Auditorium, Richmond, Virginia. 


A quarterly meeting. 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.


## Communications and Marketing Committee

**September 19, 2001 - 3:15 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO  
Building, 2nd Floor Conference Room, Richmond, Virginia. 


A quarterly meeting. 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.


## Education and Programs Committee

**September 19, 2001 - 2 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO  
Building, 2nd Floor Conference Room, Richmond, Virginia. 


A quarterly meeting. 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.


## Executive Committee

**September 6, 2001 - 8 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main  
Lobby Conference Room, Richmond, Virginia. 

A quarterly meeting. 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.

## Exhibitions Committee

**September 19, 2001 - 4:30 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, 2800 Grove Avenue, CEO  
Building, 2nd Floor Conference Room, Richmond, Virginia. 

A quarterly meeting. Public comment will not be received.

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# Calendar of Events

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**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.

## Finance Committee

**September 20, 2001 - 11 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, Main Lobby Conference Room, 2800 Grove Avenue, Richmond, Virginia.📍

A quarterly meeting. 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.

## Legislative Committee

**September 19, 2001 - 11:30 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, Main Lobby Conference Room, 2800 Grove Avenue, Richmond, Virginia.📍

A quarterly meeting. 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.

## Planning Committee

**September 19, 2001 - 12:30 p.m.** -- Open Meeting  
Virginia Museum of Fine Arts, Auditorium, 2800 Grove Avenue, Richmond, Virginia.📍

A quarterly meeting. 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.

## Program Review Committee

**September 19, 2001 - 9 a.m.** -- Open Meeting  
Virginia Museum of Fine Arts, Main Lobby Conference Room, 2800 Grove Avenue, Richmond, Virginia.📍

A quarterly meeting. 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.

## BOARD OF NURSING

**September 24, 2001 - 8:30 a.m.** -- Open Meeting  
**September 26, 2001 - 8:30 a.m.** -- Open Meeting  
**September 27, 2001 - 8:30 a.m.** -- Open Meeting  
**October 9, 2001 - 8:30 a.m.** -- Open Meeting  
**October 15, 2001 - 8:30 a.m.** -- Open Meeting  
**October 16, 2001 - 8:30 a.m.** -- Open Meeting

**† November 26, 2001 - 8:30 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 and 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.

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**September 25, 2001 - 3 p.m.** -- Public Hearing  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia.

**September 28, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Nursing intends to amend regulations entitled: **18 VAC 90-20-10 et seq. Regulations Governing the Practice of Nursing.** The amendments are proposed to provide rules for the collection of data about the nursing workforce. Proposed amendments replace and are identical to emergency rules currently in effect.

Statutory Authority: §§ 54.1-2400 and 54.1-3012.1 of the Code of Virginia.

**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.

## Committee of Joint Boards of Nursing and Medicine

**August 29, 2001 - 9 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia.📍

The committee will consider amendments to regulations for prescriptive authority and other items of business as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

**Contact:** Nancy K. Durrett, R.N., Executive Director, Board of Nursing, Southern States Bldg., 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail ndurrett@dhp.state.va.us.

## Special Conference Committee

**August 28, 2001 - 8:30 a.m.** -- Open Meeting  
**October 2, 2001 - 8:30 a.m.** -- Open Meeting  
**October 18, 2001 - 8:30 a.m.** -- Open Meeting  
**October 22, 2001 - 8:30 a.m.** -- Open Meeting  
**October 23, 2001 - 8:30 a.m.** -- Open Meeting  
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Rooms 3 and 4, 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.

## VIRGINIA OUTDOORS FOUNDATION

### Open Space Lands Preservation Trust Fund - Region II

† **September 6, 2001 - 10:30 a.m.** -- Open Meeting  
Albemarle County Office Building, 4th Floor, Conference Room 435, Charlottesville, Virginia. ♿

A meeting to review Open Space Lands Preservation Trust Fund Region II applications, if any, and new member orientation.

**Contact:** Sherry Buttrick, Director, Charlottesville Office, Virginia Outdoors Foundation, 1010 Harris St., Suite 4, Charlottesville, VA 22903, telephone (804) 293-3423, FAX (804) 293-3859, e-mail vofsherryb@aol.com.

## BOARD OF PHYSICAL THERAPY

**September 28, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Physical Therapy intends to adopt regulations entitled: **18 VAC 112-10-10 et seq. Public Participation Guidelines.** The proposed regulations establish guidelines for public participation in the promulgation of regulations and replace emergency regulations currently in effect.

Statutory Authority: §§ 54.1-2400 and 54.1-3475 of the Code of Virginia.

**Contact:** Elizabeth Young Tisdale, Executive Director, Board of Physical Therapy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9924.

## POLYGRAPH EXAMINERS ADVISORY BOARD

**September 19, 2001 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A general meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretative 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.

## BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

† **September 17, 2001 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Conference Room, Richmond, Virginia. ♿

A regular meeting.

**Contact:** Judy Spiller, Executive Secretary, Board for Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519, FAX (804) 367-9537, (804) 367-9753/TTY ☎, e-mail spiller@dpor.state.va.us.

## BOARD OF PSYCHOLOGY

**September 28, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Psychology intends to amend regulations entitled: **18 VAC 125-10-10 et seq. Public Participation Guidelines.** The proposed amendments update the guidelines for public participation in the regulatory process of the board, specifically, to further enable electronic notifications and submissions.

Statutory Authority: §§ 9-6.14:7.1 and 54.1-2400 and of the Code of Virginia.

**Contact:** Evelyn Brown, Executive Director, Board of Psychology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9913.

## VIRGINIA PUBLIC SCHOOL AUTHORITY

**September 14, 2001 - 9:30 a.m.** -- Open Meeting  
James Monroe Building, 101 North 14th Street, 3rd Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to consider applications and authorization for the Series 2001 B pool bond issue, which will have both subsidy and nonsubsidy components, and other related business.

**Contact:** Richard Davis, Manager, VPSA, Department of the Treasury, James Monroe Bldg., 101 N. 14th Street, 3rd Floor, Richmond, VA 23219, telephone (804) 225-4928, FAX (804) 225-3187, e-mail richard.davis@trs.state.va.us.

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# Calendar of Events

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## REAL ESTATE APPRAISER BOARD

† **October 23, 2001 - 10 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia.

A general business meeting.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, e-mail reboard@dpor.state.va.us.

## REAL ESTATE BOARD

**September 12, 2001 - 4 p.m.** -- Open Meeting  
† **September 24, 2001 - 4 p.m.** -- Open Meeting  
† **October 24, 2001 - 4 p.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia.

A general business meeting of the Real Estate Education Committee.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, e-mail reboard@dpor.state.va.us.

**September 13, 2001 - 8 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia.

A general business meeting of the Fair Housing Committee.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, e-mail reboard@dpor.state.va.us.

**September 13, 2001 - 9 a.m.** -- Open Meeting  
† **October 25, 2001 - 9 a.m.** -- Open Meeting  
Department of Professional and Occupational Regulation,  
3600 West Broad Street, Richmond, Virginia.

A general business meeting.

**Contact:** Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, e-mail reboard@dpor.state.va.us.

## VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

† **September 11, 2001 - 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. Call or e-mail Michael Murphy.

**Contact:** Michael P. Murphy, Director, Environmental Enhancement, Virginia Recycling Markets Development Council, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4003, FAX (804) 698-4319, toll-free 1-800-592-5482, (804) 698-4021/TTY ♿, e-mail mpmurphy@deq.state.va.us.

## VIRGINIA RESOURCES AUTHORITY

**September 11, 2001 - 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:** Benjamin Hoyle, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Suite 1350, Richmond, VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail bhoyle@vra.state.va.us.


## SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

**September 19, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate  
Room B, Richmond, Virginia. ♿

A meeting to hear appeals of health department denials of septic tank permits.

**Contact:** Susan Sherertz, Secretary to the Board, Sewage Handling and Disposal Appeal Review Board, 1500 E. Main St., Room 117, Richmond, VA 23219, telephone (804) 371-4236, FAX (804) 225-4003, e-mail ssherertz@vdh.state.va.us.

## VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

**August 28, 2001 - 10 a.m.** -- Open Meeting  
Department of Business Assistance, 707 East Main Street,  
3rd Floor, Board Room, 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

**August 31, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to repeal regulations entitled: **22 VAC 40-560-10. Monthly Reporting in the Food Stamp Program.** The purpose of the proposed action is to repeal this regulation, which identified which households were required to file monthly reports as a condition of eligibility for the Food Stamp Program.


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

**Contact:** Celestine Jackson, Human Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1716, FAX (804) 692-1704.

**September 28, 2001 - 10 a.m.** -- Open Meeting  
Virginia Department of Social Services, 730 East Broad Street, 8th Floor, Richmond, Virginia. 

A regular meeting.

**Contact:** Nan McKenney, Executive Director, State Board of Social Services, 730 E. Broad St., 8th Floor, Richmond, VA 23219-1849, telephone (804) 692-1823, FAX (804) 692-1869.

**October 15, 2001 - 1:30 p.m.** -- Public Hearing  
**October 19, 2001 - 10 a.m.** -- Public Hearing  
Department of Social Services, 730 East Broad Street, Richmond, Virginia. 

A public hearing on the Commonwealth's temporary assistance for needy families program state plan.

