



# VIRGINIA

## REGISTER OF REGULATIONS

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April 10, 2023

### TABLE OF CONTENTS

<b>Register Information Page .....</b>	<b>2097</b>
<b>Publication Schedule and Deadlines .....</b>	<b>2098</b>
<b>Petitions for Rulemaking .....</b>	<b>2099</b>
<b>Periodic Reviews and Small Business Impact Reviews .....</b>	<b>2100</b>
<b>Regulations .....</b>	<b>2108</b>
1VAC20-60. Election Administration (Final) .....	2108
9VAC25-610. Groundwater Withdrawal Regulations (Forms) .....	2109
11VAC20-30. Texas Hold'em Poker Tournament Regulations (Proposed) .....	2109
12VAC35-46. Regulations for Children's Residential Facilities (Notice of Extension of Emergency) .....	2120
18VAC65-20. Regulations Governing the Practice of Funeral Services (Forms) .....	2121
18VAC65-40. Regulations for the Funeral Service Internship Program (Forms) .....	2121
18VAC95-20. Regulations Governing the Practice of Nursing Home Administrators (Forms) .....	2122
18VAC95-30. Regulations Governing the Practice of Assisted Living Facility Administrators (Forms) .....	2122
18VAC110-20. Regulations Governing the Practice of Pharmacy (Notice of Extension of Emergency) .....	2123
18VAC110-21. Regulations Governing the Licensure of Pharmacists and Registration of Pharmacy Technicians (Notice of Extension of Emergency) .....	2123
18VAC112-20. Regulations Governing the Practice of Physical Therapy (Forms) .....	2124
20VAC5-201. Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-owned Gas and Water Utilities (Proposed) .....	2124
20VAC5-205. Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Gas Utilities (Proposed) .....	2135
<b>Guidance Documents .....</b>	<b>2155</b>
<b>General Notices .....</b>	<b>2281</b>

Virginia Code Commission

<http://register.dls.virginia.gov>

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# THE VIRGINIA REGISTER INFORMATION PAGE

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

## ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

Unless exempted by law, an agency wishing to adopt, amend, or repeal regulations must follow the procedures in the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia). Typically, this includes first publishing in the *Virginia Register* a notice of intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

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

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

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

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate legislative body and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*.

If the Governor finds that the final regulation contains changes made after publication of the proposed regulation that have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*. Pursuant to § 2.2-4007.06 of the Code of Virginia, any person may request that the agency solicit additional public comment on certain changes made after publication of the proposed regulation. The agency shall suspend the regulatory process for 30 days upon such request from 25 or more individuals, unless the agency determines that the changes have minor or inconsequential impact.

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

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

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

## FAST-TRACK RULEMAKING PROCESS

Section 2.2-4012.1 of the Code of Virginia provides an alternative to the standard process set forth in the Administrative Process Act for regulations deemed by the Governor to be noncontroversial. To use this process, the Governor's concurrence is required and advance notice must be provided to certain legislative committees. Fast-track regulations become effective on the date noted in the regulatory action if fewer than 10 persons object to using the process in accordance with § 2.2-4012.1.

## EMERGENCY REGULATIONS

Pursuant to § 2.2-4011 of the Code of Virginia, an agency may adopt emergency regulations if necessitated by an emergency situation or when Virginia statutory law or the appropriation act or federal law or federal regulation requires that a regulation be effective in 280 days or fewer from its enactment. In either situation, approval of the Governor is required. The emergency regulation is effective upon its filing with the Registrar of Regulations, unless a later date is specified per § 2.2-4012 of the Code of Virginia. Emergency regulations are limited to no more than 18 months in duration; however, may be extended for six months under the circumstances noted in § 2.2-4011 D. Emergency regulations are published as soon as possible in the *Virginia Register* and are on the Register of Regulations website at [register.dls.virginia.gov](http://register.dls.virginia.gov).

During the time the emergency regulation is in effect, the agency may proceed with the adoption of permanent regulations in accordance with the Administrative Process Act. If the agency chooses not to adopt the regulations, the emergency status ends when the prescribed time limit expires.

## STATEMENT

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

## CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. **34:8 V.A.R. 763-832 December 11, 2017**, refers to Volume 34, Issue 8, pages 763 through 832 of the *Virginia Register* issued on December 11, 2017.

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

**Members of the Virginia Code Commission:** John S. Edwards, Chair; James A. Leftwich, Jr., Vice-Chair; Ward L. Armstrong; Nicole Cheuk; Richard E. Gardiner; Christopher R. Nolen; Steven Popps; Charles S. Sharp; Malfourd W. Trumbo; Amigo R. Wade; Wren M. Williams.

**Staff of the Virginia Register:** Holly Trice, Registrar of Regulations; Anne Bloomsburg, Assistant Registrar; Nikki Clemons, Regulations Analyst; Rhonda Dyer, Publications Assistant; Terri Edwards, Senior Operations Staff Assistant.

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## PUBLICATION SCHEDULE AND DEADLINES

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This schedule is available on [the Virginia Register of Regulations website \(http://register.dls.virginia.gov\)](http://register.dls.virginia.gov).

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### April 2023 through May 2024

<b><u>Volume: Issue</u></b>	<b><u>Material Submitted By Noon*</u></b>	<b><u>Will Be Published On</u></b>
39:18	April 5, 2023	April 24, 2023
39:19	April 19, 2023	May 8, 2023
39:20	May 3, 2023	May 22, 2023
39:21	May 17, 2023	June 5, 2023
39:22	May 31, 2023	June 19, 2023
39:23	June 14, 2023	July 3, 2023
39:24	June 28, 2023	July 17, 2023
39:25	July 12, 2023	July 31, 2023
39:26	July 26, 2023	August 14, 2023
40:1	August 9, 2023	August 28, 2023
40:2	August 23, 2023	September 11, 2023
40:3	September 6, 2023	September 25, 2023
40:4	September 20, 2023	October 9, 2023
40:5	October 4, 2023	October 23, 2023
40:6	October 18, 2023	November 6, 2023
40:7	November 1, 2023	November 20, 2023
40:8	November 14, 2023 (Tuesday)	December 4, 2023
40:9	November 29, 2023	December 18, 2023
40:10	December 13, 2023	January 1, 2024
40:11	December 27, 2023	January 15, 2024
40:12	January 10, 2024	January 29, 2024
40:13	January 24, 2024	February 12, 2024
40:14	February 7, 2024	February 26, 2024
40:15	February 21, 2024	March 11, 2024
40:16	March 6, 2024	March 25, 2024
40:17	March 20, 2024	April 8, 2024
40:18	April 3, 2024	April 22, 2024
40:19	April 17, 2024	May 6, 2024

\*Filing deadlines are Wednesdays unless otherwise specified.

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# PETITIONS FOR RULEMAKING

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## TITLE 12. HEALTH

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

#### Agency Decision

Title of Regulation: 12VAC30-20. Administration of Medical Assistance Services.

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

Name of Petitioner: D. Adam McKelvey, Esq.

Nature of Petitioner's Request: Pursuant to § 2.2-4007 of the Code of Virginia, the petitioner requests a regulation that mandates a firm deadline for the Department of Medical Assistance Services (DMAS) to respond to requests for final lien amounts asserted against personal injury claims proceeds and arising from the Medicaid program or any other DMAS program. The petitioner requests that this regulation contain all contact information and documents necessary to trigger the deadline, and that upon passing of the deadline, the amount owed is deemed zero dollars.

Agency Decision: Request granted.

Statement of Reason for Decision: DMAS has reviewed the petitioner's request and the relevant regulation and has decided to promulgate regulatory text to detail the process for requesting information about a Medicaid lien, a related request for a member's enrollment status, or to request a compromise or waiver of any portion of a Medicaid lien.

Agency Contact: Meredith Lee, Policy, Supervisor, Division of Policy, Regulation and Member Engagement, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-0552, or email [meredith.lee@dmass.virginia.gov](mailto:meredith.lee@dmass.virginia.gov).

VA.R. Doc. No. PFR23-13; Filed March 14, 2023, 9:32 a.m.



## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

#### Agency Decision

Title of Regulation: 18VAC30-21. Regulations Governing Audiology and Speech-Language Pathology.

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

Name of Petitioner: Suzanne Dailey.

Nature of Petitioner's Request: The petitioner requests that the Board of Audiology and Speech-Language Pathology amend

18VAC30-21-60 A 1 to eliminate the requirement that initial licensure applicants hold a Certificate of Clinical Competence issued by the American Speech-Language-Hearing Association and replace that requirement with a requirement to hold a master's degree in speech-language pathology, communication disorders, speech and hearing science, or equivalent.

Agency Decision: Request denied.

Statement of Reason for Decision: The board considered this petition at its March 14, 2023, meeting. The board decided to take no action on the petition due to the recent passage of legislation entering Virginia into the Audiology and Speech-Language Pathology Compact. The requirements of the compact are unknown, and the board declined to begin a regulatory process related to licensure requirements prior to the compact determining and communicating requirements for licensure in member states.

Agency Contact: Leslie L. Knachel, Executive Director, Board of Audiology and Speech-Language Pathology, 9960 Mayland Drive, Suite 300, Henrico, VA 23233, telephone (804) 597-4130, or email [audbd@dhp.virginia.gov](mailto:audbd@dhp.virginia.gov).

VA.R. Doc. No. PFR23-15; Filed March 14, 2023, 1:30 p.m.

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# PERIODIC REVIEWS AND SMALL BUSINESS IMPACT REVIEWS

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### DEPARTMENT OF CONSERVATION AND RECREATION

#### Agency Notice

Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the following regulation is undergoing a periodic review and a small business impact review: **4VAC5-20, Standards for Classification of Real Estate as Devoted to Open Space Use under the Virginia Land Use Assessment Law.** The review of this regulation will be guided by the principles in Executive Order 19 (2022). The purpose of a periodic review is to determine whether this regulation should be repealed, amended, or retained in its current form. Public comment is sought on the review of any issue relating to this regulation, including whether the regulation (i) is necessary for the protection of public health, safety, and welfare or for the economical performance of important governmental functions; (ii) minimizes the economic impact on small businesses in a manner consistent with the stated objectives of applicable law; and (iii) is clearly written and easily understandable.

Public comment period begins April 10, 2023, and ends May 1, 2023.

Comments must include the commenter's name and address (physical or email) information in order to receive a response to the comment from the agency. Following the close of the public comment period, a report of both reviews will be posted on the Virginia Regulatory Town Hall and published in the Virginia Register of Regulations.

Contact Information: Lisa McGee, Policy and Planning Director, Department of Conservation and Recreation, 600 East Main Street, 24th Floor, Richmond, VA 23219, telephone (804) 786-4378.

### MARINE RESOURCES COMMISSION

#### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1070, Pertaining to Haul Seines**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 16, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

#### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1080, Pertaining to Monkfish (Goosefish)**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 16, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

#### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1090, Pertaining to Licensing Requirements and License Fees**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 16, 2023, to support this decision.



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## Periodic Reviews and Small Business Impact Reviews

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The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1100, Pertaining to Shellfish Handling**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 16, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a

periodic review and a small business impact review of **4VAC20-1110, Pertaining to Sheepshead**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 16, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1120, Pertaining to Tilefish and Grouper**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 16, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick

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## Periodic Reviews and Small Business Impact Reviews

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Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of **the** Code of Virginia, **the** Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1130, General Permit No. 4 for Temporary Protective Enclosures for Shellfish**, and determined that this regulation should be retained as is. **The** commission is publishing its report of findings dated March 16, 2023, to support this decision.

**The** regulation is clearly written and easily understandable. **The** regulation is necessary for **the** protection of public health, safety, and welfare by conserving and promoting **the** seafood and marine resources of **the** Commonwealth.

**The** decision of **the** commission is to retain this regulation as is, making no change. **The** regulation as written promotes **the** general welfare of **the** seafood industry and conserves and promotes **the** seafood and marine resources of **the** Commonwealth.

**The** commission received no comments on **the** regulation during **the** periodic review comment period and has determined that there are no recommended amendments to **the** regulation. **The** regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of **the** Code of Virginia, **the** Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1140, Prohibition of Crab Dredging in Virginia Waters**, and determined that this regulation should be retained as is. **The** commission is publishing its report of findings dated March 16, 2023, to support this decision.

**The** regulation is clearly written and easily understandable. **The** regulation is necessary for **the** protection of public health, safety, and welfare by conserving and promoting **the** seafood and marine resources of **the** Commonwealth.

**The** decision of **the** commission is to retain this regulation as is, making no change. **The** regulation as written promotes **the** general welfare of **the** seafood industry and conserves and promotes **the** seafood and marine resources of **the** Commonwealth.

**The** commission received no comments on **the** regulation during **the** periodic review comment period and has determined

that there are no recommended amendments to **the** regulation. **The** regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of **the** Code of Virginia, **the** Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1180, Pertaining to Fishing Guides, Charter Boat, and Head Boat Fisheries**, and determined that this regulation should be retained as is. **The** commission is publishing its report of findings dated March 16, 2023, to support this decision.

**The** regulation is clearly written and easily understandable. **The** regulation is necessary for **the** protection of public health, safety, and welfare by conserving and promoting **the** seafood and marine resources of **the** Commonwealth.

**The** decision of **the** commission is to retain this regulation as is, making no change. **The** regulation as written promotes **the** general welfare of **the** seafood industry and conserves and promotes **the** seafood and marine resources of **the** Commonwealth.

**The** commission received no comments on **the** regulation during **the** periodic review comment period and has determined that there are no recommended amendments to **the** regulation. **The** regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of **the** Code of Virginia, **the** Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1190, Pertaining to Gill Net Control Date**, and determined that this regulation should be retained as is. **The** commission is publishing its report of findings dated March 16, 2023, to support this decision.

**The** regulation is clearly written and easily understandable. **The** regulation is necessary for **the** protection of public health, safety, and welfare by conserving and promoting **the** seafood and marine resources of **the** Commonwealth.

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## Periodic Reviews and Small Business Impact Reviews

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The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1200, Pertaining to the Special Oyster Relay Season in the Rappahannock River**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 14, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1220, Pertaining to Separation between Nets**, and determined that this regulation should be retained as is. The

commission is publishing its report of findings dated March 14, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1230, Pertaining to Restrictions on Shellfish**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 14, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.



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## Periodic Reviews and Small Business Impact Reviews

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### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of **the** Code of Virginia, **the** Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1250, Pertaining to the Tagging of Shellfish**, and determined that this regulation should be retained as is. **The** commission is publishing its report of findings dated March 14, 2023, to support this decision.

**The** regulation is clearly written and easily understandable. **The** regulation is necessary for **the** protection of public health, safety, and welfare by conserving and promoting **the** seafood and marine resources of **the** Commonwealth.

**The** decision of **the** commission is to retain this regulation as is, making no change. **The** regulation as written promotes **the** general welfare of **the** seafood industry and conserves and promotes **the** seafood and marine resources of **the** Commonwealth.

**The** commission received no comments on **the** regulation during **the** periodic review comment period and has determined that there are no recommended amendments to **the** regulation. **The** regulation does not have an adverse impact on small businesses and do not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of **the** Code of Virginia, **the** Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1260, Pertaining to River Herring**, and determined that this regulation should be retained as is. **The** commission is publishing its report of findings dated March 14, 2023, to support this decision.

**The** regulation is clearly written and easily understandable. **The** regulation is necessary for **the** protection of public health, safety, and welfare by conserving and promoting **the** seafood and marine resources of **the** Commonwealth.

**The** decision of **the** commission is to retain this regulation as is, making no change. **The** regulation as written promotes **the** general welfare of **the** seafood industry and conserves and promotes **the** seafood and marine resources of **the** Commonwealth.

**The** commission received no comments on **the** regulation during **the** periodic review comment period and has determined that there are no recommended amendments to **the** regulation. **The** regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of **the** Code of Virginia, **the** Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1270, Pertaining to Atlantic Menhaden**, and determined that this regulation should be retained as is. **The** commission is publishing its report of findings dated March 14, 2023, to support this decision.

**The** regulation is clearly written and easily understandable. **The** regulation is necessary for **the** protection of public health, safety, and welfare by conserving and promoting **the** seafood and marine resources of **the** Commonwealth.

**The** decision of **the** commission is to retain this regulation as is, making no change. **The** regulation as written promotes **the** general welfare of **the** seafood industry and conserves and promotes **the** seafood and marine resources of **the** Commonwealth.

**The** commission received no comments on **the** regulation during **the** periodic review comment period and has determined that there are no recommended amendments to **the** regulation. **The** regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of **the** Code of Virginia, **the** Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1290, Pertaining to Restrictions on the Harvest of Shellfish and in Condemned Shellfish Areas**, and determined that this regulation should be retained as is. **The** commission is publishing its report of findings dated March 14, 2023, to support this decision.

**The** regulation is clearly written and easily understandable. **The** regulation is necessary for **the** protection of public health, safety, and welfare by conserving and promoting **the** seafood and marine resources of **the** Commonwealth.

**The** decision of **the** commission is to retain this regulation as is, making no change. **The** regulation as written promotes **the** general welfare of **the** seafood industry and conserves and promotes **the** seafood and marine resources of **the** Commonwealth.

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## Periodic Reviews and Small Business Impact Reviews

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The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1300, Living Shoreline Group 1 General Permit for Certain Living Shoreline Treatments Involving Tidal Wetlands**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 14, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1310, Pertaining to Jonah Crab**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 14, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health,

safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.

### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Marine Resources Commission conducted a periodic review and a small business impact review of **4VAC20-1330, Living Shoreline Group 2 General Permit for Certain Living Shoreline Treatments Involving Submerged Lands, Tidal Wetlands, or Coastal Primary Sand Dunes and Beaches**, and determined that this regulation should be retained as is. The commission is publishing its report of findings dated March 14, 2023, to support this decision.

The regulation is clearly written and easily understandable. The regulation is necessary for the protection of public health, safety, and welfare by conserving and promoting the seafood and marine resources of the Commonwealth.

The decision of the commission is to retain this regulation as is, making no change. The regulation as written promotes the general welfare of the seafood industry and conserves and promotes the seafood and marine resources of the Commonwealth.

The commission received no comments on the regulation during the periodic review comment period and has determined that there are no recommended amendments to the regulation. The regulation does not have an adverse impact on small businesses and does not overlap, duplicate, or conflict with any known federal or state law or regulation.

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 380 Fenwick Road, Building 96, Fort Monroe, VA 23651, telephone (757) 247-2248.



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# Periodic Reviews and Small Business Impact Reviews

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## TITLE 9. ENVIRONMENT

### VIRGINIA WASTE MANAGEMENT BOARD

#### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Virginia Waste Management Board conducted a periodic review and a small business impact review of **9VAC20-110, Regulations Governing the Transportation of Hazardous Materials**, and determined that this regulation should be retained as is. The board is publishing its report of findings dated February 21, 2023, to support this decision.

This regulation is necessary for the protection of public health, safety, and welfare and is clearly written and easily understandable. The regulation incorporates federal transportation regulations into state regulations. The regulation is needed to ensure that hazardous materials are transported safely. The regulation is being retained as is. No comments were received during the public comment period. This regulation is periodically updated to maintain consistency with the Code of Federal Regulations (CFR). The regulation incorporates applicable CFR sections. This minimizes the complexity of the regulation since Virginia's regulation incorporate sections of the CFR by reference; thereby making the federal and state requirements identical. Section 10.1-1454 of the Code of Virginia states: "Any person transporting hazardous materials in accordance with regulations promulgated under the laws of the United States, shall be deemed to have complied with the provisions of this article, except when such transportation is excluded from regulation under the laws or regulations of the United States." The most recent amendment to incorporate applicable CFR sections became effective January 18, 2023. The regulation has been written to maintain consistency with the federal regulatory requirements pertaining to the transportation of hazardous materials due to the requirements of § 10.1-1454 the Code of Virginia.

Small businesses are required to comply with federal requirements concerning the transportation of hazardous materials; therefore, the adoption of less stringent requirements for small businesses in this regulation to minimize the economic impact of the regulation would not be consistent with federal and state law. However, given that this regulation incorporates applicable CFR sections, the regulation is no more restrictive to small businesses than federal regulations and the complexity of the regulation is reduced as the federal and state requirements are identical.

Contact Information: Leslie A. Romanchik, Environmental Manager II, Department of Environmental Quality, 1111 East Main Street, Suite 1400, P.O. Box 1105, Richmond, VA 23218, telephone (804) 912-7218.

## STATE WATER CONTROL BOARD

### Agency Notice

Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the following regulations are undergoing a periodic review and a small business impact review: **9VAC25-91, Facility and Aboveground Storage Tank (AST) Regulation**; and **9VAC25-101, Tank Vessel Oil Discharge Contingency Plan and Financial Responsibility Regulation**.

The review of each regulation will be guided by the principles in Executive Order 19 (2022). The purpose of a periodic review is to determine whether each regulation should be repealed, amended, or retained in its current form. Public comment is sought on the review of any issue relating to these regulations, including whether each regulation (i) is necessary for the protection of public health, safety, and welfare or for the economical performance of important governmental functions; (ii) minimizes the economic impact on small businesses in a manner consistent with the stated objectives of applicable law; and (iii) is clearly written and easily understandable.

Public comment period begins April 10, 2023, and ends May 1, 2023.

Comments must include the commenter's name and address (physical or email) information in order to receive a response to the comment from the agency. Following the close of the public comment period, a report of both reviews will be posted on the Virginia Regulatory Town Hall and published in the Virginia Register of Regulations.

Contact Information: Renee T. Hooper, Tank Regulatory Programs Manager, Department of Environmental Quality, 1111 East Main Street, Suite 1400, P.O. Box 1105, Richmond, VA 23218, telephone (804) 659-1352.

### Agency Notice

Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the following regulation is undergoing a periodic review and a small business impact review: **9VAC25-780, Local and Regional Water Supply Planning**. The review of this regulation will be guided by the principles in Executive Order 19 (2022). The purpose of a periodic review is to determine whether this regulation should be repealed, amended, or retained in its current form. Public comment is sought on the review of any issue relating to this regulation, including whether the regulation (i) is necessary for the protection of public health, safety, and welfare or for the economical performance of important governmental functions; (ii) minimizes the economic impact on small businesses in a manner consistent with the stated objectives of applicable law; and (iii) is clearly written and easily understandable.

Public comment period begins April 10, 2023, and ends May 1, 2023.

Comments must include **the** commenter's name and address (physical or email) information in order to receive a response to **the** comment from **the** agency. Following **the** close of **the** public comment period, a report of both reviews will be posted on **the** Virginia Regulatory Town Hall and published in **the** Virginia Register of Regulations.

Contact Information: Hannah Somers, Department of Environmental Quality, 1111 East Main Street, Suite 1400, P.O. Box 1105, Richmond, VA 23218, telephone (804) 814-2780.



### TITLE 13. HOUSING

#### VIRGINIA MANUFACTURED HOUSING BOARD

##### Report of Findings

Pursuant to §§ 2.2-4007.1 and 2.2-4017 of **the** Code of Virginia, **the** Virginia Manufactured Housing Board conducted a periodic review and a small business impact review of **13VAC6-11, Public Participation Guidelines**, and determined that this regulation should be amended. **The** board is publishing its report of findings dated March 2023, to support this decision.

**The** regulation is based on model guidelines and is required per § 2.2-4007.02 of **the** Code of Virginia. No comments were received from **the** public. However, a small change to conform to legislation was identified during **the** review process. As such, **the** regulation should be amended to conform to Chapter 795 of **the** 2012 Acts of Assembly.

**The** regulation was last evaluated in 2008 when it was adopted to conform to statutory changes. **The** regulation provides standards by which **the** public can participate in regulatory processes under **the** purview of **the** Virginia Manufactured Housing Board. **The** regulation does not appear to have an impact on small businesses.

Contact Information: Jeff Brown, Director of State Building Codes Office, Department of Housing and Community Development, Main Street Centre, 600 East Main Street, Richmond, VA 23219, telephone (804) 371-7161.



### TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

#### BOARD OF NURSING

##### Agency Notice

Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of **the** Code of Virginia, **the** following regulations are undergoing a periodic review and a small business impact review: **18VAC90-25, Regulations Governing Certified Nurse Aides**; **18VAC90-27, Regulations for Nursing Education Programs**; and **18VAC90-50, Regulations Governing **the** Licensure of Massage Therapists**. **The** review of each regulation will be guided by **the** principles in Executive Order 19 (2022). **The** purpose of a periodic review is to determine whether each regulation should be repealed, amended, or retained in its current form. Public comment is sought on **the** review of any issue relating to these regulations, including whether each regulation (i) is necessary for **the** protection of public health, safety, and welfare or for **the** economical performance of important governmental functions; (ii) minimizes **the** economic impact on small businesses in a manner consistent with **the** stated objectives of applicable law; and (iii) is clearly written and easily understandable.

Public comment period begins April 10, 2023, and ends May 1, 2023.

Comments must include **the** commenter's name and address (physical or email) information in order to receive a response to **the** comment from **the** agency. Following **the** close of **the** public comment period, a report of both reviews will be posted on **the** Virginia Regulatory Town Hall and published in **the** Virginia Register of Regulations.

Contact Information: Jay P. Douglas, R.N., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, VA 23233, telephone (804) 367-4520.



# REGULATIONS

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

## Symbol Key

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

## TITLE 1. ADMINISTRATION

### STATE BOARD OF ELECTIONS

#### Final Regulation

**REGISTRAR'S NOTICE:** The State Board of Elections is claiming an exemption from the Administrative Process Act pursuant to § 2.2-4002 B 8 of the Code of Virginia, which exempts agency action relating to the conduct of elections or eligibility to vote.

**Title of Regulation:** 1VAC20-60. Election Administration (amending 1VAC20-60-80).

**Statutory Authority:** § 24.2-103 of the Code of Virginia.

**Effective Date:** March 31, 2023.

**Agency Contact:** Claire Scott, Policy Analyst, Department of Elections, Washington Building, 1100 Bank Street, 1st Floor, Richmond, VA 23219, telephone (804) 864-8901, or email [claire.scott@elections.virginia.gov](mailto:claire.scott@elections.virginia.gov).

#### Summary:

Pursuant to Chapters 443 and 444 of the 2022 Acts of Assembly, the amendments (i) clarify what qualifies as a contested election that may be audited by a local electoral board and establish the process for a local electoral board to apply for multiple contested races and (ii) require the local electoral board to choose a risk-limiting audit method by a majority vote and to apply the same risk-limiting audit method to all contested races for which an audit is applied.

#### 1VAC20-60-80. Request for a risk-limiting audit for a contested race within a jurisdiction.

A. For purposes of this section, "contested race" means a contested race wholly contained within the jurisdiction of the county or city for which an electoral board requesting a risk-limiting audit serves.

B. Pursuant to § 24.2-671.2 D of the Code of Virginia, a local electoral board shall follow the process in this section subsection to request a risk-limiting audit of a contested race within its jurisdiction:

1. At the public canvass meeting following the election, an electoral board may elect to request a risk-limiting audit of a contested race, or multiple contested races, within its jurisdiction (risk limiting audit) by a majority vote.
2. If a question to request a risk-limiting audit achieves a majority vote, an electoral board must complete Form

submit a completed SBE 671.2(D) Request for Risk-Limiting Audit Form to request State Board of Elections (SBE) approval of the audit. If requesting audits of multiple contested races, an electoral board must submit a completed SBE 671.2(D) Request for Risk-Limiting Audit Form for each race. If risk-limiting audits are requested for multiple contested races, the electoral board must request the same method of conducting the audit for each race.

3. The SBE will grant a request for a risk-limiting audit within a locality's jurisdiction of a contested race if:

a. The submitted Form SBE 671.2(D) Request for Risk-Limiting Audit Form contains sufficient information for the SBE to determine that the local electoral board members cast a majority vote in favor of the audit request;

b. The submitted SBE-671.2(D) Request for Risk-Limiting Audit Form contains sufficient information for the SBE to determine the method of conducting the risk-limiting audit chosen by a majority vote of the electoral board, and, in the event that risk-limiting audits are requested for multiple contested races, the requested method of conducting the risk-limiting audit is the same for each race;

c. The submitted Form SBE 671.2(D) Request for Risk-Limiting Audit Form contains sufficient information for the SBE to determine which contested races are subject to the requested audit and that those contested races are in fact wholly contained within the jurisdiction of the city or county for which the local electoral board serves;

e. d. The SBE concludes that the audit is permissible under § 24.2-671.2 of the Code of Virginia and all other relevant provisions of law; and

d. The following conditions are met:

- (1) e. The margin of the candidate with the most votes and the second most votes is equal to or greater than 1.0%; and
- (2) The number of estimated ballots to be sampled exceeds 15% of the total number of ballots cast.

4. Upon granting an electoral board's request for a risk-limiting audit, the SBE may grant an extension not to exceed two weeks of the local electoral board's certification deadline pursuant to § 24.2-671 of the Code of Virginia if necessary for the conduct of the audit.

VA.R. Doc. No. R23-7497; Filed March 22, 2023, 2:09 p.m.

## TITLE 9. ENVIRONMENT

### STATE WATER CONTROL BOARD

#### Forms

**REGISTRAR'S NOTICE:** Forms used in administering the regulation have been filed by the agency. The forms are not being published; however, online users of this issue of the Virginia Register of Regulations may click on the name of a form with a hyperlink to access it. The forms are also available from the agency contact or may be viewed at the Office of the Registrar of Regulations, 900 East Main Street, 11th Floor, Richmond, Virginia 23219.

**Title of Regulation:** **9VAC25-610. Groundwater Withdrawal Regulations.**

**Agency Contact:** Elizabeth Gallup, Guidance and Regulation Coordinator, Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218, telephone (757) 432-3581, or email [elizabeth.gallup@deq.virginia.gov](mailto:elizabeth.gallup@deq.virginia.gov).

#### FORMS

[Groundwater Withdrawal Application Submission Checklist \(eff. 2/2023\)](#)

[Department of Environmental Quality Water Division Permit Application Fee Form, Form 5 \(rev. 10/2018\)](#)

~~Application Instructions for Completing a Groundwater Withdrawal Permit Application (rev. 11/2013)~~

~~Application for a Groundwater Withdrawal Permit (rev. 9/2012)~~

~~Groundwater Withdrawal Permit Change of Ownership Agreement Form (rev. 11/2013)~~

[Application for a Groundwater Withdrawal Permit \(rev. 11/2022\)](#)

[Groundwater Withdrawal Permit - Change of Ownership Agreement Form \(rev. 7/2022\)](#)

[Uncontested Termination Agreement \(rev. 11/2013\)](#)

[Uniform Water Well Completion Report, Form GW-2 \(rev. 8/2016\)](#)

[Uniform Water Well Completion Report Well Abandonment Form, GW-5 \(rev. 8/2016\)](#)

~~Public Notice Authorization Form - Authorization for Public Notice Billing to Groundwater Withdrawal Permit Applicant (rev. 11/2013)~~

~~Preapplication Meeting - Application for a Groundwater Withdrawal Permit (rev. 9/2012)~~

~~Local and Area-wide Planning Requirements (rev. 9/2012)~~

~~Quarterly Groundwater Withdrawal Report (rev. 11/2013)~~

~~Mitigation Plan (rev. 11/2013)~~

~~Existing Users Groundwater Withdrawal Permit Application and Instructions (eff. 2/2014)~~

[Public Notice Authorization Form - Authorization for Public Notice Billing to Groundwater Withdrawal Permit Applicant \(rev. 10/2019\)](#)

[Preapplication Meeting - Application for a Groundwater Withdrawal Permit \(rev. 6/2021\)](#)

[Local Government Ordinance Form \(rev. 9/2019\)](#)

[Quarterly Groundwater Withdrawal Report \(rev. 12/2019\)](#)

[Mitigation Plan \(rev. 10/2019\)](#)

VA.R. Doc. No. R23-7494; Filed March 16, 2023, 11:05 a.m.

## TITLE 11. GAMING

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, CHARITABLE GAMING

#### Proposed Regulation

**REGISTRAR'S NOTICE:** The Department of Agriculture and Consumer Services, Charitable Gaming, is claiming an exemption from the Administrative Process Act in accordance with the third enactment of Chapters 554 and 609 of the 2022 Acts of Assembly, which exempts the actions of the department relating to the adoption of regulations necessary to implement the provisions of the act; however, the board is required to provide an opportunity for public comment on regulations prior to their adoption.

**Title of Regulation:** **11VAC20-30. Texas Hold'em Poker Tournament Regulations (adding 11VAC20-30-10 through 11VAC20-30-210).**

**Statutory Authority:** § 18.2-340.19 of the Code of Virginia.

#### Public Hearing Information:

May 3, 2023 - 10 a.m. - virtual meeting information is available at <https://townhall.virginia.gov/L/viewmeeting.cfm?meetingid=37777>

**Public Comment Deadline:** May 10, 2023.

**Agency Contact:** Michael Menefee, Program Manager, Charitable and Regulatory Programs, Department of Agriculture and Consumer Services, 102 Governor Street, Richmond, VA 23219, telephone (804) 786-3983, or email [michael.menefee@vdacs.virginia.gov](mailto:michael.menefee@vdacs.virginia.gov).

#### Summary:

Pursuant to Chapters 554 and 609 of the 2022 Acts of Assembly and in conformance with Chapter 982 of the 2020 Acts of Assembly, the proposed regulatory action establishes the requirements for charitable organizations

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# Regulations

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wishing to conduct Texas Hold'em poker tournaments to generate charitable funds. The proposed action prescribes the conditions under which a qualified organization may manage, operate, conduct, or contract with a separate operator to conduct Texas Hold'em poker tournaments. The proposed regulation (i) provides that a charitable organization wishing to conduct Texas Hold'em poker tournaments must obtain a permit from the department; (ii) establishes required documents that must be provided to the department, prohibited acts, procedures for recordkeeping and bank account maintenance, and contract and lease requirements; (iii) requires that any person administering a Texas Hold'em poker tournament for a charitable organization must register with the department as an operator; (iv) requires the registration of a landlord who rents, leases, or otherwise provides a premises to a charitable organization to hold a Texas Hold'em poker tournament; (v) establishes requirements for Texas Hold'em poker tournaments, including a fixed entry fee, use of poker cards and poker chips, posting house rules, and prohibited acts; and (vi) outlines training requirements for all persons working or volunteering at a poker tournament, including a prohibition of staff of the charitable organization or the operator from participating as a player in the poker tournament.

## Chapter 30

### Texas Hold'em Poker Tournament Regulations

#### **11VAC20-30-10. Definitions.**

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

"Administer" means the conduct of activities by an operator that are associated with production of a poker tournament.

"Agent" means any person authorized by an operator, charitable gaming supplier, or landlord to act for or in place of such operator, supplier, or landlord.

"Charitable Gaming Law" means Article 1.1:1 (§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2 of the Code of Virginia.

"Charitable host representative" means a person who (i) is a bona fide member, as defined in § 18.2-340.16 of the Code of Virginia, of the qualified organization; (ii) meets all other requirements for bona fide members set forth in the Charitable Gaming Law and regulations adopted pursuant thereto; (iii) does not receive remuneration pursuant to § 18.2-340.33 of the Code of Virginia; and (iv) is responsible for the oversight of the written contract between the qualified organization and operator during the poker tournament.

"Conduct" means the actions by a qualified organization associated with the provision of a poker tournament during and immediately before or after the permitted activity, which may include (i) dealing playing cards; (ii) distributing poker chips; (iii) distributing prizes; and (iv) any other services provided by

a charitable host representative, volunteer game worker, or volunteer dealer.

"Dealer" means a volunteer or volunteer member of a qualified organization or an employee, contractor, volunteer, or agent of an operator whose primary function is to distribute cards to players and manage the action at the poker table during a poker game.

"Department" means the Virginia Department of Agriculture and Consumer Services.

"Fiscal year" means the 12-month period beginning January 1 and ending December 31 of any given year.

"Flush" means a hand consisting of five cards of the same suit.

"Four of a kind" means a hand consisting of four cards of the same rank, with four aces being the highest ranking four of a kind and four deuces being the lowest ranking four of a kind.

"Full house" means a hand consisting of three of a kind and a pair, with three aces and two kings being the highest-ranking full house and three deuces and two threes being the lowest ranking full house.

"Game manager" means a person who (i) is a bona fide member, as defined in § 18.2-340.16 of the Code of Virginia, of the qualified organization that is managing, operating, and conducting the poker tournament; (ii) meets all other requirements for bona fide members set forth in the Charitable Gaming Law and this chapter; (iii) does not receive remuneration pursuant to § 18.2-340.33 of the Code of Virginia; and (iv) is responsible for the operation of the qualified organization's poker tournament.

"Hi/Lo" means a variation of Texas Hold'em poker in which the highest or lowest poker hands split the pot.

"Immediate family" means a person's spouse, parent, child, sibling, grandchild, grandparent, mother or father-in-law, or stepchild.

"IRS" means the U.S. Internal Revenue Service or its successor.

"Landlord" means any person who owns or leases any premises devoted in whole or in part for use to hold a poker tournament or such person's agent, firm, association, organization, partnership, corporation, employee, or immediate family member thereof or any person residing in the same household as a landlord.

"Manufacturer" means a person that assembles from raw materials or subparts a completed piece of charitable gaming equipment or supplies. "Manufacturer" also means a person who or an entity that modifies, converts, adds, or removes parts to or from charitable gaming equipment or supplies.

"Operator" means a person who is not affiliated with a qualified organization pursuant to 11VAC20-30-90 and who

has registered with the department in accordance with 11VAC20-30-50 to administer poker tournaments.

"Pair" means two cards of the same rank.

"Poker game" means a Texas Hold'em poker game as defined in § 18.2-340.16 of the Code of Virginia.

"Poker tournament" means a Texas Hold'em poker tournament as defined in § 18.2-340.16 of the Code of Virginia.

"Pot" means the total amount bet by players during a poker game.

"Rakes" or "cutting of pots" means the taking of a portion of the pot as a fee or other compensation for providing services during a poker game or tournament, including the services of a dealer.

"Remuneration" means payment in cash or the provision of anything of value for goods provided or services rendered.

"Re-buy" means a player's purchase of additional poker chips at a predetermined time and for a predetermined fee.

"Royal flush" means a hand consisting of an ace, king, queen, jack, and 10 of the same suit.

"Shuffler" means a device that randomizes playing cards.

"Straight" means a hand consisting of five cards of consecutive rank, regardless of suit, with an ace, king, queen, jack, and 10 being the highest ranking straight and an ace, two, three, four, and five being the lowest ranking straight provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (e.g., queen, king, ace, deuce, three).

"Straight flush" means a hand consisting of five cards of the same suit in consecutive ranking with king, queen, jack, 10, and nine being the highest ranking straight flush and ace, deuce, three, four, and five being the lowest straight flush provided, however, that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (e.g., queen, king, ace, deuce, three).

"Suit" means one of the four categories of cards: club, diamond, heart, or spade, with no suit being higher rank than another.

"Three of a kind" means a hand consisting of three cards of the same rank, with three aces being the highest ranking three of a kind and three deuces being the lowest ranking three of a kind.

"Two pairs" means a hand containing two pairs.

"Tournament chip" or "poker chip" means a token used for wagering in a poker tournament that has no cash value.

"Tournament manager" means a person who is employed or contracted by an operator to administer poker tournaments for a qualified organization.

"Use of proceeds" means the use of funds derived by a qualified organization from its charitable gaming activities for the organization's lawful religious, charitable, community, or educational purpose.

## **11VAC20-30-20. General requirements.**

A qualified organization permitted to conduct poker tournaments shall comply with all applicable provisions of the Charitable Gaming Law, all applicable provisions of 11VAC20-20, and all other regulations adopted pursuant to the Charitable Gaming Law.

## **11VAC20-30-30. Organization eligibility; permit requirements.**

An organization that will conduct a poker tournament is subject to the provisions of 11VAC20-20-20 regarding organization eligibility and permit requirements.

## **11VAC20-30-40. Permit application process for an organization.**

An organization that will conduct a poker tournament is subject to the provisions of 11VAC20-20-30 regarding the permit application process for an organization.

## **11VAC20-30-50. Operator registration.**

A. No qualified organization shall conduct a poker tournament utilizing an operator that is not registered with the department.

B. Any person wishing to administer a poker tournament in Virginia shall obtain a registration from the department. A person seeking to administer a poker tournament on behalf of a qualified organization shall apply to the department for an operator registration on a form prescribed by the department.

C. Any operator that offers to sell, sells, or otherwise provides charitable gaming supplies, which includes playing cards for Texas Hold'em poker, poker chips, and any other equipment or product manufactured for or intended to be used in the conduct of a poker tournament, to any qualified organization must obtain a charitable gaming supplier permit in accordance with § 18.2-340.34 of the Code of Virginia.

D. An operator registration shall be valid for a period of one year from the date of issuance or for the period specified on the registration. The department may issue a registration for a period of less than one year.

E. If any information on the registration application changes or is found to be inaccurate, then the applicant shall notify the department and provide the updated or corrected information within three business days of the change or the discovery of the inaccuracy.



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# Regulations

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## **11VAC20-30-60. Requirements for administering, conducting, managing, or operating a poker tournament.**

A. A person who has managed, operated, conducted, or administered charitable gaming without a valid license, permit, certificate, registration, or other similar authority related to gambling in any state, territory, or possession of the United States; the District of Columbia; or any political subdivision thereof shall not manage, operate, conduct, or administer a poker tournament.

B. A person who manages, operates, conducts, or administers a poker tournament shall not use or continue to use a poker product that has been recalled by the manufacturer.

C. A person shall not administer a poker tournament for a person who is not permitted to conduct a poker tournament or is not authorized to conduct business in the Commonwealth.

D. A person who administers or conducts a poker tournament must notify the department within 20 days of the occurrence, knowledge, or receipt of the filing of any administrative or legal action against the person relating to gambling or the administration of poker tournaments.

E. A person shall not breach any provision of the contract prescribed in 11VAC20-30-180 between an operator and a qualified organization.

F. A person who has been found to have violated any provision of the Charitable Gaming Law or a regulation adopted pursuant thereto shall not manage, operate, conduct, or administer a poker tournament.

G. A qualified organization shall ensure that all persons, including those employed by the operator, involved in the management, operation, conduct, or administration of a poker tournament are trained in the use of any equipment, on the policies and procedures relevant to the person's function, on the person's responsibilities, on the poker game, and on the Charitable Gaming Law and this chapter. The qualified organization shall ensure the completion of the training required by this subsection, and such completion shall be documented, maintained, and available for inspection by the department, at the department's request.

H. No person other than the charitable organization shall submit a permit application or financial report on behalf of a charitable organization.

I. If the department identifies through inspection, audit, or other means that a person is not in compliance with statutory or regulatory requirements or has ineffective internal controls, the department may impose restrictions consistent with the provisions of this chapter.

J. Any records the department deems necessary to complete an inspection, audit, or investigation may be collected by the department from the premises of any location where a poker tournament is conducted or any location where the records are

located or stored. The department shall provide a written receipt of such records at the time of collection.

K. A person who administers a poker tournament shall provide the charitable organization a detailed invoice for each tournament the person administers. The invoice shall reflect the following:

1. Name, address, and the organization number of the qualified organization;
2. Date and location of the poker tournament; and
3. Gross receipts, net receipts, and prize disbursement.

L. A person providing security for an organization's charitable gaming activity shall not participate in the charitable gaming activity and shall not be compensated with charitable gaming supplies, including poker chips.

M. A member of a qualified organization; a person associated with the qualified organization; or an immediate family member or person residing in the household of a director, officer, owner, partner, employee, independent contractor, a member of the qualified organization, or a person affiliated or associated with the qualified organization shall not receive compensation from an operator with whom the qualified organization contracts to administer a poker tournament.

N. A qualified organization shall prohibit an operator and the operator's directors, officers, owners, partners, tournament managers, employees, independent contractors, volunteers, and agents or the immediate family members or persons residing in the household of an operator's directors, officers, owners, partners, tournament managers, employees, independent contractors, volunteers, or agents from playing in a poker tournament the operator administers for the qualified organization.

O. A qualified organization shall ensure that any poker tournament the qualified organization conducts or contracts with an operator to administer has internal control policies and procedures that include segregation of duties, cash security, and cash controls based on generally accepted standards.

P. A qualified organization shall only pay a fixed fee to an operator for services. No qualified organization shall pay a gross aggregate compensation to the operator based on a percentage of the revenue the qualified organization collects for that tournament. No other fees, charges or assessments shall be paid by the qualified organization to an operator for administering a poker tournament except such fixed fee.

Q. All persons managing, operating, conducting, or administering a poker tournament shall wear a badge that meets the requirements set forth in 11VAC20-30-90 Q and shall possess a current photo identification, such as a driver's license or other government-issued identification, while managing, operating, conducting, or administering a poker

tournament. All persons shall provide the badge and photo identification to the department upon request.

R. A qualified organization shall only contract with an operator (i) that purchases or receives its charitable gaming supplies from a permitted charitable gaming supplier pursuant to § 18.2-340.34 of the Code of Virginia or (ii) is permitted as a charitable gaming supplier.

S. Any house rules that shall govern the poker tournament shall be prominently displayed during each poker tournament. All house rules shall be preapproved by the department and shall be consistent with the Charitable Gaming Law, this chapter, and the official rules for poker tournaments established by the Poker Tournament Directors Association.

T. A qualified organization shall not rent, lease, or otherwise use any premises for the purposes of holding a poker tournament from a person who is not registered with the department as a landlord in accordance with 11VAC20-30-130.

## **11VAC20-30-70. Suspension, revocation, or denial of permit for organization.**

A. Pursuant to § 18.2-340.20 of the Code of Virginia, the department may suspend, revoke, or deny the permit of any qualified organization to manage, operate, or conduct poker tournaments or to contract with an operator to administer the qualified organization's poker tournaments for cause, including any of the following reasons:

1. Any person involved in the management, operation, or conduct of the qualified organization's poker tournaments is found to be in violation of or has failed to meet any of the requirements of the Charitable Gaming Law or this chapter.

2. The qualified organization is found to be not in good standing with its state or national organization.

3. The IRS revokes or suspends the qualified organization's tax-exempt status.

4. The qualified organization willfully and knowingly provides false information in its application for a permit to conduct charitable gaming.

5. Any person involved in the management, operation, or conduct of the qualified organization's poker tournament has been convicted of any felony or any misdemeanor as follows:

a. For any person participating in the management or operation of any charitable gaming:

(1) Convicted of a felony; or

(2) Convicted of any misdemeanor involving fraud, theft, or financial crimes within the preceding five years.

b. For any person participating in the conduct of charitable gaming:

(1) Convicted of any felony within the preceding 10 years; or

(2) Convicted of any misdemeanor involving fraud, theft, or financial crimes within the preceding five years.