**Contact:** Carolyn Snook, TANF Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1836, FAX (804) 692-1709.

## BOARD FOR PROFESSIONAL SOIL SCIENTISTS

**October 12, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board for Professional Soil Scientists intends to amend regulations entitled: **18 VAC 145-20-10 et seq. Board for Soil Scientists Rules and Regulations.** The proposed amendments make several changes necessary to reflect the intent of the board and to ensure that any unnecessary requirements are removed. The proposed amendments also reorganize and revise the regulations for clarity and ease of use.

Statutory Authority: §§ 54.1-201 and 54.1-2200 et seq. of the Code of Virginia.

**Contact:** Karen W. O'Neal, Assistant Director, Board for Professional Soil Scientists, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537.

## DEPARTMENT OF TAXATION

**September 24, 2001 - 10 a.m.** -- Public Hearing  
Department of Motor Vehicles, 2300 West Broad Street, Williamsburg Room, Richmond, Virginia.

**October 12, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Taxation intends to adopt regulations entitled: **23 VAC 10-110-10 et seq. Individual Income Tax.** The purpose of the proposed action is to replace expired emergency regulations with permanent regulations for claiming the qualified equity and subordinated debt investments tax credit and for allocating tax credits if total credit requests exceed \$5 million in a calendar year.

Public comments may be submitted until October 12, 2001, to David T. Mason, Department of Taxation, P.O. Box 1880, Richmond, VA 23220-1880, e-mail dmason@tax.state.va.us.

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

**Contact:** Michael M. Melson, Executive Assistant, Department of Taxation, P.O. Box 1880, Richmond, VA 23220-1880, telephone (804) 367-8010 or FAX (804) 367-0045.

## COUNCIL ON TECHNOLOGY SERVICES

**September 24, 2001 - 9 a.m.** -- Open Meeting  
Virginia Military Institute, Lexington, Virginia.


A general meeting.

**Contact:** Jenny Wootton, Council on Technology Services, Washington Bldg., 1100 Bank St., Suite 901, Richmond, VA 23219, telephone (804) 786-0744, FAX (804) 371-7952, e-mail jwootton@egov.state.va.us.

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# Calendar of Events

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**November 8, 2001 - 9 a.m.** -- Open Meeting  
VDOT Auditorium, 1221 East Broad Street, Richmond, Virginia. 

A full group meeting.

**Contact:** Jenny Wootton, Secretary of Technology, 1100 Bank St., Suite 901, Richmond, VA 23219, telephone (804) 786-0744, FAX (804) 371-7952, e-mail jwootton@egov.state.va.us.

## DEPARTMENT OF TECHNOLOGY PLANNING

### Virginia Geographic Information Network Advisory Board

**September 6, 2001 - 1:30 p.m.** -- Open Meeting  
Location to be announced. 

A regular quarterly meeting.

**Contact:** William Shinar, VGIN Coordinator, Department of Technology Planning, 110 S. 7th St., Suite 135, Richmond, VA 23219, telephone (804) 786-8175, FAX (804) 371-2795, e-mail bshinar@vgin.state.va.us.

## VIRGINIA TOBACCO SETTLEMENT FOUNDATION

† **September 11, 2001 - 1:30 p.m.** -- Open Meeting  
Virginia Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia.

A meeting of the Board of Trustees. The purpose of the foundation is to utilize 10% of the funds the Commonwealth of Virginia will receive through the Master Settlement Agreement. The focus of the foundation is youth tobacco use prevention.

**Contact:** Karen B. Harris, Administrative Staff Specialist, Virginia Tobacco Settlement Foundation, 701 E. Franklin St., 5th Floor, Richmond, VA 23219, telephone (804) 786-2523, FAX (804) 225-2272, e-mail kharris@tsf.state.va.us.

## COMMONWEALTH TRANSPORTATION BOARD

† **September 19, 2001 - 2 p.m.** -- Open Meeting  
Department of Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. 

A work session of the Commonwealth Transportation Board and the Department of Transportation staff.

**Contact:** Cathy M. Ghidotti, Assistant Secretary to the Board, Commonwealth Transportation Board, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675, FAX (804) 786-6683, e-mail ghidotti\_cm@vdot.state.va.us.


† **September 20, 2001 - 10 a.m.** -- Open Meeting  
Department of Transportation, 1221 East Broad Street, Auditorium, Richmond, Virginia. 

A monthly meeting to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board

approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which opportunity for public comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact VDOT Public Affairs at (804) 786-2715 for schedule.

**Contact:** Cathy M. Ghidotti, Assistant Secretary to the Board, Commonwealth Transportation Board, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-6675, FAX (804) 786-6683, e-mail ghidotti\_cm@vdot.state.va.us.

## TRANSPORTATION SAFETY BOARD

† **September 6, 2001 - 9 a.m.** -- Open Meeting  
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to review the 2002 federal highway safety grants and other highway safety issues.