6. The qualified organization fails to report a violation as required by 11VAC20-20-610.

7. The qualified organization is found to have managed, operated, or conducted a poker tournament or contracted with an operator or any person that administered a poker tournament on its behalf without a permit issued to the qualified organization to do so.

8. The qualified organization fails to comply with the requirements of 11VAC20-20-30.

9. If the qualified organization uses or intends to use an operator to administer its poker tournament, the qualified organization fails to submit or provide to the department a written contract that complies with 11VAC20-30-180, fails to submit or provide to the department a new or amended written contract with its operator within the 20 days following the date on which the contract is signed by all parties to the contract, or fails to submit or provide to the department a new or amended written contract with its operator that complies with 11VAC20-30-180.

10. The qualified organization, the members of the qualified organization, any persons affiliated or associated with the qualified organization, or immediate family members or persons residing in the household of a member of the qualified organization or a person affiliated or associated with the qualified organization shall not directly or indirectly receive a loan from a landlord, operator, charitable gaming supplier, or the agents, employees, immediate family members, or persons residing in the household of a landlord, operator, or charitable gaming supplier.

B. The failure to meet any of the requirements of § 18.2-340.24 of the Code of Virginia shall be cause for the denial of the permit, and no qualified organization shall manage, operate, and conduct any poker tournaments or contract with an operator to administer the qualified organization's poker tournaments until the requirements are met and a permit is obtained.

C. If the department suspends a qualified organization's permit, the department shall set the terms of the suspension, which shall include the length of the suspension and a requirement that, prior to reinstatement of the permit, the organization shall submit a remedial business plan to address the conditions that resulted in the suspension.

## **11VAC20-30-80. Poker tournaments.**

A. A Texas Hold'em poker tournament is a competition at which:

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# Regulations

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1. Players shall pay a fixed fee for entry into the competition and for a certain amount of poker chips for use in the competition;

2. Players may be allowed to pay an additional fee during set preannounced times of the competition to receive additional poker chips for use in the competition;

3. Players may be seated at one or more tables simultaneously playing Texas Hold'em poker games;

4. Players shall, upon running out of poker chips, be eliminated from the competition;

5. A set preannounced number of players shall be awarded prizes of value according to how long such players remain in the competition;

6. The tournament has a fixed and predetermined end time in accordance with this section; and

7. The poker chips have no monetary or cash value and no actual currency is wagered.

B. Any poker competition that does not meet the requirements established in subsection A of this section is not a poker tournament and is prohibited pursuant to § 18.2-340.22 of the Code of Virginia. A qualified organization shall ensure its poker tournament meets the requirements established in subsection A of this section.

## **11VAC20-30-90. Operation of poker tournaments; administration of poker tournaments.**

A. A qualified organization shall only manage, operate, and conduct a poker tournament after a permit has been issued pursuant to 11VAC20-20-20 by the department. A qualified organization that contracts with an operator that is registered pursuant to 11VAC20-30-50 shall obtain a permit prior to the operator administering a poker tournament.

B. A person shall only administer a poker tournament for a qualified organization permitted by the department pursuant to 11VAC20-20-20 and shall only administer a poker tournament after the person is registered pursuant to 11VAC20-30-50.

C. A qualified organization's game managers, volunteer game workers, dealers, charitable host representatives, or the immediate family members or persons residing in the household of a qualified organization's game managers, volunteer game workers, dealers, or charitable host representatives shall not participate as a player or otherwise play in the poker tournament in which they served as a game manager, volunteer game worker, dealer, or charitable host representative conducted by or administered for the organization.

D. The qualified organization shall ensure an operator's directors, officers, owners, partners, tournament managers, dealers, employees, independent contractors, volunteers, agents, or the immediate family members or persons residing

in the household of an operator's directors, officers, owners, partners, tournament managers, dealers, employees, independent contractors, volunteers, or agents do not participate as a player or otherwise play in the poker tournament for which the operator is contracted to administer.

E. A qualified organization is responsible for all actions performed by its game managers, volunteer game workers, dealers, and charitable host representatives. If a qualified organization contracts with an operator to administer its poker tournament, the qualified organization is responsible for ensuring the poker tournament is administered in compliance with the Charitable Gaming Law and this chapter.

F. A qualified organization may not hold concurrent poker tournaments.

G. A qualified organization may conduct poker tournaments only at a location within the county, city, or town in which the organization's principal office, as registered with the State Corporation Commission, is located or in an adjoining county, city, or town. A qualified organization may not conduct poker at an establishment that has been granted a license pursuant to Chapter 2 (§ 4.1-200 et seq.) of Title 4.1 of the Code of Virginia unless such license is held by the organization.

H. A qualified organization shall ensure that all persons, including the operator's employees, independent contractors, volunteers, or agents, involved in the management, operation, conduct, or administration of a poker tournament are trained in the use of any equipment, on the policies and procedures relevant to the person's function, on the person's responsibilities, on the poker game, and on the Charitable Gaming Law and this chapter. All training courses shall be approved in advance by the department.

Any person who will serve as a dealer shall be trained, at a minimum, in the following:

1. Procedures for opening and closing tables for the poker tournament, including the proper security procedures regarding poker chip inventories;

2. Procedures for distributing and removing gaming chips and plaques from the poker tournament table;

3. Procedures for accepting cash at the poker tournament table;

4. Procedures for shift changes at the poker tournament table;

5. Procedures for the proper placement of wagers by players and the proper collection of losing wagers and payment of winning wagers; and

6. Recognizing problem and compulsive gamblers at poker tournaments and procedures for informing supervisory personnel.

Before any person who will serve as a dealer is allowed to deal at a poker tournament, the prospective dealer shall pass a table test. A table test shall consist of the dealer demonstrating proficiency at the poker tournament to the satisfaction of the game manager or tournament manager. The qualified organization shall ensure the completion of the training required by this subsection and the successful completion of the table test by the prospective dealer. Such completion shall be documented, maintained, and available for inspection by the department, at their request.

I. The qualified organization shall be responsible for ensuring all house rules are followed during the poker tournament, including those house rules administered by an operator.

J. If a qualified organization is managing, operating, and conducting its own poker tournament, then a game manager must be physically present during the entire duration of the poker tournament. If an operator is administering a qualified organization's poker tournament, then the charitable host representative must be physically present during the entire duration of the poker tournament and ensure the tournament manager is physically present during the entire duration of the poker tournament.

K. A qualified organization shall provide a badge that meets the criteria established in 11VAC20-30-90 Q for each of its game managers, the tournament manager, the charitable host representative, dealers, and other game workers. Each game manager, tournament manager, charitable host representative, dealer, or other game worker shall wear a badge so that the badge is visible to players and to the department during the duration of the poker tournament. Each game manager, tournament manager, charitable host representative, dealer, or other game worker shall also possess a current photo identification, such as a driver's license or other government-issued identification. The game manager, tournament manager, charitable host representative, each dealer, and all other game workers shall provide the badge, current photo identification, or both upon request by the department to do so.

L. If a qualified organization is managing, operating, and conducting its own poker tournament, then a game manager shall complete and sign a poker tournament reconciliation form within the 48 hours following the end of the poker tournament, as required by 11VAC20-30-100. If an operator is administering a qualified organization's poker tournament, then the charitable host representative shall complete a poker tournament reconciliation form, sign it, and ensure the tournament manager signs it within the 48 hours following the end of the poker tournament as required by 11VAC20-30-100.

M. All persons involved in managing, operating, conducting, or administering a poker tournament shall be 18 years of age or older.

N. During a poker tournament held by a qualified organization, no gambling or gaming may take place other than

that specifically authorized by this chapter. During a poker tournament held by a qualified organization, no person may use currency, a token that is not an authorized tournament chip, or other thing of value as a wager.

O. No poker games utilizing any electromechanical device or other mechanism employing electronic chips, tubes, video display screens, or microprocessors may be used during a poker tournament.

P. Players must be physically present to play.

Q. During a poker tournament, all game managers, tournament managers, charitable host representatives, dealers, and all other game workers shall wear a badge that includes:

1. A recent photo of the person;
2. The first and last name of the person;
3. The name of the qualified organization or operator; and
4. The date the badge was issued to the person.

## **11VAC20-30-100. Tournament play.**

A. All persons participating as a player in a poker tournament shall be 18 years of age or older.

B. Prior to a poker tournament, a qualified organization must establish the fixed fee that a player must pay in order to enter the poker tournament. The qualified organization must post or advertise the fixed entry fee for the poker tournament and the number of tournament chips received for that entry fee.

C. The qualified organization shall ensure a poker game meets the definition of Texas Hold'em poker game as stated in § 18.2-340.16 of the Code of Virginia.

D. The game manager, charitable host representative, dealer, volunteer game workers, or operator's employees, independent contractors, volunteers, or agents shall not:

1. Allow any wagering in any manner not set forth in this chapter;
2. Accept any direct or indirect tip or gratuity; or
3. Consume alcoholic beverages during the tournament.

E. The dealer shall only be responsible for dealing playing cards and handling tournament chips at the poker table during the poker tournament. The dealer shall not be assigned any other duties or responsibilities not directly related to dealing playing cards or handling tournament chips.

F. The following resources shall be used during a poker tournament:

1. A live dealer;
2. Physical playing cards;
3. Physical tournament chips; and



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# Regulations

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4. Tables large enough to ensure that players may examine their cards without disclosing the card value to other players. No single table shall have more than 11 players.

G. Re-buys may be allowed at preannounced times within the first three hours of tournament play or until the first break (consolidation or balancing of tables) of the tournament, whichever occurs first. These re-buys must occur at established times that are posted in the tournament rules prior to the beginning of the tournament. A re-buy must contain the predetermined number of poker chips established in the tournament rules. Re-buys may only occur before a player has lost all of his poker chips and may only bring the player up to the original amount of poker chips provided at the beginning of the tournament. A player who has lost all of his poker chips may not re-buy and is eliminated from the tournament.

H. No individual who is participating in the management, operation, or conduct of a poker tournament shall provide any information or engage in any conduct that alters or is intended to alter the outcome of any poker tournament.

## I. Tournament chips.

1. All tournament chips used in a poker tournament must be purchased from a charitable gaming supplier permitted pursuant to § 18.2-340.34 of the Code of Virginia.

2. All poker tournaments shall be conducted using tournament chips approved by the department. The tournament chips shall bear the following:

- a. The name, logo, or other identification of the charitable organization or operator issuing the tournament chip;
- b. The word "Tournament;"
- c. The tournament value of the poker chip. No monetary word or symbol, such as dollars (\$) or cents (¢), shall be used on any poker chip; and
- d. The phrase "No Cash Value."

3. A qualified organization or its operator shall store tournament chips in a secure area.

4. A qualified organization or its operator shall conduct an inventory of all tournament chips and include on a poker tournament reconciliation form prescribed or approved by the department any discrepancy in the inventory and shall include the balance for each tournament value of the poker chip on hand at the beginning of each tournament and the balance on hand at the end of each tournament.

5. Tournament chips are to be used in the play of the poker tournament and shall not be redeemed for cash or any other thing of value. A qualified organization or its operator shall not accept tournament chips as payment for any goods or services and shall not use tournament chips in any other transaction.

6. No person is permitted to sell or exchange a tournament chip for currency with another player, the operator, the qualified organization, or any other person or entity.

## J. Playing cards.

1. All playing cards used in a poker tournament must be purchased from or provided by a charitable gaming supplier permitted pursuant to § 18.2-340.34 of the Code of Virginia.

2. The qualified organization or its operator shall conduct an inventory of all boxes containing decks of playing cards at the beginning of each tournament and at the end of each tournament to ensure that the boxes of cards are intact, unbroken, and free from alteration or tampering.

3. Decks of cards shall be stored in a secure location that minimizes alteration or tampering.

4. The dealer shall verify that all cards are present in the deck and visually inspect the backs of the cards for any defects that might compromise the integrity or fairness of the poker game and shall offer an opportunity for each player at the dealer's table to visually inspect the cards. The game manager or charitable host representative shall remove any deck of cards that is missing a card or contains damaged or altered cards or other card flaws that would affect the integrity of the poker game. Any deck found to be defective or missing a card or to contain damaged or altered cards or other card flaws shall be made unplayable.

5. Unless the Poker Tournament Directors Association rules differ, the ranking of hands, from highest to lowest, shall be as follows:

- a. Royal flush;
- b. Straight flush;
- c. Four of a kind;
- d. Full house;
- e. Flush;
- f. Straight;
- g. Three of a kind;
- h. Two pairs;
- i. One pair; and
- j. High card.

K. The order of finish for a poker tournament shall be determined by one of the following methods only:

1. If play continues until all but one player is eliminated before the predetermined end time, the order of finish shall be the order of elimination from last to first. The last remaining player shall be declared the winner; or

2. If play stops at the predetermined end time, the order of finish shall be determined by the ranking value of the tournament chips held by each player at the end of play from

highest to lowest. The player with the highest value of tournament chips shall be declared the winner.

L. The following restrictions apply to method of play:

1. Wild cards are prohibited;
2. Hi/Lo games are prohibited;
3. Rakes or cutting of pots is prohibited;
4. A player shall only bet on his hand in a poker game;
5. A players is prohibited from exchanging information concerning his hand;
6. A players who folds from the poker game of play shall not reveal his pocket cards; and
7. No player may play more than one hand during a poker game.

M. A qualified organization shall prominently display its charitable gaming permit during the poker tournament, and if the qualified organization uses an operator to administer its poker tournament, the qualified organization shall also prominently display the operator's registration.

N. The qualified organization shall prominently display the department's poster advising the public of a telephone number where complaints relating to the poker tournament may be made. Such posters shall be in a format prescribed by the department, as required by 11VAC20-20-610.

O. The qualified organization shall prominently display a poster that bears a toll-free telephone number for "Gamblers Anonymous" or another organization that provides assistance to compulsive gamblers.

P. The qualified organization shall prominently display any house rules that shall govern the poker tournament beyond the official rules for poker tournaments established by the Poker Tournament Directors Association. Any house rules shall be consistent with the Charitable Gaming Law, this chapter, and the official rules for poker tournaments established by the Poker Tournament Directors Association.

Q. The qualified organization shall ensure all mechanical poker equipment is fully functional and maintains the integrity of the poker tournament prior to, during, and after the poker tournament. Any mechanical poker equipment that is not fully functional or that does not maintain the integrity of the poker tournament shall be removed immediately from the poker tournament by the qualified organization.

R. A qualified organization shall not manage, operate, or conduct its poker tournament or have its poker tournament administered by an operator on a premises where gambling or gaming activities occur, unless such activities are authorized by the Charitable Gaming Law or regulations adopted pursuant thereto; Chapter 40 (§ 58.1-4000 et seq.) or Chapter 41 (§ 58.1-

4100 et seq.) of Title 58.1 of the Code of Virginia; or Chapter 29 (§ 59.1-364 et seq.) of Title 59.1 of the Code of Virginia.

S. Only a qualified organization or a permitted charitable gaming supplier shall advertise a poker tournament. Any printed advertisement is permitted, provided the name of the qualified organization shall be in a type size equal to or larger than the name of the premises used for the poker tournament, name of the operator, or any word referring to the poker tournament.

T. A game manager or, if a qualified organization uses an operator to administer its poker tournament, the charitable host representative shall ensure any tournament chips, playing cards, or mechanical poker equipment used to conduct the poker tournament are not counterfeit or tampered with or do not otherwise affect the integrity of the poker tournament prior to, during, and after the poker tournament. Any tournament chips, playing cards, or mechanical equipment found to be counterfeit or tampered with shall be removed immediately from the poker tournament. Such incidents shall be reported by the qualified organization or jointly by the qualified organization and operator to the department.

## **11VAC20-30-110. Charitable gaming supplies; approval of mechanical card shuffler and dealer shoes and other mechanical equipment.**

A. All charitable gaming supplies, including cards, tournament chips, and mechanical equipment, shall be purchased from or provided by a charitable gaming supplier permitted pursuant to § 18.2-340.34 of the Code of Virginia.

B. Mechanical equipment may be used to conduct poker games or tournaments, provided that such equipment is preapproved by the department in accordance with and subject to this section and technical standards adopted by the department.

C. The department shall set testing criteria for all mechanical card shufflers and dealer shoes and other mechanical equipment used during a poker tournament. A mechanical card shuffler and dealer shoe or other mechanical equipment used during a poker tournament shall not be sold, leased, or otherwise furnished to any person in the Commonwealth for use during a poker tournament until an identical sample mechanical card shuffler and dealer shoe or equipment containing identical software has been certified by a testing facility that has been formally recognized by the department as a testing facility that upholds the standards of integrity established by the department. The testing facility must certify that the mechanical card shuffler and dealer shoe, other mechanical equipment, associated hardware, and associated software conform, at a minimum, to the requirements of this chapter. Once the testing facility reports the test results to the department, the department will either approve or reject the mechanical card shuffler and dealer shoe or other mechanical equipment and inform the manufacturer of the results. If any

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# Regulations

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such approved system or equipment fails to meet the department's criteria, that system or equipment shall be recalled and shall not be distributed in the Commonwealth. The cost of testing shall be borne by the manufacturer of such equipment.

D. Notwithstanding any other testing criteria established by the department, the mechanical card shuffler and dealer shoe shall be tested to the standards established in GLI 29: Card Shufflers and Dealer Shoes, Version 1.0, produced by Gaming Laboratories International.

## **11VAC20-30-120. Rules of play.**

All persons conducting, managing, operating, or administering a poker tournament shall adhere to the official rules of the Poker Tournament Directors Association.

## **11VAC20-30-130. Requirements regarding renting premises, agreements, and landlord participation.**

A. A qualified organization shall not rent or use any leased premises to hold a poker tournament unless all terms for rental or use are set forth in a written contract provided to the department prior to the issuance of a permit to conduct the poker tournament.

B. A person who rents, leases, or otherwise provides a premises to a qualified organization to hold a poker tournament shall obtain a landlord registration from the department. A landlord shall obtain a landlord registration regardless of whether the landlord charges or intends to charge a rental fee for providing a premises to a qualified organization.

C. All persons who rent, lease, or otherwise provide a premises to a qualified organization to hold a poker tournament shall apply to the department for a landlord registration on a form prescribed by the department. The application for a landlord registration shall include:

1. The names of all owners, directors, and partners; and
2. All current rental agreements between the landlord and a qualified organization.

D. A landlord registration shall be valid for a period of one year from the date of issuance or for the period specified on the registration. The department may issue a registration for a period of less than one year. If any information on the registration application changes or is found to be inaccurate, the applicant shall notify the department and provide the updated or corrected information within three business days of the change or the discovery of the inaccuracy.

E. A landlord, the landlord's agents, or the landlord's employees or an immediate family member or person residing in the household of such landlord, agent, or employee shall not directly or indirectly make a loan to a qualified organization, a member of a qualified organization, a person affiliated or associated with a qualified organization, an operator, a supplier of poker supplies, or an immediate family member or person

residing in the household of a member of a qualified organization, a person affiliated or associated with a qualified organization, an operator, or a supplier of poker supplies.

F. A landlord, the landlord's agents, the landlord's employees, or the immediate family members or persons residing in the household of such landlord, agent, or employee shall not directly or indirectly make any payment to a qualified organization, a member of a qualified organization, a person affiliated or associated with a qualified organization, an operator, a charitable gaming supplier, or an immediate family member or person residing in the household of a member of a qualified organization, a person affiliated or associated with a qualified organization, an operator, or a charitable gaming supplier.

G. A landlord, its agent, or its employees or the immediate family members or persons residing in the household of such landlord, agent, or employee shall not:

1. Participate in the management, operation, conduct, or administration of any poker tournament operated, conducted, or administered on the landlord's premises;
2. Sell, lease, or otherwise provide any charitable gaming supplies, including playing cards, poker chips, or other game pieces, for use during a poker tournament operated, conducted, or administered on the landlord's premises;
3. Require as a condition of the lease that a qualified organization use a particular charitable gaming supplier or operator; or
4. Provide, advise, or direct a qualified organization or operator to use a particular person to manage, operate, conduct, or administer a poker tournament that is to be held in the landlord's premises.

H. A member of a qualified organization who participates in the management, operation, or conduct of a poker tournament shall not provide services to a landlord or be remunerated in any manner by the landlord of the premises that the qualified organization uses to manage, operate, or conduct its poker tournament.

I. A qualified organization shall only lease a premises by means of a fixed rental payment. The fixed rental payment shall reflect the current fair market rental value of the property and shall not be based upon or determined by a percentage of the proceeds derived from the operation of the poker tournament or to the number of people in attendance at such tournament.

J. No contract for the rental or leasing of a premises for a poker tournament shall be contingent upon the qualified organization's agreement that it will contract with a particular business for a particular premises, equipment, or service. A landlord, owner, lessor, or lessee of a premises where a poker tournament is being played is prohibited from serving in any

capacity with any qualified organization that is leasing from such landlord, owner, lessor, or lessee.

K. A charitable gaming supplier is ineligible for a landlord registration issued pursuant to the Charitable Gaming Law and this chapter.

L. A landlord shall provide to the department the records, including financial records, that the department deems necessary to complete an inspection, audit, or investigation. The department shall provide written receipt of such records at the time the landlord provides requested records to the department. The department may suspend or revoke the registration of a landlord who refuses to provide the requested record.

M. If the department determines through inspection, audit, or other means that a landlord is not in compliance with a provision of the Charitable Gaming Law or regulations adopted pursuant thereto, the department may deny, suspend, or revoke the landlord's registration.

## **11VAC20-30-140. Bank accounts.**

An organization that will conduct a poker tournament is subject to the provisions of 11VAC20-20-80 regarding bank accounts.

## **11VAC20-30-150. Recordkeeping.**

An organization that will conduct a poker tournament is subject to the provisions of 11VAC20-20-90 regarding recordkeeping.

## **11VAC20-30-160. Financial reporting, penalties, inspections, and audits.**

An organization that will conduct a poker tournament is subject to the provisions of 11VAC20-20-100 regarding financial reporting, penalties, inspections, and audits.

## **11VAC20-30-170. Use of proceeds.**

An organization that will conduct a poker tournament is subject to the provisions of 11VAC20-20-110 regarding use of proceeds.

## **11VAC20-30-180. Requirements regarding contracts.**

A. If a qualified organization elects to use an operator to administer its poker tournament, then it shall obtain a written contract with the operator.

B. A written contract between a qualified organization and an operator shall identify the conditions and cost for the operator to administer a poker tournament for the qualified organization. This written contract shall:

1. Require the operator to register with the department and comply with the requirements established in 11VAC20-30-50.

2. Require the operator to report to the qualified organization and the department within 20 days if there is any action taken against any valid license, permit, certificate, registration, or other similar documents related to gambling held by the operator in any state, territory, a possession of the United States, the District of Columbia, or any political subdivision thereof.

3. Require the operator to report to the qualified organization and the department within 20 days if the operator fails to file or has been delinquent in excess of one year in the filing of any tax returns or the payment of any taxes due the Commonwealth or has failed to establish a registered office or registered agent in the Commonwealth if so required by § 13.1-634 or 13.1-763 of the Code of Virginia.

4. Require the operator to provide the qualified organization and the department with access to the operator's financial record for each poker tournament administered on the qualified organization's behalf for a minimum of the previous three fiscal years and, if necessary, to provide the qualified organization with copies or the department with the originals of these records or any other records deemed necessary to complete an inspection, audit, or investigation without hindrance from the operator. The department shall provide a written receipt for the originals of the records at the time of collection.

5. Require the operator to provide the qualified organization with a copy of a detailed invoice for each poker tournament that the operator administers on behalf of the qualified organization. The invoice shall include the information required 11VAC20-30-60 K.

6. Require the operator to retain all bank account records, including monthly bank statements, canceled checks or facsimiles thereof, and reconciliations for a minimum of three years following the close of a fiscal year.

7. Require the operator to display prominently its operator's registration during each poker tournament the operator administers on the qualified organization's behalf.

8. Require the operator to comply with any restrictions or additional recordkeeping and financial reporting requirements imposed upon the qualified organization by the department due to deficiencies identified through inspection, audit, or other means.

9. Require the operator to pay all expenses other than prizes that the operator incurs in the administration of the tournament by check or electronic fund transfer directly from its bank account.

10. Specify the duration of the written contract period and the termination rights for the qualified organization and operator.

11. Specify the terms of any arrangement agreed upon by the qualified organization and the operator regarding the deposit



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# Regulations

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of **the** receipts received by an operator due to **the** operator's administering of a poker tournament for a qualified organization through an electronic fund transfer into **the** qualified organization's charitable gaming bank account. A written agreement specifying **the** terms of this arrangement shall be required prior to any electronic fund transfer occurring between **the** two parties.

12. Require **the** tournament manager to be physically present at all times during a poker tournament **the** operator is administering.

C. A qualified organization shall only contract with an operator that adheres to **the** provisions of **the** Charitable Gaming Law and this chapter.

D. An organization shall provide a copy of all written contracts between **the** organization and **the** operator to **the** department upon application for a permit or upon **the** entering into any contract with an operator following **the** submission of an application or receipt of a permit.

## **11VAC20-30-190. Charitable gaming suppliers.**

A supplier of charitable gaming supplies used during a poker tournament is subject to **the** provisions of 11VAC20-20-130.

## **11VAC20-30-200. Procedural rules for informal fact-finding conferences and hearings.**

A person who manages, operates, conducts, or administers a poker tournament or a landlord is subject to **the** provisions of 11VAC20-20-600 regarding procedural rules for informal fact-finding conferences and hearings.

## **11VAC20-30-210. Reporting violations.**

A person who manages, operates, conducts, or administers a poker tournament or a landlord is subject to **the** provisions of 11VAC20-20-610 regarding reporting violations.

**NOTICE:** **The** following forms used in administering **the** regulation have been filed by **the** agency. Amended or added forms are reflected in **the** listing and are published following **the** listing. Online users of this issue of **the** Virginia Register of Regulations may also click on **the** name to access a form. **The** forms are also available from **the** agency contact or may be viewed at **the** Office of Registrar of Regulations, 900 East Main Street, 11th Floor, Richmond, Virginia 23219.

## **FORMS (11VAC20-30)**

[Annual Financial Report, Form 101 \(rev. MM/YYYY\)](#)

[Charitable Gaming Permit Application – New Applicants, Form 201-N \(rev. MM/YYYY\)](#)

[Charitable Gaming Permit Application – Renewal Applicants, Form 201-R \(rev. MM/YYYY\)](#)

[Destruction of Unused Charitable Gaming Supplies, Form 112 \(rev. MM/YYYY\)](#)

[Landlord Registration, Form 501 \(eff. MM/YYYY\)](#)

[Permit Amendment, Form 202 \(rev. MM/YYYY\)](#)

[Quarterly Financial Report Form, Form 102 \(rev. MM/YYYY\)](#)

[Report of Game Termination, Form 0 \(rev. MM/YYYY\)](#)

[Texas Hold'em Poker Tournament Operator Registration Application, Form 307 \(eff. MM/YYYY\)](#)

[Texas Hold'em Poker Tournament Operator Registration – Personal Information Form, Form 307a \(eff. MM/YYYY\)](#)

[Texas Hold'em Poker Tournament Reconciliation Summary, Form 114 \(eff. MM/YYYY\)](#)

## **DOCUMENTS INCORPORATED BY REFERENCE (11VAC20-30)**

[GLI-29: Card Shufflers and Dealer Shoes, Gaming Laboratories International, LLC, Version 1.0, July 20, 2012,   
www.gaminglabs.com.](#)

[Poker Tournament Directors Association Rules, Poker Tournament Directors Association, 2019, September 17, 2019,   
https://www.pokertda.com/.](#)

VA.R. Doc. No. R23-7455; Filed March 22, 2023, 11:48 a.m.



## **TITLE 12. HEALTH**

### **STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES**

#### **Notice of Extension of Emergency Regulation**

Title of Regulation: **12VAC35-46. Regulations for Children's Residential Facilities (adding 12VAC35-46-1260, 12VAC35-46-1270).**

Statutory Authority: §§ 37.2-203 and 37.2-408 of **the** Code of Virginia.

**The** Governor has approved **the** request of **the** State Board of Behavioral Health and Developmental Services to extend **the** expiration date of **the** emergency regulation for 12VAC35-46 for six months as provided for in § 2.2-4011 D of **the** Code of Virginia. Therefore, **the** emergency regulation is continued in effect through January 8, 2024. This extension is required because there is no longer sufficient time for **the** proposed and final stages to be completed prior to expiration. **The** regulatory action will align **the** Regulations for Children's Residential Facilities (12VAC35-46) with **the** requirements of **the** federal Family First Prevention Services Act for children's residential service providers who accept Title IV-E funding to meet **the** standards as qualified residential treatment programs. Extension will ensure sufficient time for **the** permanent

adoption process. **The** emergency regulation was published in 38:11 VA.R. 1055-1056 January 27, 2022.

Effective Date Extended Through: January 8, 2024.

Agency Contact: Susan H. Puglisi, Regulatory Research Specialist, Office of Regulatory Affairs, Department of Behavioral Health and Developmental Services, 1220 Bank Street, 4th Floor South, Richmond, VA 23219, telephone (804) 371-8043, FAX (804) 371-4609, TDD (804) 371-8977, or email [susan.puglisi@dbhds.virginia.gov](mailto:susan.puglisi@dbhds.virginia.gov).

VA.R. Doc. No. R22-6861; Filed March 15, 2023, 5:11 p.m.

## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF FUNERAL DIRECTORS AND EMBALMERS

#### Forms

**REGISTRAR'S NOTICE:** Forms used in administering **the** regulation have been filed by **the** agency. **The** forms are not being published; however, online users of this issue of **the** Virginia Register of Regulations may click on **the** name of a form with a hyperlink to access it. **The** forms are also available from **the** agency contact or may be viewed at **the** Office of **the** Registrar of Regulations, 900 East Main Street, 11th Floor, Richmond, Virginia 23219.

Titles of Regulations: **18VAC65-20. Regulations Governing **the** Practice of Funeral Services.**

**18VAC65-40. Regulations for **the** Funeral Service Internship Program.**

Agency Contact: Erin Barrett, Regulatory Coordinator, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233, telephone (804) 367-4688, or email [erin.barrett@dhp.virginia.gov](mailto:erin.barrett@dhp.virginia.gov).

FORMS (18VAC65-20)

~~Checklist and Instructions for Funeral License (rev. 7/2021)~~

~~Funeral Service Licensee Reinstatement Application (rev. 7/2021)~~

[Checklist and Instructions for Funeral License \(rev. 3/2023\)](#)

[Funeral Service Licensee Reinstatement Application \(rev. 3/2023\)](#)

[Request for Verification of a Virginia Funeral License \(rev. 11/2019\)](#)

~~Checklist and Instructions for Courtesy Card Application (rev. 7/2021)~~

~~Checklist and Instructions for Surface Transportation and Removal Service Registration Application (rev. 7/2021)~~

[Checklist and Instructions for Courtesy Card Application \(rev. 3/2023\)](#)

[Checklist and Instructions for Surface Transportation and Removal Service Registration Application \(rev. 3/2023\)](#)

[Checklist and Instructions for Crematory Registration Application \(rev. 1/2021\)](#)

[Checklist and Instructions for Continuing Education Providers \(rev. 3/2021\)](#)

[Instructions for Completing \*\*the\*\* Continuing Education Summary Form for \*\*The\*\* Virginia Board of Funeral Directors and Embalmers \(rev. 8/2016\)](#)

[Instructions for Continuing Education Providers Adding Additional Courses \(rev. 3/2021\)](#)

[Continuing Education \(CE\) Credit Form for Volunteer Practice \(rev. 7/2020\)](#)

[Continued Competency Activity and Assessment Form \(rev. 7/2012\)](#)

~~Funeral Service New Establishment Application (rev. 7/2021)~~

~~Funeral Service Establishment/Branch Application (rev. 7/2021)~~

~~Funeral Service Branch Establishment Application (rev. 7/2021)~~

~~Funeral Service Establishment/Branch Change Application (rev. 7/2021)~~

~~Funeral Establishment or Branch Change of Manager Application (rev. 7/2021)~~

[Funeral Service New Establishment Application \(rev. 3/2023\)](#)

[Funeral Service Establishment/Branch Application \(rev. 3/2023\)](#)

[Funeral Service Branch Establishment Application \(rev. 3/2023\)](#)

[Funeral Service Establishment/Branch Change Application \(rev. 3/2023\)](#)

[Funeral Establishment or Branch Change of Manager Application \(rev. 3/2023\)](#)

[Request for Reinspection due to Structural Change to Preparation Room \(rev. 7/2020\)](#)

~~Waiver of Full Time Manager (rev. 7/2021)~~

~~Funeral Service Establishment Reinstatement Application (rev. 7/2021)~~

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# Regulations

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~~Courtesy Card Reinstatement Application (rev. 7/2021)~~

~~Waiver of Full-Time Manager (rev. 3/2023)~~

~~Funeral Service Establishment Reinstatement Application (rev. 3/2023)~~

~~Courtesy Card Reinstatement Application (rev. 3/2023)~~

~~Surface Transportation and Removal Services Reinstatement Application (rev. 3/2023)~~

~~Presentation Request Form (rev. 7/2020)~~

~~Name/Address Change Form (rev. 2/2016)~~

~~Appendix I. General Price List (rev. 10/2019)~~

~~Appendix II. Casket Price List, Outer Burial Container Price List (rev. 10/2019)~~

~~Appendix III. Itemized Statement of Funeral Goods and Services Selected (rev. 10/2019)~~

FORMS (18VAC65-40)

~~Application for Funeral Service Internship Program, online form available at <https://www.license/dhp.virginia.gov/apply/>~~

~~Funeral Supervisor Registration Application (rev. 6/2022)~~

~~Funeral Change of Supervisor Application (rev. 7/2021)~~

~~Checklist and Instructions for Registration for Funeral Service Internship Program (rev. 7/2021)~~

~~Checklist and Instructions for Registration for Funeral Directing Internship Program (rev. 7/2021)~~

~~Checklist and Instructions for Registration for Embalming Internship Program (rev. 7/2021)~~

~~Funeral Supervisor Registration Application (rev. 3/2023)~~

~~Funeral Change of Supervisor Application (rev. 3/2023)~~

~~Checklist and Instructions for Registration for Funeral Service Internship Program (rev. 3/2023)~~

~~Checklist and Instructions for Registration for Funeral Directing Internship Program (rev. 3/2023)~~

~~Checklist and Instructions for Registration for Embalming Internship Program (rev. 3/2023)~~

~~First 1000 Hour Funeral Service Internship Report – Funeral Directing (rev. 1/2021)~~

~~Second 1000 Hour Funeral Service Internship Report – Funeral Directing (rev. 1/2021)~~

~~Funeral Service Internship Report of Final Completion – Funeral Directing (rev. 1/2021)~~

~~First 1000 Hour Embalming Internship Report (rev. 1/2021)~~

~~Second 1000 Hour Embalming Internship Report (rev. 1/2021)~~

~~Embalming Internship Report of Final Completion (rev. 1/2021)~~

~~Funeral Intern Reinstatement Application (rev. 7/2021)~~

~~Funeral Intern Reinstatement Application (rev. 3/2023)~~

VA.R. Doc. No. R23-7501; Filed March 15, 2023, 4:12 p.m.

## BOARD OF LONG-TERM CARE ADMINISTRATORS

### Forms

**REGISTRAR'S NOTICE:** Forms used in administering the regulation have been filed by the agency. The forms are not being published; however, online users of this issue of the Virginia Register of Regulations may click on the name of a form with a hyperlink to access it. The forms are also available from the agency contact or may be viewed at the Office of the Registrar of Regulations, 900 East Main Street, 11th Floor, Richmond, Virginia 23219.

**Titles of Regulations: 18VAC95-20. Regulations Governing the Practice of Nursing Home Administrators.**

**18VAC95-30. Regulations Governing the Practice of Assisted Living Facility Administrators.**

**Agency Contact:** Erin Barrett, Regulatory Coordinator, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233, telephone (804) 367-4688, or email [erin.barrett@dhp.virginia.gov](mailto:erin.barrett@dhp.virginia.gov).

FORMS (18VAC95-20)

~~Checklist and Instructions for Nursing Home Administrator Application for Initial Licensure (rev. 7/2021)~~

~~Checklist and Instructions for Nursing Home Administrator Application by Endorsement (rev. 7/2021)~~

~~Checklist and Instructions for Nursing Home Administrator-in-Training (rev. 12/2022)~~

~~Checklist and Instructions for Nursing Home Administrator Application for Initial Licensure (rev. 3/2023)~~

~~Checklist and Instructions for Nursing Home Administrator Application by Endorsement (rev. 3/2023)~~

~~Checklist and Instructions for Nursing Home Administrator-in-Training (rev. 3/2023)~~

~~Nursing Home Administrator-in-Training Notice of Change of Status or Discontinuance (rev. 7/2020)~~

~~Checklist and Instructions for Nursing Home Administrator Preceptor Application (rev. 7/2021)~~

~~Preceptor Reinstatement Application (rev. 9/2022)~~

~~Checklist and Instructions for Nursing Home Administrator Reinstatement Application (rev. 7/2021)~~

~~Checklist and Instructions for Nursing Home Administrator Preceptor Application (rev. 3/2023)~~

[Preceptor Reinstatement Application \(rev. 3/2023\)](#)

[Checklist and Instructions for Nursing Home Administrator Reinstatement Application \(rev. 3/2023\)](#)

[Monthly Report of Nursing Home Administrator-in-Training \(rev. 12/2022\)](#)

[Nursing Home Administrator-in-Training Documentation of Completion Form \(rev. 12/2022\)](#)

[Proposed Administrator-in-Training Program Training Plan Domains of Practice \(rev. 12/2022\)](#)

[Continuing Education Affidavit of Completion for Nursing Home Administrators \(rev. 12/2022\)](#)

[Continued Education \(CE\) Credit Form for Volunteer Practice \(rev. 7/2020\)](#)

FORMS (18VAC95-30)

[Checklist and Instructions for Assisted Living Facility Administrator Application for Licensure \(rev. 3/2023\)](#)

[Assisted Living Facility Administrators Education and Experience Matrix \(rev. 12/2022\)](#)

[Monthly Report of Assisted Living Facility Administrator-in-Training \(rev. 12/2022\)](#)

[Assisted Living Facility Administrator-in-Training Documentation of Completion Form \(rev. 12/2022\)](#)

[Assisted Living Facility Administrator-in-Training Notice of Change of Status or Discontinuance \(rev. 7/2020\)](#)

~~[Checklist and Instructions for Assisted Living Facility Administrator Preceptor Application \(rev. 9/2022\)](#)~~

[Checklist and Instructions for Assisted Living Facility Administrator Preceptor Application \(rev. 3/2023\)](#)

[Proposed AIT Program Training Plan Domains of Practice \(rev. 12/2022\)](#)

~~[Checklist and Instructions for Assisted Living Facility Administrator Reinstatement Application \(rev. 7/2021\)](#)~~

~~[Checklist and Instructions for Assisted Living Facility Administrator Preceptor Reinstatement Application \(rev. 7/2021\)](#)~~

~~[Checklist and Instructions for Assisted Living Facility Administrator in Training \(rev. 12/2022\)](#)~~

~~[Checklist and Instructions for Acting Assisted Living Facility Administrator in Training \(rev. 12/2022\)](#)~~

[Checklist and Instructions for Assisted Living Facility Administrator Reinstatement Application \(rev. 3/2023\)](#)

[Checklist and Instructions for Assisted Living Facility Administrator Preceptor Reinstatement Application \(rev. 3/2023\)](#)

[Checklist and Instructions for Assisted Living Facility Administrator-in-Training \(rev. 3/2023\)](#)

[Checklist and Instructions for Acting Assisted Living Facility Administrator-in-Training \(rev. 3/2023\)](#)

[Continuing Education Affidavit of Completion for Assisted Living Facility Administrators \(rev. 12/2022\)](#)

[Continuing Education \(CE\) Credit Form for Volunteer Practice \(rev. 7/2020\)](#)

[Name/Address Change Form \(rev. 1/2021\)](#)

[Request for Verification of Virginia Long-Term Care Administrators License \(rev. 11/2019\)](#)

VA.R. Doc. No. R23-7503; Filed March 16, 2023, 11:05 a.m.

## BOARD OF PHARMACY

### Notice of Extension of Emergency Regulation

**Titles of Regulations:** 18VAC110-20. Regulations Governing **the** Practice of Pharmacy (amending 18VAC110-20-150).

**18VAC110-21. Regulations Governing **the** Licensure of Pharmacists and Registration of Pharmacy Technicians (amending 18VAC110-21-46).**

**Statutory Authority:** §§ 54.1-2400 and 54.1-3303.1 of **the** Code of Virginia.

**The** Governor has approved **the** request of **the** Board of Pharmacy to extend **the** expiration date of **the** emergency regulation for 18VAC110-20 and 18VAC110-21 for six months as provided for in § 2.2-4011 D of **the** Code of Virginia. Therefore, **the** emergency regulation is continued in effect through December 20, 2023. This extension is required for **the** board to continue to meet **the** mandate of Chapter 214 of **the** 2021 Acts of Assembly, which requires **the** board to promulgate emergency regulations regarding pharmacists initiating treatment. **The** emergency regulation was published in 38:11 VA.R. 1133-1134 January 17, 2022.

**Effective Date Extended Through:** December 20, 2023.

**Agency Contact:** Caroline Juran, RPh, Executive Director, Board of Pharmacy, 9960 Mayland Drive, Suite 300, Richmond, VA 23233-1463, telephone (804) 367-4456, FAX (804) 527-4472, or email [caroline.juran@dhp.virginia.gov](mailto:caroline.juran@dhp.virginia.gov).

VA.R. Doc. No. R22-6989; Filed March 15, 2023, 5:12 p.m.

## BOARD OF PHYSICAL THERAPY

### Forms

**REGISTRAR'S NOTICE:** Forms used in administering **the** regulation have been filed by **the** agency. **The** forms are not being published; however, online users of this issue of **the** Virginia Register of Regulations may click on **the** name of a form with a hyperlink to access it. **The** forms are also available from **the** agency contact or may be viewed at **the** Office of **the** Registrar of Regulations, 900 East Main Street, 11th Floor, Richmond, Virginia 23219.



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# Regulations

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Title of Regulation: **18VAC112-20. Regulations Governing the Practice of Physical Therapy.**

Agency Contact: Erin Barrett, Regulatory Coordinator, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233, telephone (804) 367-4688, or email [erin.barrett@dhp.virginia.gov](mailto:erin.barrett@dhp.virginia.gov).

## FORMS

Application for Licensure by Examination to Practice Physical Therapy as a Physical Therapist or Physical Therapist Assistant - form available online at [https://www.dhp.virginia.gov/PhysicalTherapy/physther\\_for.ms.htm](https://www.dhp.virginia.gov/PhysicalTherapy/physther_for.ms.htm)

~~Application for Licensure by Examination to Practice Physical Therapy (rev. 7/2021)~~

[Application for Licensure by Examination to Practice Physical Therapy \(rev. 3/2023\)](#)

Application for Licensure by Endorsement to Practice Physical Therapy as a Physical Therapist or Physical Therapist Assistant - form available online at [https://www.dhp.virginia.gov/PhysicalTherapy/physther\\_for.ms.htm](https://www.dhp.virginia.gov/PhysicalTherapy/physther_for.ms.htm)

~~Application for Licensure by Endorsement to Practice Physical Therapy (rev. 7/2021)~~

~~Application for Reinstatement to Practice Physical Therapy (rev. 7/2021)~~

~~Application for Reinstatement after Disciplinary Action (rev. 7/2021)~~

[Application for Licensure by Endorsement to Practice Physical Therapy \(rev. 3/2023\)](#)

[Application for Reinstatement to Practice Physical Therapy \(rev. 3/2023\)](#)

[Application for Reinstatement after Disciplinary Action \(rev. 3/2023\)](#)

[Checklist and Instructions for Application for Licensure by Endorsement to Practice Physical Therapy \(rev. 4/2021\)](#)

[Checklist and Instructions for Application for Licensure by Endorsement to Practice Physical Therapy \(Graduate of a Non-Approved Program\) \(rev. 4/2021\)](#)

[Checklist and Instructions for Application for Licensure by Examination to Practice Physical Therapy \(rev. 7/2020\)](#)

[Checklist and Instructions for Application for Licensure by Examination to Practice Physical Therapy \(Graduate of a Non-Approved Program\) \(rev. 7/2020\)](#)

[Instructions: Reinstatement of Licensure to Practice as a Physical Therapist or Physical Therapist Assistant \(rev. 4/2021\)](#)

[Trainee Application - Statement of Authorization \(rev. 7/2020\)](#)

[Trainee Application - Statement of Authorization \(Graduates of a Non-Approved PT or PTA Program Who Need to Complete a Full Time 1,000 Hours of Traineeship\) \(rev. 7/2020\)](#)

[Trainee Application - Statement of Authorization \(320-hour Traineeship\) \(rev. 7/2020\)](#)

[320 Hour Traineeship Completion Form \(rev. 7/2020\)](#)

[Educational Authorization Form \(rev. 7/2020\)](#)

[Continued Competency Activity and Assessment Form \(rev. 1/2015\)](#)

[Continuing Education \(CE\) Credit Form for Volunteer Practice \(rev. 7/2020\)](#)

~~Application for Direct Access Certification (rev. 7/2021)~~

[Application for Direct Access Certification \(rev. 3/2023\)](#)

[Instructions - Direct Access Certification by Experience \(rev. 11/2020\)](#)

[Instructions - Direct Access Certification by Transitional Doctorate \(rev. 11/2020\)](#)

[Direct Access Patient Attestation and Medical Release Form \(rev. 7/2021\)](#)

[Name/Address Change Form \(rev. 7/2020\)](#)

[Request for Verification of a Virginia Physical Therapy License \(rev. 7/2020\)](#)

VA.R. Doc. No. R23-7504; Filed March 16, 2023, 12:02 p.m.



## TITLE 20. PUBLIC UTILITIES AND TELECOMMUNICATIONS

### STATE CORPORATION COMMISSION

#### Proposed Regulation

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

Title of Regulation: **20VAC5-201. Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-owned Gas and Water Utilities (amending 20VAC5-201-10, 20VAC5-201-20, 20VAC5-201-30, 20VAC5-201-90; adding 20VAC5-201-16; repealing 20VAC5-201-40, 20VAC5-201-85).**

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

**Public Hearing Information:** A public hearing will be held upon request.

**Public Comment Deadline:** May 26, 2023.

**Agency Contact:** Andrea Macgill, Division of Utility Accounting and Finance, Public Utility Regulation, State Corporation Commission, P.O. Box 1197, Richmond, VA 23218, telephone (804) 371-9064, or email [andrea.macgill@scc.virginia.gov](mailto:andrea.macgill@scc.virginia.gov).