**Contact:** Angelisa Jennings, Management Analyst, Transportation Safety Board, 2300 W. Broad St., Richmond, VA 23269, telephone (804) 367-2026, FAX (804) 367-6031.

## VIRGINIA EMPLOYMENT COMMISSION

**September 17, 2001 - 1 p.m.** -- Public Hearing  
Virginia Employment Commission Central Office, 703 East Main Street, 1st Floor, Conference Room, Richmond, Virginia.

**September 28, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Employment Commission intends to amend regulations entitled: **16 VAC 5-10-10 et seq. Definitions and General Provisions; 16 VAC 5-60-10 et seq. Benefits; 16 VAC 5-70-10 et seq. Interstate and Multistate Claimants; 16 VAC 5-80-10 et seq. Adjudication.** The purpose of the proposed action is to amend the regulations to establish unemployment application by telephone and the Internet and establish adjudication by telephone and incorporate other policy and statutory changes.

Statutory Authority: § 60.2-111 A of the Code of Virginia.

**Contact:** Lynnette H. Coughlin, Regulatory Coordinator, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-1070 or FAX (804) 225-3923.

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**September 17, 2001 - 1 p.m.** -- Public Hearing  
Virginia Employment Commission Central Office, 703 East Main Street, 1st Floor, Conference Room 125, Richmond, Virginia.

**September 28, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Employment Commission intends to amend regulations entitled: **16 VAC 5-20-10 et seq. Unemployment Taxes.** The purpose of the proposed action is to eliminate requirements for reimbursable nonprofit employers to post a surety bond.

Statutory Authority: § 60.2-111 A of the Code of Virginia.

**Contact:** Lynnette H. Coughlin, Regulatory Coordinator, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-1070 or FAX (804) 225-3923.

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**September 17, 2001 - 1 p.m.** -- Public Hearing  
Virginia Employment Commission Central Office, 703 East Main Street, 1st Floor, Conference Room, Richmond, Virginia.


**September 28, 2001** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Employment Commission intends to amend regulations entitled: **16 VAC 5-32-10 et seq. Required Records and Reports.** The purpose of the proposed amendments is to codify current state and federal policies regarding the records employers may be required to produce to verify income reporting and to allow employers to submit reports electronically.

Statutory Authority: § 60.2-111 of the Code of Virginia.

**Contact:** Lynnette H. Coughlin, Regulatory Coordinator, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-1070 or FAX (804) 225-3923.


## VIRGINIA VOLUNTARY FORMULARY BOARD

**September 17, 2001 - 10 a.m.** -- Public Hearing  
Washington Building, 1100 Bank Street, 2nd Floor Conference Room, Richmond, Virginia. 

A public hearing to consider the adoption and issuance of revisions to the Virginia Voluntary Formulary. The proposed revisions to the formulary add and delete drugs to and from the Virginia Voluntary Formulary. Copies of the proposed revisions to the Virginia Voluntary Formulary are available for inspection at the Bureau of Pharmacy Services, Virginia Department of Health, Monroe Building, 101 North 14th Street, Room S-45, P.O. Box 2448, Richmond, Virginia 23218. Written comments sent to the above address and received prior to 5 p.m. on September 17, 2001, will be made a part of the hearing record and considered by the Formulary Board.

**Contact:** James K. Thomson, Director, Bureau of Pharmacy Services, Department of Health, 101 N. 14th St., Room S-45, Richmond, VA 23219, telephone (804) 786-4326.

## VIRGINIA WASTE MANAGEMENT BOARD

**† September 5, 2001 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A meeting of the advisory committee assisting the department in the development of amendments to the Solid Waste Management Regulations.

**Contact:** Michael Dieter, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4146, FAX (804) 698-4327, e-mail [mjdieter@deq.state.va.us](mailto:mjdieter@deq.state.va.us).

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**September 6, 2001** -- Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Waste Management Board intends to amend regulations entitled: **9 VAC 20-60-12 et seq. Virginia Hazardous Waste Management Regulations.** The purpose of proposed Amendment 15A is to clarify that low-level radioactive waste is not subject to the requirements of this regulation. The proposed amendments in Amendment 15B are the result of a comprehensive review of incorporation of federal regulations and, among other things, delete the text located in Part XI describing the permitting process and replace it with analogous federal text.

Statutory Authority: § 10.1-1402 of the Code of Virginia.

**Contact:** Robert G. Wickline, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4213, FAX (804) 698-4327, e-mail [rgwickline@deq.state.va.us](mailto:rgwickline@deq.state.va.us).

## STATE WATER CONTROL BOARD

**† August 28, 2001 - 10 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A meeting of the advisory committee assisting in the development of amendments to the general VPDES permit for discharges from car wash facilities.