**Summary:**

*The proposed amendments remove the applicability of Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-owned Gas and Water Utilities (Chapter 201) to investor-owned gas utilities. The rules remain applicable to investor-owned water utilities.*

AT RICHMOND, MARCH 9, 2023

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUR-2023-00006

Ex Parte: In the matter of adopting new rules of the State Corporation Commission governing utility rate applications by investor-owned gas utilities

**ORDER FOR NOTICE AND COMMENT**

On December 16, 2008, the State Corporation Commission ("Commission") adopted revisions to its Rules Governing Utility Rate Application and Annual Informational Filings, 20 VAC 5-201-10 et seq., in response to the Virginia General Assembly's amendment to Chapter 23 of Title 56 of the Code of Virginia ("Code"), which significantly modified how investor-owned electric utilities are regulated in the Commonwealth of Virginia.<sup>1</sup> On November 23, 2020, following subsequent amendments to Chapter 23 of Title 56 of the Code, the Commission adopted the new Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Electric Utilities, 20 VAC 5-204-10 et seq.<sup>2</sup> In connection therewith, the Commission also adopted limited revisions to 20 VAC 5-201-10 et seq., to limit their applicability to investor-owned gas and water utilities ("Existing Rate Case Rules").<sup>3</sup>

Since the Existing Rate Case Rules were originally adopted, subsequent legislative amendments have, among other things, expanded the number and types of rate adjustment clauses that may be sought by gas utilities.<sup>4</sup> The Code sections allowing such filings have various statutory deadlines for the Commission to issue a final order, ranging from 90 days to 180 days after filing. These time periods limit the time NOW THE COMMISSION, upon consideration of the foregoing, is of the opinion and finds that a proceeding should be established to promulgate new rules governing utility rate applications and annual informational filings of investor-owned gas utilities

("Investor-owned Gas Utility Rate Case Rules"). In connection therewith, the Commission will also consider limited revisions to the Existing Rate Case Rules to remove their applicability to investor-owned gas utilities (together with Investor-owned Gas Utility Rate Case Rules, "Proposed Rules"). The Commission does not intend to consider any additional changes to the Existing Rate Case Rules beyond removing their applicability to investor-owned gas utilities in this proceeding. To initiate this proceeding, the Commission's Staff ("Staff") has prepared Proposed Rules, which are appended to this Order as Attachment A. We will direct that notice of the Proposed Rules be given to the public and that interested persons be provided an opportunity to file written comments on, propose modifications or supplements to, or request a hearing on the Proposed Rules. We further find that a copy of the Proposed Rules should be sent to the Registrar of Regulations for publication in the Virginia Register of Regulations.

To promote administrative efficiency and timely service of filings upon participants, the Commission will, among other things, direct the electronic filing of Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed as Case No. PUR-2023-00006.

(2) All comments, pleadings or other documents filed in this matter should be submitted electronically to the extent authorized by Rule 5VAC5-20-150, Copies and Format, of the Commission's Rules of Practice and Procedure ("Rules of Practice").<sup>5</sup> Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5VAC5-20-170, Confidential information, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

(3) Pursuant to 5VAC5-20-140, Filing and service, of the Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or the Staff is impeded from preparing its case.

(4) The Staff shall forward a copy of this Order for Notice and Comment ("Order"), including a copy of the Proposed Rules, to the Registrar of Regulations for publication in the Virginia Register of Regulations.

(5) An electronic copy of the Proposed Rules may be obtained by submitting a request to Andrea B. Macgill, Esq., in the Commission's Division of Utility Accounting and Finance at the following email address:

# Regulations

Andrea.Macgill@scc.virginia.gov. An electronic copy of the Proposed Rules can be found on the Commission's website: scc.virginia.gov/pages/Rulemaking. Interested persons may also download unofficial copies of the Order and the Proposed Rules from the Commission's website: scc.virginia.gov/pages/Case-Information.

(6) The Commission's Division of Utility Accounting and Finance shall provide copies of this Order by electronic transmission, or when electronic transmission is not possible, by mail, to: individuals, organizations, and companies who have been identified by the Staff as potentially being interested in this proceeding.

(7) On or before May 26, 2023, any interested person may file comments on the Proposed Rules by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically, may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Such comments may also include proposals and hearing requests. All comments shall refer to Case No. PUR-2023-00006. Any request for hearing shall state with specificity why the issues raised in the request for hearing cannot be adequately addressed in written comments. If a sufficient request for hearing is not received, the Commission may consider the matter and enter an order based upon the papers filed herein.

(8) On or before August 7, 2023, the Staff shall file with the Clerk of the Commission a report on or a response to any comments, proposals, or requests for hearing submitted to the Commission on the Proposed Rules.

(9) All documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by this order, all filings shall comply fully with the requirements of 5VAC5-20-150, Copies and format, of the Rules of Practice.

(10) This matter is continued.

Commissioner Patricia L. West participated in this matter.

A COPY hereof shall be sent electronically by the Clerk of the Commission to utilities providing natural gas service in the Commonwealth of Virginia that are subject to regulation by the Commission as identified in Attachment B; and C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 North 9th Street, 8th Floor, Richmond, Virginia 23219-3424.

<sup>1</sup>Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: In the matter of revising the rules of the State Corporation Commission governing utility rate increase applications pursuant to Chapter 933 of the 2007 Acts of Assembly, Case No. PUE-2008-00001, 2008 S.C.C. Ann. Rept. 462, Order Adopting Regulations (Dec. 16, 2008).

<sup>2</sup>Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: In the matter of adopting new rules of the State Corporation Commission governing utility rate applications by investor-owned electric utilities, Case No. PUR-2020-00022, 2020 S.C.C. Ann. Rept. 439, Order Adopting Regulations (Nov. 23, 2020).

<sup>3</sup>Id.

<sup>4</sup>The Existing Rate Case Rules include a section addressing filings under Chapter 25 of Title 56 of the Code (§ 56-600 et seq., "Natural Gas Conservation and Ratemaking Efficiency Act"). See 20 VAC 5-201-85. The General Assembly has subsequently amended Title 56 of the Code to add Chapter 26 (§ 56-603 et seq., "Steps to Advance Virginia's Energy Plan (SAVE) Act"), Chapter 27 (§ 56-605 et seq., "Qualified Projects of Natural Gas Utilities"), Chapter 28 (§ 56-610 et seq., "Natural Gas System Expansion Infrastructure"), and Chapter 30 (§ 56-625, "Biogas Supply Infrastructure Projects"). The Existing Rate Case Rules do not address these chapters in Title 56.

<sup>5</sup>5VAC5-20-10 et seq.

## Chapter 201 Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-owned Gas and Water Utilities

### 20VAC5-201-10. General filing instructions.

A. An applicant shall provide a notice of intent to file an application pursuant to 20VAC5-201-20, ~~20VAC5-201-40, and 20VAC5-201-85~~ to the State Corporation Commission (commission) 60 days prior to the application filing date.

B. Applications pursuant to 20VAC5-201-20, 20VAC5-201-30, ~~20VAC5-201-40~~, and 20VAC5-201-70 shall include:

1. The name and post office address of the applicant and the name and post office address of the applicant's counsel.
2. A full clear statement of the facts that the applicant is prepared to prove by competent evidence.
3. A statement of details of the objectives sought and the legal basis therefore.
4. All direct testimony by which the applicant expects to support the objectives sought.
5. Information or documentation conforming to the following general instructions:

a. Attach a table of contents of the company's application, including exhibits.

b. Each exhibit shall be labeled with the name of the applicant and the initials of the sponsoring witness in the upper right hand corner as follows:

Exhibit No. (Leave Blank)

Witness: (Initials)

Statement or

Schedule Number

c. The first page of all exhibits shall contain a caption that describes the subject matter of the exhibit.

d. If the accounting and statistical data submitted differ from the books of the applicant, then the applicant shall include in its filing a reconciliation schedule for each

account or subaccount that differs, together with an explanation describing the nature of the difference.

e. The required accounting and statistical data shall include all work papers and other information necessary to ensure that the items, statements, and schedules are not misleading.

C. This chapter does not limit the commission staff or parties from raising issues for commission consideration that have not been addressed in the applicant's filing before the commission. Except for good cause shown, issues specifically decided by commission order entered in the applicant's most recent rate case may not be raised by staff or interested parties in Earnings Test Filings made pursuant to ~~20VAC5-201-10~~ 20VAC5-201-20 or 20VAC5-201-30.

D. An application filed pursuant to 20VAC5-201-20, 20VAC5-201-30, ~~20VAC5-201-40~~, or 20VAC5-201-70, ~~or 20VAC5-201-85~~ shall not be deemed filed per Chapter 10 (§ 56-232 et seq.) of Title 56 of the Code of Virginia unless it is in full compliance with this chapter.

E. The commission may waive any part or all of this chapter for good cause shown.

F. Where a filing contains information that the applicant claims to be confidential, the filing may be made under seal provided it is simultaneously accompanied by both a motion for protective order or other confidential treatment and an additional five copies of a redacted version of the filing to be available for public disclosure. Unredacted filings containing the confidential information shall, however, be immediately available to the commission staff for internal use at the commission.

G. Filings containing confidential (or redacted) information shall so state on the cover of the filing, and the precise portions of the filing containing such confidential (or redacted) information, including supporting material, shall be clearly marked within the filing.

H. Applicants shall file electronic media containing an electronic spreadsheet version of Schedules 1 through 5, 8 through 28, 36, 40, and 50, as applicable, with the commission's Division of Utility Accounting and Finance and the Division of ~~Energy Public Utility Regulation or the Division of Communications~~, as appropriate. Such electronic media containing calculations derived from formulas shall be provided in an electronic spreadsheet, including all underlying formulas and assumptions. Such electronic spreadsheet shall be commercially available and have common use in the utility industry. Additional versions of such schedules shall be made available to parties upon request.

I. All applications, including direct testimony and Schedules 1 through 28, 30 through 39, and 41 through 50, as applicable, shall be filed in an original and 12 copies with the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. One copy of Schedules 29 and 40

shall be filed with the Clerk of the Commission. Applicants may omit filing Schedule 29 with the Clerk of the Commission in Annual Informational Filings. Additional copies of such schedules shall be made available to parties upon request.

Two copies of Schedules 29 and 40 shall be submitted to the Division of Utility Accounting and Finance ~~or the Division of Communications~~, as appropriate. Two copies of Schedule 40 shall be submitted to the Division of ~~Energy Public Utility Regulation~~.

J. For any application made pursuant to 20VAC5-201-20, ~~20VAC5-201-40~~, and 20VAC5-201-70, and ~~20VAC5-201-85~~, the applicant shall serve a copy of the information required in subsection A and subdivisions B 1, B 2, and B 3 of this section, upon the attorney and chairman of the board of supervisors of each county (or equivalent officials in the counties having alternate forms of government) in this Commonwealth affected by the proposed increase and upon the mayor or manager and the attorney of every city and town (or equivalent officials in towns and cities having alternate forms of government) in this Commonwealth affected by the proposed increase. The applicant shall also serve each such official with a statement that a copy of the complete application may be obtained at no cost by making a request therefor orally or in writing to a specified company official or location. In addition, the applicant shall serve a copy of its complete application upon the Division of Consumer Counsel of the Office of the Attorney General of Virginia. All such service specified by this section shall be made either by (i) personal delivery or (ii) first class mail to the customary place of business or to the residence of the person served.

K. Nothing in ~~these~~ this chapter shall be interpreted to apply to applications for temporary reductions of rates pursuant to § 56-242 of the Code of Virginia.

**20VAC5-201-16. Applicability to applications of investor-owned gas utilities.**

This chapter shall not apply to applications filed by investor-owned gas utilities on or after December 1, 2023.

**20VAC5-201-20. General and expedited rate increase applications.**

A. An application for a general or expedited rate increase pursuant to Chapter 10 (§ 56-232 et seq.) of Title 56 of the Code of Virginia for a public utility having annual revenues exceeding \$1 million, shall conform to the following requirements:

1. Exhibits consisting of Schedules 1 through 43 and the utility's direct testimony shall be submitted. Such schedules shall be identified with the appropriate schedule number and shall be prepared in accordance with the instructions contained in 20VAC5-201-90.

2. An exhibit consisting of additional schedules may be submitted with the utility's direct testimony. Such exhibit



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# Regulations

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shall be identified as Schedule 50 (this exhibit may include numerous subschedules labeled 50A et seq.).

B. The selection of a historic test period is up to the applicant. However, the use of overlapping test periods will not be allowed.

C. Applicants meeting each of the following criteria may omit Schedules 9 through 18 in rate applications: (i) the applicant is not currently bound by a performance-based regulation plan authorized by the commission pursuant to § 56-235.6 of the Code of Virginia that includes an earnings sharing mechanism or other attribute for which the commission has directed the performance of an Earnings Test, (ii) the applicant has no Virginia jurisdictional regulatory assets on its books; and (iii) (ii) the applicant is not seeking to establish a regulatory asset.

D. If not otherwise constrained by law or regulatory requirements, an applicant who has not experienced a substantial change in circumstances may file an expedited rate application as an alternative to a general rate application. Such application need not propose an increase in regulated operating revenues. If, upon timely consideration of the expedited application and supporting evidence, it appears that a substantial change in circumstances has taken place since the applicant's last rate case, then the State Corporation Commission (commission) may take appropriate action, such as directing that the expedited application be dismissed or treated as a general rate application. Prior to public hearing, and subject to applicable provisions of law, an application for expedited rate increase may take effect within 30 days after the date the application is filed. Expedited rate increases may also take effect in less than 12 months after the applicant's preceding rate increase so long as rates are not increased as a result thereof more than once in any calendar year. An applicant making an expedited application shall also comply with the following rules:

1. In computing its cost of capital, as prescribed in Schedule 3 in 20VAC5-201-90, the applicant shall use the equity return rate approved by the commission and used to determine the revenue requirement in the utility's most recent rate proceeding.
2. An applicant, in developing its rate of return statement, shall make adjustments to its test period jurisdictional results only in accordance with the instructions for Schedule 25 in 20VAC5-201-90.
3. The applicant may propose new allocation methodologies, rate designs, and new or revised terms and conditions provided such proposals are supported by appropriate cost studies. Such support shall be included in Schedule 40.

E. Rates authorized to take effect 30 days following the filing of any application for an expedited rate increase shall be subject to refund in a manner prescribed by the commission. Whenever rates are subject to refund, the commission may also direct that such refund bear interest at a rate set by the commission.

## 20VAC5-201-30. Annual informational filings.

Unless modified per a ~~commission-approved~~ State Corporation Commission-approved alternative regulatory plan, each utility not requesting a base rate increase shall make an annual informational filing consisting of Schedules 1 through 7, 9, 11, 12, 14 through 19, 21, 22, 24, 25, 27, 28, and 40 a and b as identified in 20VAC5-201-90. The test period shall be the current 12 months ending in the same month used in the utility's most recent rate application. This information shall be filed with the State Corporation Commission (commission) within 120 days after the end of the test period. Accounting adjustments reflected in Column (2) of Schedule 21 shall incorporate the ratemaking treatment approved by the commission in the utility's last rate case and shall be calculated in accordance with the Expedited Rules of Schedule 25. Requirements found in 20VAC5-201-10 B 2, B 3, and B 4 may be omitted in Annual Informational Filings.

Applicants meeting each of the following criteria may omit Schedules 9, 11, 12, 14, and 15 through 18 in Annual Informational Filings: (i) the applicant is not currently bound by a performance-based regulation plan authorized by the commission pursuant to § 56-235.6 of the Code of Virginia that includes an earnings sharing mechanism or other attribute for which the commission has directed the performance of an Earnings Test, (ii) the applicant has no Virginia jurisdictional regulatory assets on its books; and (iii) (ii) the applicant is not seeking to establish a regulatory asset.

## 20VAC5-201-40. ~~Optional performance-based regulation applications.~~ (Repealed.)

~~An applicant that files an application for performance-based regulation pursuant to § 56-235.6 of the Code of Virginia shall file Schedules 1 through 32 and 34 through 43 as identified in 20VAC5-201-90.~~

## 20VAC5-201-85. ~~Conservation and ratemaking efficiency plans.~~ (Repealed.)

~~An applicant that files a conservation and ratemaking efficiency plan pursuant to Chapter 25 (§ 56-600 et seq.) of Title 56 of the Code of Virginia shall file Schedule 48 as identified and described in 20VAC5-201-90, and which shall be submitted with the utility's direct testimony.~~

## 20VAC5-201-90. Instructions for schedules and exhibits for Chapter 201.

The following instructions for schedules and exhibits including those specifically set forth in 20VAC5-201-95 (Schedules 1 through 14), 20VAC5-201-100 (Schedules 15 through 22), and 20VAC5-201-110 (Schedules 24 through 28 and 40) are to be used in conjunction with this chapter:

### Schedule 1 - Historic Profitability and Market Data

Instructions: Using the format of the attached schedule and the following definitions, provide the data for the test year and four prior fiscal years. The information shall be compatible with the latest stockholder's annual report (including any restatements). Information in Sections A and B shall be compiled for the corporate entity that raises equity capital in the marketplace. Information in Section C shall be compiled for the subsidiary company that provides regulated utility service in Virginia.

Definitions for Schedule 1

Return on Year End Equity\* = Earnings Available for Common Shareholders/Year End Common Equity

Return on Average Equity\* = Earnings Available for Common Shareholders/The Average of Year End Equity for the Current & Previous Year

Earnings Per Share = Earnings Available for Common Shareholders/Average ~~No.~~ Number Common Shares Outstanding

Dividends Per Share = Common Dividends Paid per Share During the Year

Payout Ratio = ~~DPS~~ Dividends Per Share/~~EPS~~ Earnings Per Share

Average Market Price\*\* = (Yearly High + Yearly Low Price)/2

Dividend Yield = Dividends Per Share /Average Market Price\*\*

Price Earnings Ratio = Average Market Price\*\*/EPS Earnings Per Share

\*Job Development Credits shall not be included as part of equity capital nor shall a deduction be made from earnings for a capital charge on these Job Development Credits in Schedule 1.

\*\*An average based on monthly highs and lows is also acceptable. If this alternative is chosen, provide monthly market prices and sufficient data to show how the calculation was made.

### Schedule 2 - Interest and Cash Flow Coverage Data

Instructions: This schedule shall be prepared using the following definitions and instructions and presented in the format of the attached schedule. The information shall be provided for the test year and the four prior fiscal years based on information for the applicant and for the consolidated company if the applicant is a subsidiary.

- Interest (Lines 3, 4, and 5) shall include amortization of expenses, discounts, and premiums on debt without deducting an allowance for borrowed funds used during construction.
- Income taxes (Line 2) shall include federal and state income taxes.
- Allowance for Funds Used During Construction ("AFUDC") (Line 8), where applicable, is total AFUDC -- for borrowed and other funds.
- Preferred dividends (Line 13) for a subsidiary may need to be allocated from the parent's total preferred dividends. Specify the allocation factor and the methodology used in a footnote.
- Construction expenditures (Line 15) are net of AFUDC.
- Common dividends (Line 16) for a subsidiary shall be stated per books. If the subsidiary's dividend payout ratio differs from the consolidated company's payout ratio, show in a footnote the subsidiary's common dividends based on the consolidated company's payout ratio.

### Schedule 3 - Capital Structure and Cost of Capital Statement - Per Books and Average

Instructions: This schedule shall show the amount of each capital component per balance sheet, the amount for ratemaking purposes, the percentage weight in the capital structure, and the component cost and weighted cost, using the format in the attached schedule. The information shall be provided for the test period, the four prior fiscal years, and on a 13-month average or five-quarter average basis for the test period. The data shall be provided for the entity whose capital structure was approved for use in the applicant's last rate case.

In Part A, the information shall be compatible with the latest Stockholders' Annual Report (including any restatements). In Parts B, C, and D, the methodology shall be consistent with that approved in the applicant's last rate case. Reconcile differences between Parts A and B for both end-of-test-period and average capital structures.

The amounts for short-term debt and revolving credit agreements (and similar arrangements) in Part B shall be based where possible on a daily average over the test year, or alternatively on a 13-month average over the test year. Except for the Part B amount for short-term debt and average amounts in Column (6), all other accounts are end-of-year and end-of-test period.

The component weighted cost rates equal the product of each component's capital structure weight for ratemaking purposes times its cost rate. The weighted cost of capital is equal to the sum of the component weighted cost rates. The Job

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# Regulations

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Development Credits cost is equal to **the** weighted cost of permanent capital (long-term debt, preferred stock, and common equity).

## **Schedule 4 - Schedules of Long-Term Debt, Preferred and Preference Stock, Job Development Credits, and Any Other Component of Ratemaking Capital**

Instructions: For each applicable capital component, provide a schedule that shows, for each issue, **the** amount outstanding, its percentage of **the** total capital component, and effective cost based on **the** embedded cost rate. This data shall support **the** amount and cost rate of **the** respective capital components contained in Schedule 3, consistent with **the** methodology approved in **the** applicant's last rate case. In addition, a detailed breakdown of all job development credits should be provided that reconciles to **the** per books balance of investment **tax** credits. These schedules should reflect disclosure of any associated hedging/derivative instruments, their respective terms and conditions (instrument type, notional amount and associated series of debt or preferred stock hedged, period in effect, etc.), and **the** impact of such instruments on **the** cost of debt or preferred stock.

## **Schedule 5 - Schedule of Short-Term Debt, Revolving Credit Agreements, and similar Short-Term Financing Arrangements**

Instructions: ~~Utilities that are not subject to § 56-585.1 of the Code of Virginia shall provide~~ Provide data and explain **the** methodology, which should be consistent with **the** methodology approved in **the** applicant's last rate case, used to calculate **the** cost and balance contained in Schedule 3 for short-term debt, revolving credit agreements, and similar arrangements.

This schedule should also provide detailed disclosure of any hedging/derivative instruments related to short-term debt, their respective terms and conditions (instrument type, notional amount and associated series of debt hedged, period in effect, etc.), and **the** impact of such instruments on **the** cost of short-term debt.

## **Schedule 6 - Public Financial Reports**

Instructions: Provide copies of **the** most recent Stockholder's Annual Report, Securities and Exchange Commission Form 10-K, and Form 10-Q for **the** applicant and **the** consolidated parent company if **the** applicant is a subsidiary. If published, provide a copy of **the** most recent statistical or financial supplement for **the** consolidated parent company.

## **Schedule 7 - Comparative Financial Statements**

Instructions: If not provided in **the** public financial reports for Schedule 6, provide comparative balance sheets, income statements, and cash flow statements for **the** test year and **the** 12-month period preceding **the** test year for **the** applicant and its consolidated parent company if applicant is a subsidiary.

## **Schedule 8 - Proposed Cost of Capital Statement**

Instructions: Provide **the** applicant's proposed capital structure/cost of capital schedule. In conjunction, provide schedules that support **the** amount and cost of each component of **the** proposed capital structure, and explain all assumptions used.

## **Schedule 9 - Rate of Return Statement - Earnings Test - Per Books**

Instructions: Use format of attached schedule.

Schedule 9 shall reflect average rate base, capital, and common equity capital. Interest expense, preferred dividends, and common equity capital shall be calculated by using **the** average capital structure included in Schedule 3 B and average rate base.

## **Schedule 11 - Rate of Return Statement - Earnings Test - Adjusted to A Regulatory Accounting Basis**

Instructions: Use format of attached schedule.