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

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# Calendar of Events

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**September 11, 2001 - 9 a.m.** -- Open Meeting  
Department of Environmental Quality, Piedmont Regional  
Office, 4949-A Cox Road, Glen Allen, Virginia. ♿

A meeting of the advisory committee assisting in the  
development of regulations for the reuse of reclaimed  
wastewater.

**Contact:** Lily Choi, State Water Control Board, Department  
of Environmental Quality, P.O. Box 10009, Richmond, VA  
23240, telephone (804) 698-4054, FAX (804) 698-4032, e-  
mail ychoi@deq.state.va.us.

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**September 14, 2001** -- Public comments may be submitted  
until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of  
the Code of Virginia that the State Water Control Board  
intends to amend regulations entitled: **9 VAC 25-650-10 et  
seq. Closure Plan and Demonstration of Financial  
Capability.** The purpose of the proposed regulation is to  
establish requirements for privately owned sewerage  
treatment systems and sewerage treatment works that  
discharge more than 1,000 and less than 40,000 gallons  
per day to have a closure plan and demonstrate financial  
capability to implement the plan.

Statutory Authority: § 62.1-44.15(10) of the Code of Virginia.

**Contact:** Jon van Soestbergen, State Water Control Board,  
Department of Environmental Quality, P.O. Box 10009,  
Richmond, VA 23240, telephone (804) 698-4117, FAX (804)  
698-4032, e-mail jvansoest@deq.state.va.us.

† **October 4, 2001 - 9 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets,  
Richmond, Virginia. ♿

A regular board meeting.

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

## VIRGINIA WORKFORCE COUNCIL

† **September 12, 2001 - 2 p.m.** -- Open Meeting  
**October 3, 2001 - 10 a.m.** -- Open Meeting  
Richmond, Virginia. ♿ (Interpreter for the deaf provided upon  
request)

The exact location, time and agenda to be announced at a  
later date. Public comment is scheduled for 11 a.m. on  
October 3, 2001. Comments are limited to five 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 grobinson@vec.state.va.us.

## INDEPENDENT

### STATE LOTTERY BOARD

**September 12, 2001 - 9:30 a.m.** -- Open Meeting  
Pocahontas Building, 900 East Main Street, Richmond,  
Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the board. Public comment will be  
received at the beginning of the meeting.

**Contact:** Barbara L. Robertson, Virginia State Lottery, 900 E.  
Main St., Richmond, VA 23219, telephone (804) 692-7105,  
FAX (804) 692-7775, e-mail  
brobertson@valottery.state.va.us.

### VIRGINIA RETIREMENT SYSTEM

**October 18, 2001 - 9 a.m.** -- Open Meeting  
† **November 14, 2001 - 3 p.m.** -- Open Meeting  
VRS Headquarters, 1200 East Main Street, Richmond,  
Virginia. ♿

Regular meetings of the Audit and Compliance Committee  
and 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  
dkestner@vrs.state.va.us.

**September 19, 2001 - 3 p.m.** -- Open Meeting  
† **November 14, 2001 - 3 p.m.** -- Open Meeting  
VRS Headquarters, 1200 East Main Street, Richmond,  
Virginia. ♿

A regular meeting of the Investment Advisory 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.

† **November 15, 2001 - 8 a.m.** -- Public Hearing  
VRS Headquarters, 1200 East Main Street, Richmond,  
Virginia. ♿

The 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.

† **November 15, 2001 - 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.

## LEGISLATIVE

### VIRGINIA CODE COMMISSION

**August 30, 2001 - 10 a.m.** -- Open Meeting  
**October 3, 2001 - 10 a.m.** -- Open Meeting  
**October 4, 2001 - 10 a.m.** -- Open Meeting  
**† November 15, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, 6th Floor, Speaker's Conference Room, Richmond, Virginia. ♿

A meeting to continue with the recodification of Title 63.1 of the Code of Virginia and to conduct any other business that may come before the commission. Public comment will be received at the end of the meeting.

**Contact:** Jane Chaffin, Registrar of Regulations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591 FAX (804) 692-0625, e-mail jchaffin@leg.state.va.us.

### HOUSE COMMITTEE ON CORPORATIONS, INSURANCE AND BANKING

**† September 14, 2001 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

A regular meeting. Questions about the agenda should be addressed to Frank Munyan, Division of Legislative Services, (804) 786-3591.

**Contact:** Dawn B. Smith, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

### LEGISLATIVE TRANSITION TASK FORCE OF THE VIRGINIA ELECTRICAL UTILITY RESTRUCTURING ACT

**† September 7, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia.

A regular meeting. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least seven working days prior to the meeting.

**Contact:** Thomas C. Gilman, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

### JOINT SUBCOMMITTEE STUDYING VIRGINIA'S ELECTION PROCESS AND VOTING TECHNOLOGIES

#### Task Force #2 (Voter Registration and Election Day)

**August 28, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, 4th Floor, West Conference Room, Richmond, Virginia.

An all-day meeting. Any questions should be directed to Mary Spain, Jack Austin, or Ginny Edwards, Division of Legislative Services, (804) 786-3591.