Schedule 11 adjustments in Column (2) shall reflect any financial differences between Generally Accepted Accounting Principles ("GAAP") and regulatory accounting as prescribed by **the** ~~commission~~ State Corporation Commission. Each Column (2) adjustment shall be separately identified and reflected in Schedule 16.

A per books regulatory accounting adjustment to reflect Job Development Credit (JDC) Capital Expense shall be reflected in Schedule 11 Column (2), if applicable. Column (3) JDC Capital Expense shall be calculated as follows:

JDC Capital Expense = Rate Base (line 25) \* weighted cost of JDC Capital in Schedule 3

**The** associated income **tax** savings shall be reflected in lines 5 and 6, Column (2) as follows:

Associated income **tax** savings = total average rate base (line 25) \* weight of JDC capital (Sch. 3) \* weighted cost of debt component of **the** JDC cost component (Sch. 3) \* (Federal and State Income **Tax** rate \* -1)

Schedule 11 Line 15 other income/(expense) shown in Column (3) shall be **the** current amount of other income/(expense) categorized as jurisdictional in **the** applicant's last rate case.

## **Schedule 12 - Rate Base Statement - Earnings Test - Per Books**

Instructions: Use format of attached schedule.

Applicants with jurisdictional per books operating revenues of more than \$150 million shall calculate cash working capital allowance using a lead/lag study. Schedules 17 and 18 shall be provided detailing **the** cash working capital computation for Schedule 12 Columns (1) and (3). Applicants with jurisdictional per books operating revenues between \$20 and

\$150 million may include a zero cash working capital requirement rather than perform a lead/lag study. Applicants with jurisdictional per books operating revenues less than \$20 million may use a formula method to calculate cash working capital.

~~Utilities not subject to § 56-585.1 of the Code of Virginia may omit Schedule 13.~~

~~13 Columns (2) (3) shall reflect rate base information for each commission approved rate adjustment clause pursuant to §§ 56-585.1 A5 b, c and d or A6 of the Code of Virginia.~~

## **Schedule 14 - Rate Base Statement - Earnings Test - Adjusted to Regulatory Accounting Basis**

Instructions: Use format of attached schedule.

Cash working capital allowance shall be calculated using the instructions in Schedule 12. Schedule 14 Column (2) shall reflect adjustments necessary to identify any financial differences between Generally Accepted Accounting Principles and regulatory accounting as prescribed by the commission State Corporation Commission.

## **Schedule 15 - Schedule of Regulatory Assets and Per Books Deferral Pursuant to Enactment Clause 5 of Chapter 3 of the 2004 Acts of Assembly, Special Session I**

Instructions: If applicable per Schedules 9 and 12 instructions. Use format of attached schedule.

All regulatory assets shall be individually listed with associated deferred income tax. Indicate whether the regulatory asset is included in financial reporting or is currently recognized for ratemaking purposes only.

## **Schedule 16 - Detail of Regulatory Accounting Adjustments**

Instructions: If applicable per Schedules 9 and 12 instructions.

Use format of attached schedule.

Each regulatory accounting adjustment shall be numbered sequentially beginning with ET-1 and listed under the appropriate description category (Operating Revenues, Interest Expense, Common Equity Capital, etc.).

Each regulatory accounting adjustment shall be fully explained in the description column of this schedule. Regulatory accounting adjustments shall adjust from a financial accounting basis to a regulatory accounting basis. Adjustments to reflect going-forward operations shall not be included on this schedule.

Detailed workpapers substantiating each adjustment shall be provided in Schedule 29.

## **Schedule 17 - Lead/Lag Cash Working Capital Calculation - Earnings Test**

Instructions: Use format of attached schedule.

Total Balance Sheet Net Source/Use of Average Cash Working Capital determined in Schedule 18 shall be included in the Total Cash Working Capital amount in this schedule.

The Total Cash Working Capital amount determined in this schedule shall be included in Schedules 12 and 14.

Utilities required to use a lead/lag study should perform a complete lead/lag analysis every five years. Major items, such as the revenue lag and balance sheet accounts, should be reviewed every year.

## **Schedule 18 - Balance Sheet Analysis - Earnings Test**

Instructions: Use format of attached schedule.

All uses and sources of cash working capital shall be detailed in this schedule. The associated accumulated deferred income tax shall also be included as a use or source.

The Net Source/Use of Average Cash Working Capital determined in this schedule shall be included in Schedule 17.

Support for Schedule 18 shall include a list of all balance sheet subaccounts and titles. Indicate whether the account's impact is included in (i) the balance sheet analysis, (ii) the capital structure, (iii) the income statement portion of the lead/lag study, or (iv) excluded from cost of service.

## **Schedule 19 - Rate of Return Statement - Per Books**

Instructions: Use format of attached schedule.

Column (1) interest expense, preferred dividends, and common equity capital shall be calculated by using the capital structure included in Schedule 3 or Schedule 8 and end of test year level rate base.

## **Schedule 21 - Rate of Return Statement - Reflecting Ratemaking Adjustments**

Instructions: Use format of attached schedule.

Schedule 21 Column (2) adjustments shall be separately identified and reflected in Schedule 25.

Interest expense, preferred dividends, and common equity capital shall be calculated by using the capital structure included in Schedule 3 or Schedule 8 and an adjusted level of rate base.

After ratemaking adjustments, JDC capital expense shall be calculated as follows:

Total rate base (line 29) \* weighted cost of JDC capital in Schedule 3 or Schedule 8

Applicants filing pursuant to 20VAC5-201-30 may omit Columns (4) and (5).

## **Schedule 22 - Rate Base Statement - Per Books**

Instructions: Use format of attached schedule.



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# Regulations

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Applicants with jurisdictional per books operating revenues more than \$150 million shall calculate cash working capital allowance using a lead/lag study. Schedules 27 and 28 shall be provided detailing the cash working capital computation for Columns (1), (3), and (7). Applicants with jurisdictional per books operating revenues between \$20 million and \$150 million may include a zero cash working capital requirement rather than perform a lead/lag study. Applicants with jurisdictional per books operating revenues less than \$20 million may use a formula method to calculate cash working capital.

## **Schedule 24 - Rate Base Statement - Adjusted - Reflecting Ratemaking Adjustments**

Instructions: Use format of attached schedule.

Cash working capital allowance shall be calculated using instructions in Schedule 22.

## **Schedule 25 - Detail of Ratemaking Adjustments**

Instructions: Use format of attached schedule.

Each adjustment shall be numbered sequentially and listed under the appropriate description category (Operating Revenues, Interest Expense, Common Equity Capital, etc.).

Ratemaking adjustments shall reflect a rate year level of revenues and expenses. Rate base adjustments may reflect no more than a rate year average. In Expedited Filings, Column (4) Ratemaking Adjustments shall reflect a rate year level of only those types of adjustments previously approved for the applicant.

Detailed workpapers substantiating each adjustment shall be provided in Schedule 29.

## **Schedule 26 - Revenue Requirement Reconciliation**

Instructions: Use format of attached lead schedule. An example of a supporting schedule is provided.

Provide a revenue reconciliation of each topic or subject that affects the revenue requirement. All components of each topic or subject shall be detailed (i.e., payroll and related = payroll, benefits, payroll taxes, and related tax effect) on a supporting schedule. Cash working capital shall be considered a separate topic or subject rather than as a component of each topic or subject.

## **Schedule 27 - Lead/Lag Cash Working Capital Calculation - Adjusted**

Instructions: Use format of attached schedule.

Total Balance Sheet Net Source/Use of Average Cash Working Capital determined in Schedule 28 shall be included in the Total Cash Working Capital amount in this schedule.

The Total Cash Working Capital amount determined in this schedule shall be included in Schedules 22 and 24.

Utilities required to use a lead/lag study should perform a complete lead/lag analysis every five years. Major items such as the revenue lag and balance sheet accounts should be reviewed every year.

## **Schedule 28 - Balance Sheet Analysis - Adjusted**

Instructions: Use format of attached schedule.

All uses and sources of cash working capital shall be detailed in this schedule. The associated accumulated deferred income tax shall also be included as a use or source.

The Net Source/Use of Average Cash Working Capital determined in this schedule shall be included in Schedule 27.

Support for the above this schedule should include a list of all balance sheet subaccounts and titles. Indicate whether the account's impact is included in (i) the balance sheet analysis, (ii) the capital structure, (iii) the income statement portion of the lead/lag study, or (iv) excluded from cost of service. Include a brief description of the costs included in each account.

## **Schedule 29 - Workpapers for Earnings Test and Ratemaking Adjustments**

Instructions: Include a table of contents listing the work papers included in this schedule.

a. Provide a narrative explaining the purpose and methodology used for each adjustment identified in subsections b and d of these instructions that have not been addressed in the applicant's prefiled testimony. Such explanation shall reference any relevant Financial Accounting Standards Board ("FASB") statement or ~~commission~~ State Corporation Commission precedent if known or available.

b. Provide a summary calculation of each earnings test adjustment included in Schedule 16. Each summary calculation shall identify the source documents used to prepare such calculation.

c. Provide all relevant documents, references, and information necessary to support the summary calculation required in subsection b of these instructions for each proposed earnings test adjustment. Amounts identified as per books costs shall include any documentation or references necessary to verify such amount to Schedule 40A. Working papers shall be indexed and tabbed for each adjustment and include the name of the primary employee or employees responsible for the adjustment. All documents and information as referenced above in these instructions should include general ledgers, payroll distributions, billing determinants, invoices, and actuarial reports. Supporting documentation that is voluminous may be made available at the applicant's office.

d. Provide a summary calculation of each rate year adjustment included in Schedule 25. Each summary

calculation shall identify **the** source documents used to prepare such calculation.

e. Provide all relevant documents and information necessary to support **the** summary calculation required in subsection d of these instructions for each proposed rate year adjustment. Amounts identified as per books costs shall include any documentation necessary to verify such amount to Schedule 40b. Working papers shall be indexed and tabbed for each adjustment and include **the** name of **the** primary employees responsible for **the** adjustment. All documents and information referenced in subsections a through e of these instructions should include general ledgers, payroll distributions, billing determinants, invoices, and actuarial reports.

## Schedule 30 - Revenue and Expense Variance Analysis

Instructions: Applicant shall quantify jurisdictional operating revenues and system operating and maintenance ("O&M") expenses by primary account as specified by **the** appropriate federal or state Uniform System of Accounts (Federal Energy Regulatory Commission, Federal Communications Commission, National Association of Regulatory Commissioners) (~~hereinafter referred to as~~ "USOA account") during **the** test period and **the** preceding 12 months. Also, provide jurisdictional sales volumes by customer class for **the** test period.

Applicants shall file a schedule detailing all revenue and expense accounts by month for **the** test period. Applicants shall provide a detailed explanation of all jurisdictional revenue and system expense increases or decreases of more than 10% during **the** test period compared to **the** previous 12-month period. **The** expense variance analysis applies to test period expense items greater than one-tenth of one percent (.001) of Operating & Maintenance expenses, ~~excluding purchased gas adjustment costs~~. Additionally, **the** applicant shall have an accounts payable ledger or schedule of all accounts payable for review at **the** applicant's office as of **the** date of **the** applicant's filing.

## Schedule 31 - Advertising Expense

Instructions: A schedule detailing advertising expense by USOA account and grouped according to **the** categories identified in § 56-235.2 of **the** Code of Virginia shall be provided. Advertising costs that are not identifiable to any of those categories shall be included in a separate category titled "other." If applicant seeks rate relief, demonstrate that **the** applicant's advertising meets **the** criteria established in § 56-235.2.

## Schedule 34 - Miscellaneous Expenses

Instructions: Provide a description of amounts paid and USOA accounts charged for each charitable and educational donation, each payment to associated industry organizations, and all other miscellaneous general expenses. Individual items

aggregating to less than 5.0% of **the** total miscellaneous expense may be reflected in an "Other" line item. Advertising expenses included in Schedule 31 should be excluded from this schedule.

## Schedule 35 - Affiliate Services

Instructions: For purposes of this schedule affiliate services shall be defined to include those services between regulated and nonregulated divisions of an incumbent utility. If any portion of **the** required information has been filed with **the** State Corporation Commission (commission) as part of an applicant's Annual Report of Affiliate Transactions, **the** applicant may reference such report clearly identifying what portions of **the** required information are included in **the** Annual Report of Affiliate Transactions.

Provide a narrative description of each affiliated service received or provided during **the** test period.

Provide a summary of affiliate transactions detailing costs by type of service provided (e.g., accounting, auditing, legal and regulatory, human resources, etc.) for each month of **the** test period. Show **the** final USOA account distribution of all costs billed to or by **the** regulated entity by month for **the** test period.

Identify all amounts billed to an affiliate and then billed back to **the** regulated entity.

Cost records and market analyses supporting all affiliated charges billed to or by **the** regulated entity/division shall be maintained and made readily available for commission staff review. This shall include supporting detail of costs (including **the** return component) incurred by **the** affiliated interest rendering **the** service and **the** allocation methodology. In situations when **the** pricing is required to be **the** higher (lower) of cost or market and market is unavailable, note each such transaction and have data supporting such a finding available for commission staff review.

If affiliate charges are booked per a pricing mechanism other than that approved by **the** commission, **the** regulated entity shall provide a reconciliation of books to commission-approved pricing, including an explanation of why **the** commission-approved pricing is not used for booking purposes.

## Schedule 36 - Income Taxes

Instructions: Provide a schedule detailing **the** computation of test period current state and federal income taxes on a total company and Virginia jurisdictional basis. Such schedule should provide a complete reconciliation between book and taxable income showing all individual differences. Additionally, provide a schedule detailing **the** computation of fully adjusted, current state and federal income taxes applicable to **the** Virginia jurisdiction.

Provide a schedule detailing **the** individual items of deferred state and federal income **tax** expense for **the** test period on a

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# Regulations

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total company and Virginia jurisdictional basis. Additionally, provide a schedule detailing the computation of fully adjusted, deferred state and federal income tax applicable to the Virginia jurisdiction.

Provide a detailed reconciliation between the statutory and effective income tax rates for the test period. Schedule should quantify individual reconciling items by dollar amount and percentage. Individual items should include permanent differences (itemize), flow-through depreciation, excess deferred FIT amortization, and deferred Investment Tax Credit ("ITC") amortization.

Provide a detailed listing of individual accumulated deferred income tax and accumulated deferred ITC amounts as of the end of test period. Separately identify those items affecting the computation of rate base on both a total company and Virginia jurisdictional basis. Additionally, provide a detailed listing of individual accumulated deferred income tax and accumulated deferred ITC amounts for the earnings test rate base (if applicable), the end of test period rate base, and the fully-adjusted rate base, on a Virginia jurisdictional basis.

Provide a detailed reconciliation between the federal and state current tax expense on a stand-alone basis and the actual per book federal and state current tax expense for the test period on a total company and Virginia jurisdictional basis.

Provide a schedule depicting, by month, all federal and state income tax payments made during the test year. For each payment, identify the recipient.

Provide a detailed reconciliation between deferred federal and state income expense computed on a stand-alone basis and the actual per book deferred federal and state income tax expense, on a total company and Virginia jurisdictional basis.

Provide a detailed reconciliation between individual accumulated deferred federal and state income tax assets and liabilities computed on a stand-alone basis and the actual per book accumulated deferred income tax amounts as of the end of the test period, on a total company and Virginia jurisdictional basis. Additionally, provide a detailed listing of individual accumulated deferred income tax assets and liabilities computed on a stand-alone basis for the earnings test rate base (if applicable), the end of test period rate base, and the fully-adjusted rate base on a Virginia jurisdictional basis.

## Schedule 37 - Organization

Instructions: Provide an organizational chart of the applicant and its parent company detailing subsidiaries and divisions. Provide details of any material corporate reorganizations since the applicant's last rate case. Explain the reasons and any ratemaking impact of each such reorganization.

## Schedule 38 - Changes in Accounting Procedures

Instructions: Detail any material changes in accounting procedures adopted by either the parent/service company or the

utility since the applicant's last rate case. Explain any ratemaking impact of such changes.

Identify any write-offs or write-downs associated with assets (i.e., plant, tax accounts, etc.) that have been retained, transferred, or sold.

## Schedule 39 - Out-of-Period Book Entries

Instructions: Provide a summary schedule prepared from an analysis of journal entries showing "out-of-period" items booked during the test period. Show journal entry number, amount, USOA account, and explanation of charge.

## Schedule 40 - Jurisdictional and Class Cost of Service Study

Instructions: Use format of attached schedule.

a. Provide detailed calculations for all jurisdictional allocations for each revenue, expense, and rate base USOA account used to create Schedule 9. Allocations should be based on test year average data. Show the allocation basis for each primary USOA account and for any amount included therein with a unique allocation basis. Explain the methodology used and why such method is proposed. Discuss all changes in the applicant's operations that have materially changed any allocation factor since the last rate case.

b. Provide detailed calculations for all jurisdictional allocations for each revenue, expense, and rate base USOA account used to create Schedules 19 and 22. Show the allocation basis for each primary USOA account and for any amount included therein with a unique allocation basis. Explain the methodology used and why such method is proposed. Discuss all changes in the applicant's operations that have materially changed any allocation factor since the last rate case.

c. Provide a class cost of service study showing the allocation basis for each primary USOA account and for any amount included therein with a unique allocation basis. Explain the methodology used and why such method is proposed. Discuss all changes in the applicant's operations that have materially changed any allocation factor since the last rate case.

d. Applicant shall provide appropriate supporting cost data for new allocation methodologies or rate design proposals in expedited rate applications.

## Schedule 41 - Proposed Rates and Tariffs

Instructions: Provide a summary of the rates designed to effect the proposed revenue increase. Provide a copy of all tariff pages that the applicant proposes to revise in this proceeding, with revisions indicated by a dashed line (--) through proposed deletions and by underlining proposed additions.

## Schedule 42 - Present and Proposed Revenues

### Instructions:

- a. Provide the detailed calculations supporting total per books revenues in Column (3) of Schedule 21. The present revenues from each of the applicant's services shall be determined by multiplying the current rates times the test period billing units (by rate block, if applicable).
- b. Provide a detailed calculation supporting total adjusted revenues in Column (5) of Schedule 21. The proposed revenues from each of applicant's services shall be determined by multiplying the proposed rates by the adjusted billing units (by rate block, if applicable). Detail by rate schedule all miscellaneous charges and other revenues, if applicable. Reconcile per books billing units to adjusted billing units itemizing changes such as customer growth, weather, ~~Btu~~ BTU content and miscellaneous revenues. The revenue changes for applicant's services should be subtotaled into the applicant's traditional categories.

## Schedule 43 - Sample Billing

Instructions: ~~Natural gas and water~~ Water or sewer utilities shall provide a sample billing analysis detailing the effect on each rate schedule at representative levels of consumption.

## Schedule 48 — Conservation and Ratemaking Efficiency Plans

Instructions: Applications made pursuant to § 56-602 A and B or § 56-602 A and C of the Code of Virginia shall file the following:

- a. Provide the revenue study or class cost of service study relied upon to establish annual per customer fixed costs on an intraclass basis.
- b. Provide detailed calculations supporting determinations of current class, normalized or proposed class revenues. Such calculations should clearly show current, normalized or proposed annual billing determinants (by rate block and class). Reconcile per books billing units to adjusted billing units itemizing changes such as customer growth, weather, and ~~Btu~~ content and miscellaneous revenues.
- c. Provide detailed calculations supporting the revenues produced by the rates, tariff design or mechanism designed to effect the proposed conservation and ratemaking efficiency plan. Provide illustrative examples if necessary. Detail by rate schedule all miscellaneous charges and other revenues, if applicable. To the extent any of the information requested in this paragraph has been provided in subsection b of these instructions, it does not need to be restated.
- d. Provide a sample billing analysis detailing the effect of the proposed rates, tariff design or mechanism designed to effect the proposed conservation or ratemaking efficiency plan on each rate schedule at representative levels of consumption.

e. Provide the detailed calculations showing that the rates, tariff design or mechanism designed to effect the proposed conservation and ratemaking plan is revenue neutral as defined in Chapter 25 (§ 56-600 et seq.) of Title 56 of the Code of Virginia.

f. Provide a copy of all tariff pages that the applicant proposes to revise in this proceeding, with deletions indicated by a dashed line ( - ) and additions indicated by an underscore.

g. Provide a detailed description and analysis of the proposed conservation program or programs and a cost benefit assessment of the program or programs using the Total Resource Cost Test, the Societal Test, the Program Administrator Test, the Participant Test, and the Rate Impact Measure Test. Detail and support all assumptions utilized in the cost benefit assessments.

h. Provide a detailed narrative describing the proposed normalization component that removes the effect of weather from the determination of conservation and energy efficiency results. Additionally, provide any supporting calculation of such component.

i. Provide a detailed narrative describing the proposed decoupling mechanism.

j. Provide a detailed narrative describing all proposed cost-effective conservation and energy efficiency plans.

k. Provide a detailed narrative describing the provisions addressing the needs of low income or low usage residential customers.

l. Provide a detailed narrative describing provisions ensuring that rates and services to nonparticipating classes of customers are not adversely impacted. Additionally, provide all studies or calculations supporting such conclusions.

## Schedule 50 - Additional Schedules

Reserved for additional exhibits presented by the applicant to be labeled Schedule 50 et seq.

VA.R. Doc. No. R23-7439; Filed March 9, 2023, 12:57 p.m.

## Proposed Regulation

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

**Title of Regulation:** 20VAC5-205. Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Gas Utilities (adding 20VAC5-205-5 through 20VAC5-205-90).

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



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# Regulations

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Public Hearing Information: A public hearing will be held upon request.

Public Comment Deadline: May 26, 2023.

Agency Contact: Andrea Macgill, Division of Utility Accounting and Finance, Public Utility Regulation, State Corporation Commission, P.O. Box 1197, Richmond, VA 23218, telephone (804) 371-9064, or email [andrea.macgill@scc.virginia.gov](mailto:andrea.macgill@scc.virginia.gov).

Summary:

*The proposed amendments establish a new regulation, Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Gas Utilities (20VAC5-205), for updated and revised requirements applicable only to investor-owned gas utilities, including (i) minimum filing requirements related to annual informational filings, rate case filings, and rate adjustment clause filings under Title 56 of the Code of Virginia; (ii) forms required for filings; and (iii) instructions for using the required forms.*

AT RICHMOND, MARCH 9, 2023

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUR-2023-00006

Ex Parte: In the matter of adopting new rules of the State Corporation Commission governing utility rate applications by investor-owned gas utilities

ORDER FOR NOTICE AND COMMENT

On December 16, 2008, the State Corporation Commission ("Commission") adopted revisions to its Rules Governing Utility Rate Application and Annual Informational Filings, 20 VAC 5-201-10 et seq., in response to the Virginia General Assembly's amendment to Chapter 23 of Title 56 of the Code of Virginia ("Code"), which significantly modified how investor-owned electric utilities are regulated in the Commonwealth of Virginia.<sup>1</sup> On November 23, 2020, following subsequent amendments to Chapter 23 of Title 56 of the Code, the Commission adopted the new Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Electric Utilities, 20 VAC 5-204-10 et seq.<sup>2</sup> In connection therewith, the Commission also adopted limited revisions to 20 VAC 5-201-10 et seq., to limit their applicability to investor-owned gas and water utilities ("Existing Rate Case Rules").<sup>3</sup>

Since the Existing Rate Case Rules were originally adopted, subsequent legislative amendments have, among other things, expanded the number and types of rate adjustment clauses that may be sought by gas utilities.<sup>4</sup> The Code sections allowing such filings have various statutory deadlines for the Commission to issue a final order, ranging from 90 days to 180 days after filing. These time periods limit the time available for discovery and analysis of requested rate changes.