**Contact:** Barbara L. Regen, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

### JOINT SUBCOMMITTEE TO STUDY CREATION OF A NORTHERN VIRGINIA REGIONAL TRANSPORTATION AUTHORITY

**† September 12, 2001 - 9:30 a.m.** -- Open Meeting  
Fairfax County Government Center, 12000 Government Center Parkway, Room 232, Fairfax, Virginia.

A regular meeting. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least seven working days prior to the meeting.

**Contact:** Thomas C. Gilman, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY ☎

### JOINT COMMISSION ON PRESCRIPTION DRUG ASSISTANCE (HJR 810)

**September 12, 2001 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿

**October 10, 2001 - 2 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

A meeting of the joint commission to develop ways and means to provide prescription drug assistance to needy senior citizens and to coordinate state and federal programs providing such assistance. Questions about the agenda should be addressed to Gayle Vergara, Division of Legislative Services, (804) 786-3591.


**Contact:** Lois V. Johnson, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY ☎

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# Calendar of Events

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## **JOINT SUBCOMMITTEE STUDYING THE RESPONSIBILITIES, POLICIES, AND ACTIVITIES OF THE STATE CORPORATION COMMISSION**

**September 19, 2001 - 10 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 


A regular meeting. Individuals with questions about the agenda or who require interpreter services or other special accommodations should contact Senate Committee Operations.

**Contact:** John McE. Garrett, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 

## **RURAL VIRGINIA PROSPERITY COMMISSION**

† **August 28, 2001 - 9:30 a.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, 6th Floor, Speaker's Conference Room, Richmond, Virginia. 


A regular meeting. Questions about the agenda should be addressed to Jeff Sharp, Division of Legislative Services, (804) 786-3591.

**Contact:** Scott Maddrea, House Committee Operations, P.O. Box 406, Richmond, VA 23218, telephone (804) 698-1540 or (804) 786-2369/TTY 

## **JOINT SUBCOMMITTEE TO STUDY AND REVISE VIRGINIA'S STATE TAX CODE**

**September 4, 2001 - 1 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.

A regular meeting. Questions regarding the meeting should be directed to Joan Putney, Mark Vucci or David Rosenberg, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least seven working days prior to the meeting.

**Contact:** Patty J. Lung, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 

## **JOINT COMMISSION ON TECHNOLOGY AND SCIENCE**

† **September 4, 2001 - 10 a.m.** -- Open Meeting  
Center for Innovative Technology, Herndon, Virginia.

A meeting of the Privacy Advisory Committee to study privacy issues surrounding current developments in technology. For more information, please see our website at ([jcots.state.va.us](http://jcots.state.va.us)).


**Contact:** Mitchell P. Goldstein, Director, Joint Commission on Technology and Science, 910 Capitol Street, Richmond,

VA 23219, telephone (804) 786-3591, e-mail [MGoldstein@leg.state.va.us](mailto:MGoldstein@leg.state.va.us).

## **JOINT SUBCOMMITTEE TO STUDY FUNDING OF UNFUNDED TRANSPORTATION PROJECTS IN HAMPTON ROADS**


† **August 28, 2001 - 10 a.m.** -- Open Meeting  
City of Virginia Beach Central Library, 4100 Virginia Beach Boulevard, Virginia Beach, Virginia.

A regular meeting. Individuals requiring interpreter services or other accommodations should call or write Senate Committee Operations at least seven working days prior to the meeting.


**Contact:** Thomas C. Gilman, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 

## **COMMISSION ON THE FUTURE OF VIRGINIA'S ENVIRONMENT**

**August 27, 2001 - 1 p.m.** -- Open Meeting  
NOTE: CHANGE IN MEETING DATE

**September 26, 2001 - 1 p.m.** -- Open Meeting  
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. 

A regular meeting. Individuals with questions about the agenda or who require interpreter services or other special accommodations should contact Senate Committee Operations.