NOW THE COMMISSION, upon consideration of the foregoing, is of the opinion and finds that a proceeding should be established to promulgate new rules governing utility rate applications and annual informational filings of investor-owned gas utilities ("Investor-owned Gas Utility Rate Case Rules"). In connection therewith, the Commission will also consider limited revisions to the Existing Rate Case Rules to remove their applicability to investor-owned gas utilities (together with Investor-owned Gas Utility Rate Case Rules, "Proposed Rules"). The Commission does not intend to consider any additional changes to the Existing Rate Case Rules beyond removing their applicability to investor-owned gas utilities in this proceeding. To initiate this proceeding, the Commission's Staff ("Staff") has prepared Proposed Rules, which are appended to this Order as Attachment A. We will direct that notice of the Proposed Rules be given to the public and that interested persons be provided an opportunity to file written comments on, propose modifications or supplements to, or request a hearing on the Proposed Rules. We further find that a copy of the Proposed Rules should be sent to the Registrar of Regulations for publication in the Virginia Register of Regulations.

To promote administrative efficiency and timely service of filings upon participants, the Commission will, among other things, direct the electronic filing of testimony and pleadings unless they contain confidential information, and require electronic service on parties to this proceeding.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed as Case No. PUR-2023-00006.

(2) All comments, pleadings or other documents filed in this matter should be submitted electronically to the extent authorized by Rule 5VAC5-20-150, Copies and Format, of the Commission's Rules of Practice and Procedure ("Rules of Practice").<sup>5</sup> Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5VAC5-20-170, Confidential information, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

(3) Pursuant to 5VAC5-20-140, Filing and service, of the Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or the Staff is impeded from preparing its case.

(4) The Staff shall forward a copy of this Order for Notice and Comment ("Order"), including a copy of the Proposed Rules, to the Registrar of Regulations for publication in the Virginia Register of Regulations.

(5) An electronic copy of the Proposed Rules may be obtained by submitting a request to Andrea B. Macgill, Esq., in the Commission's Division of Utility Accounting and Finance at the following email address: [andrea.macgill@scc.virginia.gov](mailto:andrea.macgill@scc.virginia.gov). An electronic copy of the Proposed Rules can be found on the Commission's website: <http://scc.virginia.gov/pages/Rulemaking>. Interested persons may also download unofficial copies of the Order and the Proposed Rules from the Commission's website: <http://scc.virginia.gov/pages/Case-Information>.

(6) The Commission's Division of Utility Accounting and Finance shall provide copies of this Order by electronic transmission, or when electronic transmission is not possible, by mail, to: individuals, organizations, and companies who have been identified by the Staff as potentially being interested in this proceeding.

(7) On or before May 26, 2023, any interested person may file comments on the Proposed Rules by following the instructions found on the Commission's website: <http://scc.virginia.gov/casecomments/Submit-Public-Comments>. Those unable, as a practical matter, to submit comments electronically, may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Such comments may also include proposals and hearing requests. All comments shall refer to Case No. PUR-2023-00006. Any request for hearing shall state with specificity why the issues raised in the request for hearing cannot be adequately addressed in written comments. If a sufficient request for hearing is not received, the Commission may consider the matter and enter an order based upon the papers filed herein.

(8) On or before August 7, 2023, the Staff shall file with the Clerk of the Commission a report on or a response to any comments, proposals, or requests for hearing submitted to the Commission on the Proposed Rules.

(9) All documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by this order, all filings shall comply fully with the requirements of 5VAC5-20-150, Copies and format, of the Rules of Practice.

(10) This matter is continued.

Commissioner Patricia L. West participated in this matter.

A COPY hereof shall be sent electronically by the Clerk of the Commission to utilities providing natural gas service in the Commonwealth of Virginia that are subject to regulation by the Commission as identified in Attachment B; and C. Meade Browder, Jr., Senior Assistant Attorney General, Division of

Consumer Counsel, Office of the Attorney General, 202 North 9th Street, 8th Floor, Richmond, Virginia 23219-3424.

<sup>1</sup>Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: In the matter of revising the rules of the State Corporation Commission governing utility rate increase applications pursuant to Chapter 933 of the 2007 Acts of Assembly, Case No. PUE-2008-00001, 2008 S.C.C. Ann. Rept. 462, Order Adopting Regulations (Dec. 16, 2008).

<sup>2</sup>Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: In the matter of adopting new rules of the State Corporation Commission governing utility rate applications by investor-owned electric utilities, Case No. PUR-2020-00022, 2020 S.C.C. Ann. Rept. 439, Order Adopting Regulations (Nov. 23, 2020).

<sup>3</sup>Id.

<sup>4</sup>The Existing Rate Case Rules include a section addressing filings under Chapter 25 of Title 56 of the Code (§ 56-600 et seq., "Natural Gas Conservation and Ratemaking Efficiency Act"). See 20 VAC 5-201-85. The General Assembly has subsequently amended Title 56 of the Code to add Chapter 26 (§ 56-603 et seq., "Steps to Advance Virginia's Energy Plan (SAVE) Act"), Chapter 27 (§ 56-605 et seq., "Qualified Projects of Natural Gas Utilities"), Chapter 28 (§ 56-610 et seq., "Natural Gas System Expansion Infrastructure"), and Chapter 30 (§ 56-625, "Biogas Supply Infrastructure Projects"). The Existing Rate Case Rules do not address these chapters in Title 56.

<sup>5</sup>5VAC5-20-10 et seq.

## Chapter 205

### Rules Governing Utility Rate Applications and Annual Informational Filings of Investor-Owned Gas Utilities

#### **20VAC5-205-5. Purpose and applicability.**

This chapter sets forth minimum filing requirements for Virginia's investor-owned gas utilities related to annual informational filings, rate case filings, and other filings under Chapter 10 (§ 56-232 et seq.), Chapter 25 (§ 56-600 et seq.), Chapter 26 (§ 56-603 et seq.), Chapter 27 (§ 56-605 et seq.), Chapter 28 (§ 56-610 et seq.), and Chapter 30 (§ 56-625) of Title 56 of the Code of Virginia. Forms are prescribed or adopted for purposes of implementing Chapter 10 (§ 56-232 et seq.), Chapter 25 (§ 56-600 et seq.), Chapter 26 (§ 56-603 et seq.), Chapter 27 (§ 56-605 et seq.), Chapter 28 (§ 56-610 et seq.), and Chapter 30 (§ 56-625) of Title 56 of the Code of Virginia. When so prescribed or adopted, use of the forms is mandatory. This chapter should not be construed as limiting the ability of the State Corporation Commission or its staff to evaluate information in addition to or beyond that identified in this chapter.

#### **20VAC5-205-10. General filing instructions.**

A. An applicant shall provide a notice of intent to file an application pursuant to 20VAC5-205-20, 20VAC5-205-40, 20VAC5-205-50, 20VAC5-205-60, 20VAC5-205-65, 20VAC5-205-75, and 20VAC5-205-85 to the State Corporation Commission (commission) 60 days prior to the application filing date.

B. Applications pursuant to 20VAC5-205-20, 20VAC5-205-30, 20VAC5-205-40, 20VAC5-205-50, 20VAC5-205-60,

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# Regulations

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20VAC5-205-65, 20VAC5-205-70, 20VAC5-205-75, and 20VAC5-205-85 shall include:

1. The name and post office address of the applicant and the name and post office address of the applicant's counsel.
2. A full clear statement of the facts that the applicant is prepared to prove by competent evidence.
3. A statement of details of the objectives sought and the legal basis therefore. In addition, the application shall reference any open cases or issues that the commission directed to be adjudicated in the new proceeding.
4. All direct testimony by which the applicant expects to support the objectives sought. Each testimony shall include a summary not to exceed one page for applications pursuant to 20VAC5-205-40, 20VAC5-205-50, 20VAC5-205-60, 20VAC5-205-65, 20VAC5-205-70, 20VAC5-205-75, or 20VAC5-205-85 and not to exceed two pages for applications pursuant to 20VAC5-205-20.
5. Information or documentation conforming to the following general instructions:
  - a. Attach a table of contents of the company's application, including exhibits.
  - b. Each exhibit shall be labeled with the name of the applicant and the initials of the sponsoring witness in the upper right-hand corner as follows:  
Exhibit No. (Leave Blank)  
Witness: (Initials)  
Statement or  
Schedule Number
  - c. The first page of all exhibits shall contain a caption that describes the subject matter of the exhibit.
  - d. If the accounting and statistical data submitted differ from the books of the applicant, then the applicant shall include in its filing a reconciliation schedule for each account or subaccount that differs, together with an explanation describing the nature of the difference.
  - e. The required accounting and statistical data shall include all work papers and other information necessary to ensure that the items, statements, and schedules are not misleading.
6. An itemized summary that demonstrates how the applicant has fulfilled each of the filing requirements pursuant to the code section under which the application is filed. This summary shall include references and page numbers to each supporting item referenced.
7. Provide a written narrative describing how the proposals contained in the application are consistent with the goals in the Environmental Justice Act (§ 2.2-234 et seq. of the Code of Virginia). Provide any documents or workpapers that support the assertions contained in the narrative, as applicable. Such documentation may include information

from any federal, state, regional, or local agency or other source related to population, median income, and any other factors that determine whether a community impacted by the proposals in the application is an "environmental justice community" or "fenceline community," as those terms are defined in § 2.2-234 of the Code of Virginia.

C. This chapter does not limit the commission staff or parties from raising issues for commission consideration that have not been addressed in the applicant's filing before the commission. Except for good cause shown, issues specifically decided by commission order entered in the applicant's most recent rate case may not be raised by staff or interested parties in earnings tests made pursuant to 20VAC5-205-20 or 20VAC5-205-30.

D. An application filed pursuant to 20VAC5-205-20, 20VAC5-205-30, 20VAC5-205-40, 20VAC5-205-50, 20VAC5-205-60, 20VAC5-205-65, 20VAC5-205-70, 20VAC5-205-75, or 20VAC5-205-85 shall not be deemed filed pursuant to Chapter 10 (§ 56-232 et seq.), Chapter 25 (§ 56-600 et seq.), Chapter 26 (§ 56-603 et seq.), Chapter 27 (§ 56-605 et seq.), Chapter 28 (§ 56-610 et seq.), or Chapter 30 (§ 56-625) of Title 56 of the Code of Virginia unless it is in full compliance with this chapter.

E. The commission may waive any part or all of this chapter for good cause shown.

F. Where a filing contains information that the applicant claims to be confidential, the filing may be made under seal provided it is simultaneously accompanied by both a motion for protective order or other confidential treatment and an original and one copy of a redacted version of the filing to be available for public disclosure. Unredacted filings containing the confidential information shall, however, be immediately available to the commission staff for internal use at the commission.

G. Filings containing confidential (or redacted) information shall so state on the cover of the filing, and the precise portions of the filing containing such confidential (or redacted) information, including supporting material, shall be clearly marked within the filing.

H. Applicants shall provide a searchable PDF version of the application and direct testimony electronically to the Divisions of Utility Accounting and Finance and Public Utility Regulation on the application filing date. Applicants shall also provide a searchable PDF of the public version of the application and direct testimony electronically to the Division of Consumer Counsel of the Office of the Attorney General of Virginia on the application filing date.

Additionally, all schedules containing calculations derived from formulas shall be provided electronically to the Divisions of Utility Accounting and Finance and Public Utility Regulation in an electronic spreadsheet, including all underlying formulas and assumptions on the application filing



date. Such electronic spreadsheet shall be commercially available and have common use in the utility industry.

All schedules that do not contain calculations derived from formulas shall be provided electronically to the Divisions of Utility Accounting and Finance and Public Utility Regulation in a searchable PDF version. Additional versions of such schedules shall be made available to parties upon request.

I. All applications, including direct testimony and Schedules 1 through 9, 11, 12, 14 through 19, 21, 22, 24 through 28, 30, 31, 34 through 39, 41 through 44, 46, and 48 through 52, as applicable, shall be filed in an original, and 12 copies with the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. One copy of Schedules 29 and 40 shall be filed with the Clerk of the Commission. Applicants may omit filing Schedule 29 with the Clerk of the Commission in Annual Informational Filings. Additional copies of such schedules shall be made available to parties upon request.

One copy of Schedules 29 and 40 shall be submitted to the Division of Utility Accounting and Finance. Four copies of Schedule 40 shall be submitted to the Division of Public Utility Regulation.

J. For any application made pursuant to 20VAC5-205-20, 20VAC5-205-40, 20VAC5-205-50, 20VAC5-205-60, 20VAC5-205-65, 20VAC5-205-70, 20VAC5-205-75, and 20VAC5-205-85, the applicant shall serve a copy of the information required in subsection A of this section at the same time that it is filed with the commission upon (i) the chairman of the board of supervisors of each county (or equivalent officials in the counties having alternate forms of government) in this Commonwealth affected by the proposed increase; (ii) the mayor or manager of every city and town (or equivalent officials in towns and cities having alternate forms of government) in this Commonwealth affected by the proposed increase; and (iii) the Division of Consumer Counsel of the Office of the Attorney General of Virginia. Such service shall be made electronically to the extent the applicant has official email addresses for such officials. If not, such service shall be made either by (i) personal delivery or (ii) first class mail to the customary place of business or to the residence of the person served.

For applications pursuant to 20VAC5-205-20, 20VAC5-205-40, 20VAC5-205-50, 20VAC5-205-60, 20VAC5-205-65, 20VAC5-205-70, 20VAC5-205-75, and 20VAC5-205-85, the applicant shall also serve each official listed in this subsection with the following within five business days of the issuance of the commission's procedural order regarding the application: (i) the information required in subdivisions B 1, B 2, and B 3 of this section; (ii) a statement that a copy of the complete public version of the application may be obtained at no cost by making a request therefor in writing to a specified company official; and (iii) the commission's procedural order regarding the application. Such service shall be made electronically to the

extent the applicant has official email addresses for such officials. If not, such service shall be made either by (i) personal delivery or (ii) first class mail to the customary place of business or to the residence of the person served.

In addition, the applicant shall serve a copy of the complete public version of its application upon the Division of Consumer Counsel of the Office of the Attorney General of Virginia at the same time it is filed with the commission. Such service shall be made either by personal delivery or first class mail to the customary place of business.

K. Nothing in this chapter shall be interpreted to apply to applications for temporary reductions of rates pursuant to § 56-242 of the Code of Virginia.

## **20VAC5-205-20. General and expedited rate increase applications.**

A. An application for a base rate increase pursuant to Chapter 10 (§ 56-232 et seq.) of Title 56 of the Code of Virginia shall conform to the following requirements:

1. Exhibits consisting of Schedules 1 through 9, 11, 12, 14 through 19, 21, 22, 24 through 30, 31, and 34 through 44 and the utility's direct testimony shall be submitted. Such schedules shall be identified with the appropriate schedule number and shall be prepared in accordance with the instructions contained in 20VAC5-205-90.

2. An exhibit consisting of additional schedules may be submitted with the utility's direct testimony. Such exhibit shall be identified as Schedule 52 (this exhibit may include numerous subschedules labeled 52A et seq.).

B. The selection of a historical test period is up to the applicant. However, the use of overlapping test periods will not be allowed.

C. If not otherwise constrained by law or regulatory requirements, an applicant who has not experienced a substantial change in circumstances may file an expedited rate application as an alternative to a general rate application. Such application need not propose an increase in regulated operating revenues. If, upon timely consideration of the expedited application and supporting evidence, it appears that a substantial change in circumstances has taken place since the applicant's last rate case, then the State Corporation Commission (commission) may take appropriate action, such as directing that the expedited application be dismissed or treated as a general rate application. Prior to public hearing and subject to applicable provisions of law, an application for expedited rate increase may take effect within 30 days after the date the application is filed. Expedited rate increases may also take effect in less than 12 months after the applicant's preceding rate increase so long as rates are not increased as a result thereof more than once in any calendar year. An applicant making an expedited application shall also comply with the following rules:



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# Regulations

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1. In computing its cost of capital, as prescribed in Schedule 3 in 20VAC5-205-90, the applicant shall use the equity return rate approved by the commission and used to determine the revenue requirement in the utility's most recent rate proceeding.

2. An applicant, in developing its rate of return statement, shall make adjustments to its test period jurisdictional results only in accordance with the instructions for Schedule 25 in 20VAC5-205-90.

3. The applicant may propose new allocation methodologies, rate designs, and new or revised terms and conditions, provided such proposals are supported by appropriate cost studies. Such support shall be included in Schedule 40.

D. Rates authorized to take effect 30 days following the filing of any application for an expedited rate increase shall be subject to refund in a manner prescribed by the commission. Whenever rates are subject to refund, the commission may also direct that such refund bear interest at a rate set by the commission.

## **20VAC5-205-30. Annual informational filings.**

Unless modified per a State Corporation Commission-approved alternative regulatory plan, each utility not requesting a base rate increase shall make an annual informational filing consisting of Schedules 1 through 7, 9, 11, 12, 14 through 18, 29, 36, and 40 as identified in 20VAC5-205-90. The test period shall be the current 12 months ending in the same month used in the utility's most recent rate application. This information shall be filed with the State Corporation Commission within 120 days after the end of the test period. Requirements found in 20VAC5-205-10 B 2, B 3, and B 4 may be omitted in annual informational filings.

## **20VAC5-205-40. Optional performance-based applications.**

An applicant that files an application for performance-based regulation pursuant to § 56-235.6 of the Code of Virginia shall file Schedules 1 through 32 and 34 through 43 as identified in 20VAC5-205-90.

## **20VAC5-205-50. Upstream natural gas supply infrastructure plans.**

An applicant that files an initial or amended upstream natural gas supply infrastructure plan pursuant to Chapter 27 (§ 56-605 et seq.) of Title 56 of the Code of Virginia, shall file Schedule 49 as identified and described in 20VAC5-205-90, which shall be submitted with the utility's direct testimony. Additionally, applications in which the utility seeks a return on investment based on the last authorized cost of capital shall include Schedule 3, Parts B through E. Applications in which the utility seeks an updated return on investment shall include Schedules 3, 4, 5, and 8 for only the year requested. If Schedule 8 is filed, the application shall provide schedules that support

the amount and cost rate of each component of the proposed capital structure and explain all assumptions used.

## **20VAC5-205-60. System expansion plans.**

An applicant that files an initial or amended system expansion plan pursuant to Chapter 28 (§ 56-610 et seq.) of Title 56 of the Code of Virginia, shall file Schedule 50 as identified and described in 20VAC5-205-90, which shall be submitted with the utility's direct testimony. Additionally, applications in which the utility seeks a return on investment based on the last authorized cost of capital shall include Schedule 3, Parts B through E. Applications in which the utility seeks an updated return on investment shall include Schedules 3, 4, 5, and 8 for only the year requested. If Schedule 8 is filed, the application shall provide schedules that support the amount and cost rate of each component of the proposed capital structure and explain all assumptions used.

## **20VAC5-205-65. Biogas supply investment plans.**

An applicant that files an initial or amended biogas supply investment plan pursuant to Chapter 30 (§ 56-625) of Title 56 of the Code of Virginia, shall file Schedule 51 as identified and described in 20VAC5-205-90, which shall be submitted with the utility's direct testimony. Additionally, applications in which the utility seeks a return on investment based on the last authorized cost of capital shall include Schedule 3, Parts B through E. Applications in which the utility seeks an updated return on investment shall include Schedules 3, 4, 5, and 8 for only the year requested. If Schedule 8 is filed, the application shall provide schedules that support the amount and cost rate of each component of the proposed capital structure and explain all assumptions used.

## **20VAC5-205-70. Temporary increases of rates.**

Applicants that file a request for a temporary increase in rates pursuant to § 56-245 of the Code of Virginia, shall include Schedules 1 through 9, 11, 12, 14, 16, 17, and 18 as identified and described in 20VAC5-205-90.

## **20VAC5-205-75. Steps to Advance Virginia's Energy Plan filings.**

An application filed pursuant to Chapter 26 (§ 56-603 et seq.) of Title 56 of the Code of Virginia for a new or amended Steps to Advance Virginia's Energy (SAVE) Plan or SAVE Rider, shall include Schedule 46 as identified and described in 20VAC5-205-90, which shall be submitted with the utility's direct testimony. Additionally, applications in which the utility seeks a return on investment based on the last authorized cost of capital shall include Schedule 3, Parts B through E. Applications in which the utility seeks an updated return on investment shall include Schedules 3, 4, 5, and 8 for only the year requested. If Schedule 8 is filed, the application shall provide schedules that support the amount and cost rate of each component of the proposed capital structure and explain all assumptions used.

## **20VAC5-205-85. Conservation and ratemaking efficiency plans.**

An applicant that files a conservation and ratemaking efficiency plan pursuant to Chapter 25 (§ 56-600 et seq.) of Title 56 of the Code of Virginia, shall file Schedule 48 as identified and described in 20VAC5-205-90, which shall be submitted with the utility's direct testimony. Additionally, applications in which the utility seeks a return on investment based on the last authorized cost of capital shall include Schedule 3, Parts B through E. Applications in which the utility

seeks an updated return on investment shall include Schedules 3, 4, 5, and 8 for only the year requested. If Schedule 8 is filed, the application shall provide schedules that support the amount and cost rate of each component of the proposed capital structure and explain all assumptions used.

## **20VAC5-205-90. Instructions for schedules and exhibits for this chapter.**

The following instructions for schedules and exhibits are to be used in conjunction with this chapter:

### **Schedule 1 - Historical Profitability and Market Data**

Instructions: Using the format of Form Schedule 1 and the following definitions, provide the data for the test period and four prior fiscal years. The information shall be compatible with the latest SEC Form 10-K consolidated financial statements (including any restatements) or annual report if an SEC Form 10-K is not available. Information in Sections A and B shall be compiled for the corporate entity that raises equity capital in the marketplace. Information in Section C of Schedule 1 shall be compiled for the subsidiary company that provides regulated utility service in Virginia.

#### **Definitions for Schedule 1**

Return on Year End Equity = Earnings Available for Common Shareholders/Year End Common Equity

Return on Average Equity = Earnings Available for Common Shareholders/The Average of Year End Equity for the Current and Previous Year

Earnings Per Share = Earnings Available for Common Shareholders/Average Number Common Shares Outstanding

Dividends Per Share = Common Dividends Paid per Share During the Year

Payout Ratio = Dividends Per Share/Earnings Per Share

Dividend Yield = Dividends Per Share/ Year End Price

Price Earnings Ratio = Average Market Price/Earnings Per Share

### **Schedule 2 - Interest and Cash Flow Coverage Data**

Instructions: This schedule shall be prepared using the following definitions and instructions and presented in the format of Form Schedule 2. The information shall be provided for the test year and the four prior fiscal years based on information for the applicant and for the consolidated company if the applicant is a subsidiary.

- Interest (Lines 3, 4, and 5) shall include amortization of expenses, hedging gains and losses, discounts, and premiums on debt without deducting an allowance for borrowed funds used during construction.

- Income taxes (Line 2) shall include federal and state income taxes.

- Allowance for Funds Used During Construction (AFUDC) (Line 8), where applicable, is total AFUDC -- for borrowed and other funds.

- Preferred dividends (Line 13) for a subsidiary shall be stated per books.

- Construction expenditures (Line 15) are net of AFUDC.

- Common dividends (Line 16) for a subsidiary shall be stated per books.