**Contact:** John McE. Garrett, Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, telephone (804) 698-7450 or (804) 698-7419/TTY 

# CHRONOLOGICAL LIST

## OPEN MEETINGS

### August 27

Agricultural Council, Virginia  
Virginia's Environment, Commission on the Future of

### August 28

Agricultural Council, Virginia  
Compensation Board  
Election Process and Voting Technologies, Joint Subcommittee Studying  
Marine Resources Commission  
Nursing, Board of  
- Special Conference Committee  
† Rural Virginia Prosperity Commission  
Small Business Financing Authority, Virginia  
† Unfunded Transportation Projects in Hampton Roads, Joint Subcommittee to Study Funding of  
† Water Control Board, State

### August 29

Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, Board for  
- Landscape Architect Section

At-Risk Youth and Families, Comprehensive Services for  
 - State Executive Council  
 Labor and Industry, Department of  
 - Virginia Apprenticeship Council  
 Nursing, Board of  
 - Committee of the Joint Boards of Nursing and Medicine

## August 30

Code Commission, Virginia  
 † Elections, State Board of  
 Gaming Commission, Charitable  
 Medicine, Board of  
 - Informal Conference Committee

## September 4

† Economic Development Partnership, Virginia  
 - Board of Directors  
 † Health, Department of  
 - Minimum "Footprint" Committee  
 State Tax Code, Joint Subcommittee to Study and Revise  
 Virginia's  
 † Technology and Science, Joint Commission on  
 - Privacy Advisory Committee

## September 5

Architects, Professional Engineers, Land Surveyors,  
 Certified Interior Designers and Landscape Architects,  
 Board for  
 - Certified Interior Designer Section  
 † Emergency Planning Committee, Local - Winchester  
 Local Government, Commission on  
 † Mines, Minerals and Energy, Department of  
 - Abandoned Mine Land Advisory Committee  
 † Waste Management Board, Virginia

## September 6

Disability Services Commission  
 Medicine, Board of  
 - Informal Conference Committee  
 Museum of Fine Arts, Virginia  
 - Executive Committee  
 † Outdoors Foundation, Virginia  
 - Open Space Lands Preservation Trust Fund - Region II  
 Technology Planning, Department of  
 - Virginia Geographic Information Network Advisory  
 Board  
 † Transportation Safety Board

## September 7

Art and Architectural Review Board  
 † Dentistry, Board of  
 - Regulatory Committee  
 † Elections, State Board of  
 † Electrical Utility Restructuring Act, Legislative Transition  
 Task Force of the Virginia  
 † Longwood College  
 - Academic and Students Affairs Committee  
 - Administration Committee  
 - Audit Committee  
 - Facilities Committee  
 - Finance Committee  
 - Institutional Advancement Committee

## September 8

† Longwood College

## September 10

Barbers and Cosmetology, Board for  
 Medical Assistance Services, Department of

- Pharmacy Liaison Committee  
 † Motor Vehicle Dealer Board  
 - Advertising Committee  
 - Dealer Practices Committee  
 - Finance Committee  
 - Franchise Law Committee  
 - Licensing Committee  
 - Personnel Committee  
 - Transaction Recovery Fund Committee

## September 11

† Funeral Directors and Embalmers, Board of  
 Higher Education for Virginia, State Council of  
 † Recycling Markets Development Council, Virginia  
 Resources, Authority, Virginia  
 † Tobacco Settlement Foundation, Virginia  
 - Board of Trustees  
 Water Control Board, State

## September 12

Architects, Professional Engineers, Land Surveyors,  
 Certified Interior Designers and Landscape Architects,  
 Board for  
 Historic Resources, Department of  
 - State Review and Historic Resources Board  
 Housing and Community Development, Board of  
 - Codes and Standards Committee  
 † Interagency Coordinating Council, Virginia  
 Lottery Board, State  
 † Medicine, Board of  
 - Advisory Committee on Acupuncture  
 - Informal Conference Committee  
 † Northern Virginia Regional Transportation Authority, Joint  
 Subcommittee to Study Creation of  
 Prescription Drug Assistance, Joint Commission on  
 Real Estate Board  
 - Real Estate Education Committee  
 † Workforce Council, Virginia  
 - Job Ready and Emerging Workforce Committee

## September 13

† Child Day-Care Council  
 Conservation and Recreation, Department of  
 - Falls of the James Scenic River Advisory Board  
 † Criminal Justice Services Board  
 - Committee on Training  
 † Medicine, Board of  
 - Advisory Board on Athletic Training  
 - Advisory Board on Respiratory Care  
 Real Estate Board  
 - Fair Housing Committee

## September 14

† Corporations, Insurance and Banking, Committee on  
 † Medicine, Board of  
 - Advisory Board on Physician Assistants  
 Public School Authority, Virginia

## September 15

Blind and Vision Impaired, Department for the  
 - Statewide Rehabilitation Council for the Blind

## September 17

Hearing Aid Specialists, Board for  
 The Library of Virginia  
 - Archival and Information Services Committee  
 - Collection Management Services Committee  
 - Executive Committee

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# Calendar of Events

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- Legislative and Finance Committee
- Publications and Educational Services Committee
- Public Library Development Committee
- Records Management Committee

† Professional and Occupational Regulation, Board for

## September 19

- † Community College, State Board of
  - Academic and Students Affairs Committee
  - Budget and Finance Committee
  - Facilities and Personnel Committee

Contractors, Board for

- † Funeral Directors and Embalmers, Board of
  - Regulatory/Bylaws Committee

Museum of Fine Arts, Virginia

- Architect Search Committee
- Communications and Marketing Committee
- Education and Programs Committee
- Exhibitions Committee
- Legislative Committee
- Planning Committee
- Program Review Committee

Polygraph Examiners Advisory Board

Retirement System, Virginia

- Investment Advisory Committee

Responsibilities, Policies, and Activities of the State

Corporation Commission, Joint Subcommittee Studying the

Sewage Handling and Disposal Appeal Review Board

† Transportation Board, Commonwealth

## September 20

- † Air Pollution Control Board, State
- Assistive Technology Loan Fund Authority
  - Board of Directors

- † Community Colleges, State Board of Conservation and Recreation, Department of
  - Virginia Soil and Water Conservation Board

Education, Board of

- Accountability Advisory Committee

- † Labor and Industry, Department of
  - Virginia Apprenticeship Council
  - Virginia Apprenticeship Council Exemption from Examination Subcommittee

Land Evaluation Advisory Council, State

- † Medicine, Board of
  - Informal Conference Committee

Museum of Fine Arts, Virginia

- Buildings and Grounds Committee
- Collection Committee
- Finance Committee

† Transportation Board, Commonwealth

## September 21

† Correctional Education, Board of

## September 24

- Nursing, Board of
- † Real Estate Board
  - Real Estate Education Committee
- Technology Services, Council on

## September 25

Marine Resources Commission

## September 26

- Agriculture and Consumer Services, Department of
  - Virginia Horse Industry Board

At-Risk Youth and Families, Comprehensive Services for

- State Executive Council

Education, Board of

† Medicine, Board of

- Advisory Board on Occupational Therapy
- Advisory Committee on Radiologic Technology

Nursing, Board of

Virginia's Environment, Commission on the Future of

## September 27

Agriculture and Consumer Services, Department of

- Virginia Charity Food Assistance Board

Medicine, Board of

- Informal Conference Committee

Nursing, Board of

## September 28

† Medicine, Board of

- Legislative Committee

Social Services, State Board of

## October 2

Nursing, Board of

- Special Conference Committee

## October 3

Code Commission, Virginia

Workforce Council, Virginia

## October 4

Code Commission, Virginia

† Medicine, Board of

- Informal Conference Committee

† Water Control Board, State

## October 5

Art and Architectural Review Board

## October 9

Nursing, Board of

## October 10

Prescription Drug Assistance, Joint Commission on

## October 11

† Rehabilitative Services, Department of

- Statewide Independent Living Council

## October 15

Nursing, Board of

## October 16

† Blind and Vision Impaired, Department for the

Nursing, Board of

## October 18

Assistive Technology Loan Fund Authority

- Board of Directors

Nursing, Board of

- Special Conference Committee

Retirement System, Virginia

## October 22

Education, Board of

Nursing, Board of

- Special Conference Committee

## October 23

† Marine Resources Commission

Nursing, Board of

- Special Conference Committee

† Real Estate Appraiser Board

## October 24

Labor and Industry, Department of

- Migrant and Seasonal Farmworkers Board

Medicine, Board of

† Real Estate Board  
- Real Estate Education Committee

**October 25**

† Real Estate Board

**October 31**

At-Risk Youth and Families, Comprehensive Services for  
- State Executive Council

**November 2**

Art and Architectural Review Board

November 7

† Air Pollution Control Board, State

**November 8**

Jamestown-Yorktown Foundation

- Board of Trustees

Technology Services, Council on

**November 9**

Jamestown-Yorktown Foundation

- Board of Trustees

**November 14**

† Medicine, Board of

- Informal Conference Committee

† Retirement System, Virginia

- Audit and Compliance Committee

- Benefits and Actuarial Committee

- Investment Advisory Committee

**November 15**

† Code Commission, Virginia

† Retirement System, Virginia

- Administration and Personnel Committee

- Board of Trustees

**November 18**

† Jamestown-Yorktown Foundation

- Board of Trustees

**November 19**

† Jamestown-Yorktown Foundation

- Board of Trustees

† The 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

**November 26**

† Elections, State Board of

† Nursing, Board of

† Environmental Quality, Department of

**September 17**

Virginia Employment Commission

Voluntary Formulary Board, Virginia

**September 24**

Taxation, Department of

**September 25**

Nursing, Board of

**September 26**

† Air Pollution Control Board, State

Education, Board of

**October 15**

† Social Services, State Board of

**October 19**

† Social Services, State Board of

## PUBLIC HEARINGS

**August 27**

Health, State Board of

**August 28**

† Air Pollution Control Board, State

**August 29**

Health, State Board of

August 30

† Environmental Quality, Department of

**September 5**

Health, State Board of

**September 6**

† Blind and Vision Impaired, Department of

**September 10**