### **Schedule 3 - Capital Structure and Cost of Capital Statement – Per Books and Average**

Instructions: This schedule shall show the amount of each capital component per balance sheet, the amount for ratemaking purposes, the percentage weight in the capital structure, and the component cost and weighted cost, using the format in Form Schedule 3. The information shall be provided for the test period, the four prior fiscal years, and on a 13-month average or five-quarter average basis for the test period. The data shall be provided for the entity whose capital structure was approved for use in the applicant's last rate case.

In Part A, the information shall be compatible with the latest Securities and Exchange Commission Form 10-K consolidated financial statement (including any restatements) or annual report if an SEC Form 10-K is not available. In Parts B, C, and D, the methodology shall be consistent with that approved in the applicant's last rate case. Reconcile differences between Parts A and B for both end-of-test-period and average capital structures.

The amounts for all short-term debt, revolving credit agreements, and similar short-term financing arrangements in Part B shall be based on a daily average over the test year, or alternatively, on a 13-month average over the test year. Except for the Part B amount for short-term debt and average amounts

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# Regulations

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in Column (6), all other accounts are end-of-year and end-of-test period.

The component weighted cost rates equal the product of each component's capital structure weight for ratemaking purposes times its cost rate. The weighted cost of capital is equal to the sum of the component weighted cost rates. The Investment Tax Credits (ITC) cost is equal to the weighted cost of permanent capital (long-term debt, preferred stock, and common equity).

Adjustments made to per books amounts shall be fully documented and explained.

In an application for a rate adjustment clause pursuant to any Code of Virginia section that allows the applicant to seek recovery of a return on investment, Schedule 3 information in Parts B through E shall be provided for each capital structure used to calculate the revenue requirement.

## **Schedule 4 - Schedules of Long-Term Debt, Preferred Stock, Investment Tax Credits, and Any Other Component of Ratemaking Capital**

Instructions: For each applicable capital component, provide a schedule that shows, for each issue, the amount outstanding, and effective cost rate. This data shall support the amount and cost rate of the respective capital components contained in Schedule 3, consistent with the methodology approved in the applicant's last rate case. In addition, a detailed breakdown of all investment tax credits should be provided that reconciles to the per books balance of investment tax credits. These schedules should include disclosure of any associated hedging/derivative instruments, their respective terms and conditions (instrument type, notional amount and associated series of debt or preferred stock hedged, period in effect, etc.), and the impact of such instruments on the cost of debt or preferred stock.

In an application for a rate adjustment clause pursuant to any Code of Virginia section that allows the applicant to seek recovery of a return on investment, Schedule 4 information shall be provided for long-term debt, preferred stock, and investment tax credits in each capital structure used to calculate the revenue requirement if the applicant proposes a cost of capital that differs from the last authorized cost of capital.

## **Schedule 5 - Schedule of Short-Term Debt, Revolving Credit Agreements, and similar Short-Term Financing Arrangements**

Instructions: Provide data and explain the methodology, which should be consistent with the methodology approved in the applicant's last rate case, used to calculate the cost and balance contained in Schedule 3 for short-term debt, revolving credit agreements, and similar arrangements.

This schedule should also provide detailed disclosure of any hedging/derivative instruments related to short-term debt, their respective terms and conditions (instrument type, notional amount and associated series of debt hedged, period in effect,

etc.), and the impact of such instruments on the cost of short-term debt.

In an application for a rate adjustment clause pursuant to any Code of Virginia section that allows the applicant to seek recovery of a return on investment, Schedule 5 information shall be provided for short-term financing included in each capital structure used to calculate the revenue requirement if the applicant proposes a cost of capital that differs from the last authorized cost of capital.

## **Schedule 6 - Public Financial Reports**

Instructions: Provide copies, or a link to where such copies can be found on the Internet, of the most recent Stockholder's Annual Report, Securities and Exchange Commission Form 10-K, and Form 10-Q for the applicant and the consolidated parent company if the applicant is a subsidiary. If published, provide a copy or a link to where such copy can be found on the Internet of the most recent statistical or financial supplement for the consolidated parent company.

## **Schedule 7 - Comparative Financial Statements**

Instructions: If not provided in the public financial reports for Schedule 6, provide comparative balance sheets, income statements, and cash flow statements for the test year and the 12-month period preceding the test year for the applicant and its consolidated parent company if applicant is a subsidiary. In lieu of providing a copy, the applicant may provide a link to where such information can be found on the Internet.

## **Schedule 8 - Proposed Cost of Capital Statement**

Instructions: Provide the applicant's proposed capital structure/cost of capital schedule. In conjunction, provide schedules that support the amount and cost rate of each component of the proposed capital structure, and explain all assumptions used.

In an application for a rate adjustment clause pursuant to any Code of Virginia section that allows the applicant to seek recovery of a return on investment, Schedule 8 information shall be provided for the proposed capital structure used to calculate the revenue requirement if different from Schedule 3.

## **Schedule 9 - Rate of Return Statement – Earnings Test – Per Books**

Instructions: Use format of Form Schedule 9.

Schedule 9 shall reflect average rate base, capital, and common equity capital. Interest expense, preferred dividends, and common equity capital shall be calculated by using the average capital structure included in Schedule 3 B and average rate base.

## **Schedule 11 - Rate of Return Statement – Earnings Test – Adjusted to A Regulatory Accounting Basis**

Instructions: Use format of Form Schedule 11.

Schedule 11 adjustments in Column (2) shall reflect any financial differences between per books and regulatory accounting as prescribed by the State Corporation Commission. Each Column (2) adjustment shall be separately identified and reflected in Schedule 16.

A per books regulatory accounting adjustment to reflect Investment Tax Credits (ITC) Capital Expense shall be reflected in Schedule 11 Column (2), if applicable. Column (3) ITC Capital Expense shall be calculated as follows:

ITC Capital Expense = Rate Base (line 25) \* weighted cost of ITC Capital in Schedule 3

The associated income tax savings shall be reflected in lines 5 and 6, Column (2) as follows:

Associated income tax savings = total average rate base (line 25) \* weight of ITC capital (Sch. 3) \* weighted cost of debt component of the ITC cost component (Sch. 3) \* (Federal and State Income Tax rate \* -1)

Schedule 11 Line 15 other income/(expense) shown in Column (3) shall be the current amount of other income/(expense) categorized as jurisdictional in the applicant's last rate case.

## **Schedule 12 - Rate Base Statement – Earnings Test – Per Books**

Instructions: Use format of Form Schedule 12.

Applicants must use the same methodology to calculate cash working capital allowance as was employed in the applicant's most recent base rate case.

## **Schedule 14 - Rate Base Statement – Earnings Test – Adjusted to Regulatory Accounting Basis**

Instructions: Use format of Form Schedule 14.

Cash working capital allowance shall be calculated using the instructions in Schedule 12. Schedule 14 Column (2) shall reflect adjustments necessary to identify any financial differences between per books and regulatory accounting as prescribed by the State Corporation Commission. Each Column (2) adjustment shall be separately identified and reflected in Schedule 16.

## **Schedule 15 - Schedule of Regulatory Assets**

Instructions: If applicable per Schedules 9 and 12 instructions. Use format of Form Schedule 15.

All regulatory assets shall be individually listed with associated deferred income tax. Indicate whether the regulatory asset (i) is proposed in the current proceeding; (ii) was previously approved by the State Corporation Commission; (iii) is not subject to an earnings test; or (iv) is for financial purposes only. Also include Eligible Safety Activity Cost deferrals pursuant to § 56-235.10 of the Code of Virginia.

## **Schedule 16 - Detail of Regulatory Accounting Adjustments**

Instructions: If applicable per Schedules 9 and 12 instructions.

Use format of Form Schedule 16.

Each regulatory accounting adjustment shall be numbered sequentially beginning with ET-1 and listed under the appropriate description category (Operating Revenues, Interest Expense, Common Equity Capital, etc.).

Each regulatory accounting adjustment shall be fully explained in the description column of this schedule. Regulatory accounting adjustments shall adjust from a financial accounting basis to a regulatory accounting basis. Adjustments to reflect going-forward operations shall not be included on this schedule.

Detailed workpapers substantiating each adjustment shall be provided in Schedule 29.

## **Schedule 17 - Lead/Lag Cash Working Capital Calculation – Earnings Test**

Instructions: Use format of Form Schedule 17.

Total Balance Sheet Net Source/Use of Average Cash Working Capital determined in Schedule 18 shall be included in the Total Cash Working Capital amount in this schedule.

The Total Cash Working Capital amount determined in this schedule shall be included in Schedules 12 and 14.

Utilities required to use a lead/lag study should perform a complete lead/lag analysis every five years. Major items, such as the revenue lag and balance sheet accounts, should be reviewed every year.

## **Schedule 18 - Balance Sheet Analysis – Earnings Test**

Instructions: Use format of Form Schedule 18.

All uses and sources of cash working capital shall be detailed in this schedule. The associated accumulated deferred income tax (ADIT) shall also be included as a use or source.

The Net Source/Use of Average Cash Working Capital determined in this schedule shall be included in Schedule 17.

Support for Schedule 18 shall include a list of all balance sheet subaccounts and titles. Indicate whether the account's impact is included in (i) the balance sheet analysis; (ii) the capital structure; (iii) the income statement portion of the lead/lag study; (iv) elsewhere in rate base; or (v) excluded from cost of service. Applicants shall also include a brief description of the costs in each account.

## **Schedule 19 - Rate of Return Statement – Per Books**

Instructions: Use format of Form Schedule 19.



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# Regulations

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Column (1) interest expense, preferred dividends and common equity capital shall be calculated by using **the** capital structure included in Schedule 3 or Schedule 8 and end of test year level rate base.

## **Schedule 21 - Rate of Return Statement – Reflecting Ratemaking Adjustments**

Instructions: Use format of Form Schedule 21 and Form Supporting Steps to Advance Virginia's Energy (SAVE) Roll-in Schedule 21, as appropriate.

Schedule 21 Column (2) adjustments shall be separately identified and reflected in Schedule 25.

Applicants not proposing a Roll-in of a SAVE Rider may omit Supporting SAVE Roll-in Schedule 21.

Interest expense, preferred dividends, and common equity capital shall be calculated by using **the** capital structure included in Schedule 3 or Schedule 8 and an adjusted level of rate base.

After ratemaking adjustments, ITC capital expense shall be calculated as follows:

Total rate base (line 29) \* weighted cost of ITC capital in Schedule 3 or Schedule 8

Applicants filing pursuant to 20VAC5-205-30 may omit Columns (4) through (7).

## **Schedule 22 - Rate Base Statement – Per Books**

Instructions: Use format of Form Schedule 22.

Applicants with jurisdictional per books operating revenues more than \$150 million shall calculate cash working capital allowance using a lead/lag study. Schedules 27 and 28 shall be provided detailing **the** cash working capital computation for Columns (1), (3), and (7). Applicants with jurisdictional per books operating revenues between \$30 million and \$150 million may include a zero cash working capital requirement rather than perform a lead/lag study. Applicants with jurisdictional per books operating revenues less than \$30 million may use a formula method to calculate cash working capital.

## **Schedule 24 - Rate Base Statement – Adjusted – Reflecting Ratemaking Adjustments**

Instructions: Use format of Form Schedule 24 and Form Supporting SAVE Roll-in Schedule 24, as appropriate.

Cash working capital allowance shall be calculated using instructions in Schedule 22.

Applicants not proposing a Roll-in of a SAVE Rider may omit Supporting SAVE Roll-in Schedule 24.

## **Schedule 25 - Detail of Ratemaking Adjustments**

Instructions: Use format of Form Schedule 25.

Each adjustment shall be numbered sequentially and listed under **the** appropriate description category (Operating Revenues, Interest Expense, Common Equity Capital, etc.).

Ratemaking adjustments shall reflect a rate year level of revenues and expenses in accordance with applicable rules and laws governing utility rate changes. Rate base adjustments may reflect no more than a rate year average. In Expedited Filings, Column (4) Ratemaking Adjustments shall reflect a rate year level of only those types of adjustments previously approved for **the** applicant. In addition, separate adjustments shall be made for **the** purpose of identifying SAVE components. Examples of these adjustments include (i) removing **the** rate year level of SAVE-related depreciation expense and property taxes, (ii) removing **the** rate year 13-month average level of SAVE-related rate base (including ADIT), and (iii) eliminating SAVE-related revenues.

Detailed workpapers substantiating each adjustment shall be provided in Schedule 29.

## **Schedule 26 - Revenue Requirement Reconciliation**

Instructions: Use format of Form Schedule 26 for lead schedule. An example of a supporting schedule is provided.

Provide a reconciliation showing **the** revenue requirement impact of (i) each adjustment (including its income **tax** effects), (ii) **the** proposed capital structure, (iii) **the** proposed ROE, (iv) **the** proposed cost of debt, and (v) each other proposal impacting **the** requested revenue requirement.

## **Schedule 27 - Lead/Lag Cash Working Capital Calculation – Adjusted**

Instructions: Use format of Form Schedule 27.

Total Balance Sheet Net Source/Use of Average Cash Working Capital determined in Schedule 28 shall be included in **the** Total Cash Working Capital amount in this schedule.

**The** Total Cash Working Capital amount determined in this schedule shall be included in Schedules 22 and 24.

Utilities required to use a lead/lag study should perform a complete lead/lag analysis every five years. Major items such as **the** revenue lag and balance sheet accounts should be reviewed every year.

## **Schedule 28 - Balance Sheet Analysis – Adjusted**

Instructions: Use format of Form Schedule 28.

All uses and sources of cash working capital shall be detailed in this schedule. **The** associated ADIT shall also be included as a use or source.

Support for Schedule 28 should include a list of all balance sheet subaccounts and titles. Additionally, support for Schedule 28 should include a brief description of **the** cost in each balance sheet subaccount, whether **the** cost is presented on an end-of-period or 13-month average basis, and **the** reasons

why such cost is presented on an end-of-period or 13-month average basis. Indicate whether the account's impact is included in (i) the balance sheet analysis; (ii) the capital structure; (iii) the income statement portion of the lead/lag study; (iv) elsewhere in rate base; or (v) excluded from cost of service. Include a brief description of the costs included in each account. Whether the cost is presented on an end-of-period or 13-month average basis, applicants shall provide the monthly balances making up the 13-month average.

The Net Source/Use of Average Cash Working Capital determined in this schedule shall be included in Schedule 27.

## **Schedule 29 - Workpapers for Earnings Test and Ratemaking Adjustments**

Instructions: Include a table of contents listing the work papers included in this schedule.

a. Provide a narrative explaining the purpose and methodology used for each adjustment identified in subsections b and d of these instructions that have not been addressed in the applicant's direct testimony. Such explanation shall reference any relevant Financial Accounting Standards Board (FASB) statement or commission precedent if known or available.

b. Provide a summary calculation of each earnings test adjustment included in Schedule 16. Each summary calculation shall identify the source documents used to prepare such calculation.

c. Provide all relevant documents, references, and information necessary to support the summary calculation required in subsection b of these instructions for each proposed earnings test adjustment. Amounts identified as per books costs shall include any documentation or references necessary to verify such amount to Schedule 40A. Working papers shall be indexed and tabbed for each adjustment and include the name of the primary employee responsible for the adjustment. All documents and information as referenced in these instructions should include general ledgers, payroll distributions, billing determinants, invoices, and actuarial reports. Supporting documentation that is voluminous may be made available at the applicant's office.

d. Provide a summary calculation of each rate year adjustment included in Schedule 25. Each summary calculation shall identify the source documents used to prepare such calculation.

e. Provide all relevant documents and information necessary to support the summary calculation required in subsection d of these instructions for each proposed rate year adjustment. Amounts identified as per books costs shall include any documentation necessary to verify such amount to Schedule 40b. Working papers shall be indexed and tabbed for each adjustment and include the name of the primary employees

responsible for the adjustment. All documents and information as referenced in subsections a through e of these instructions should include general ledgers, payroll distributions, billing determinants, invoices, and actuarial reports.

## **Schedule 30 - Revenue and Expense Variance Analysis**

Instructions: Applicant shall quantify jurisdictional operating revenues and system operating and maintenance expenses by primary account as specified by the Federal Energy Regulatory Commission Uniform System of Accounts (USOA account) during the test period and the preceding 12 months. Also, provide jurisdictional sales volumes by customer class for the test period.

Applicants shall file a schedule detailing all revenue and expense accounts by month for the test period. Applicants shall provide a detailed explanation of all jurisdictional revenue and system expense increases or decreases of more than 10% during the test period compared to the previous 12-month period. The expense variance analysis applies to test period expense items greater than one-tenth of one percent (.001) of Operating & Maintenance expenses excluding purchased gas adjustment costs. Additionally, the applicant shall provide an electronic spreadsheet version of the accounts payable ledger or schedule of all accounts payable electronically to the Division of Utility Accounting and Finance within five business days of the application filing date.

## **Schedule 31 - Advertising Expense**

Instructions: A schedule detailing advertising expense by USOA account and grouped according to the categories identified in § 56-235.2 of the Code of Virginia shall be provided. Advertising costs that are not identifiable to any of those categories shall be included in a separate category titled "other." If the applicant seeks rate relief, demonstrate that the applicant's advertising meets the criteria established in § 56-235.2.

## **Schedule 34 - Miscellaneous Expenses**

Instructions: Provide a description of amounts paid and USOA accounts charged for each charitable and educational donation, each payment to associated industry organizations, and all other miscellaneous general expenses. Individual items aggregating to less than 5.0% of the total miscellaneous expense may be reflected in an "Other" line item. Advertising expenses included in Schedule 31 should be excluded from this schedule.

## **Schedule 35 - Affiliate Services Transactions**

Instructions: For purposes of this schedule affiliate transactions shall be defined to include (i) goods exchanged between an applicant and its affiliates; (ii) services exchanged between an applicant and its affiliates; and (iii) transactions where a third party indirect affiliate provides goods or services on behalf of a direct affiliate that are passed through to

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# Regulations

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applicant. If any portion of the required information has been filed with the State Corporation Commission (commission) as part of an applicant's Annual Report of Affiliate Transactions, the applicant may reference such report clearly identifying what portions of the required information are included in the Annual Report of Affiliate Transactions.

Provide a detailed narrative description of each type of affiliated good or service (i) received or (ii) provided by an applicant during the test period.

Provide detailed schedules for each approved affiliate transaction electronically to the Division of Utility Accounting and Finance in an electronic spreadsheet, including all underlying formulas and assumptions on the application filing date, detailing costs by type of good or service (e.g. accounting, auditing, legal and regulatory, human resources, etc.) (i) received or (ii) provided, for each month of the test period. Show the final USOA account distribution of all costs billed to or by the regulated entity by month for the test period, as it is recorded on the regulated entity's books.

Identify all amounts billed to an affiliate and then billed back to the regulated entity.

Cost records and market analyses supporting all affiliated charges billed to or by the regulated entity/division shall be maintained and made readily available for commission staff review. This shall include supporting detail of costs (including the return component) incurred by the affiliated interest rendering the service and the allocation methodology. In situations when the pricing is required to be the higher (lower) of cost or market and market is unavailable, note each such transaction and have data supporting such a finding available for commission staff review.

If affiliate charges are booked per a pricing mechanism other than that approved by the commission, the regulated entity shall provide a reconciliation of books to commission-approved pricing, including an explanation of why the commission-approved pricing is not used for booking purposes.

## **Schedule 36 - Income Taxes**

Instructions: Provide a schedule detailing the computation of test period current state and federal income taxes on a total company and Virginia jurisdictional basis. Such schedule should provide a complete reconciliation between book and taxable income showing all individual differences. Additionally, provide a schedule detailing the computation of fully adjusted, current state and federal income taxes applicable to the Virginia jurisdiction.

Provide a schedule detailing the individual items of deferred state and federal income tax expense for the test period on a total company and Virginia jurisdictional basis. Separately quantify excess deferred income taxes amortization on both a total company and Virginia jurisdictional basis. Also,

differentiate between protected (subject to Internal Revenue Service normalization rules) and unprotected amortization and state the amortization method and period applicable to each. Additionally, provide a schedule detailing the computation of fully adjusted, deferred state and federal income tax applicable to the Virginia jurisdiction.

Provide a detailed reconciliation between the statutory and effective income tax rates for the test period on both a total company and Virginia jurisdictional basis. Such schedule should quantify individual reconciling items by dollar amount and percentage. Individual items should include permanent differences (itemize), flow-through depreciation, excess deferred FIT amortization, and deferred ITC amortization.

Provide a detailed listing of individual ADIT and accumulated deferred ITC amounts as of the end of test period. Separately identify those items affecting the computation of rate base on both a total company and Virginia jurisdictional basis. Additionally, provide a detailed listing of individual ADIT and accumulated deferred ITC amounts for the earnings test rate base (if applicable), the end of test period rate base, and the fully-adjusted rate base on a Virginia jurisdictional basis.

Provide a detailed reconciliation between the federal and state current tax expense on a stand-alone basis and the actual per book federal and state current tax expense for the test period on a total company and Virginia jurisdictional basis.

Provide a schedule depicting, by month, all federal and state income tax payments made during the test year. For each payment, identify the recipient.

Provide a detailed reconciliation between deferred federal and state income expense computed on a stand-alone basis and the actual per book deferred federal and state income tax expense, on a total company and Virginia jurisdictional basis.

Provide a detailed reconciliation between individual accumulated deferred federal and state income tax assets and liabilities computed on a stand-alone basis and the actual per book ADIT amounts as of the end of the test period, on a total company and Virginia jurisdictional basis. Additionally, provide a detailed listing of individual ADIT assets and liabilities computed on a stand-alone basis for the earnings test rate base (if applicable), the end of test period rate base, and the fully-adjusted rate base on a Virginia jurisdictional basis.

## **Schedule 37 - Organization**

Instructions: Provide an organizational chart of the applicant and its parent company detailing subsidiaries and divisions. Provide details of any material corporate reorganizations since the applicant's last rate case. Explain the reasons for and any ratemaking impact of each such reorganization.

## **Schedule 38 - Changes in Accounting Procedures**

Instructions: Detail any material changes in accounting procedures adopted by either the parent/service company or the utility since the applicant's last rate case. Explain any ratemaking impact of such changes.

Identify any write-offs or write-downs associated with assets (i.e., plant, tax accounts, etc.) that have been retained, transferred, or sold.

## **Schedule 39 - Out-of-Period Book Entries**

Instructions: Provide a summary schedule prepared from an analysis of journal entries showing "out-of-period" items booked during the test period. Show the amount, USOA account, and explanation of charge.

## **Schedule 40 - Jurisdictional and Class Cost of Service Study**

Instructions: Use format of Form Schedule 40.

a. Provide detailed calculations for all jurisdictional allocations for each revenue, expense, and rate base USOA account used to create Schedule 9. Allocations should be based on test period average data. Show the allocation basis for each primary USOA account and for any amount included therein with a unique allocation basis. Explain the methodology used and why such method is proposed. Discuss all changes in the applicant's operations that have materially changed any allocation factor as well as any significant changes in allocation methodology since the last rate case. For any change in allocation methodology used in the current rate case that has a material effect on the current test period cost of service study, provide Schedule 40a using both the new methodology used in the current rate case and the old methodology used in the last rate case.

b. Provide detailed calculations for all jurisdictional allocations for each revenue, expense, and rate base USOA account used to create Schedules 19 and 22. Show the allocation basis for each primary USOA account and for any amount included therein with a unique allocation basis. Explain the methodology used and why such method is proposed. Discuss all changes in the applicant's operations that have materially changed any allocation factor as well as any significant changes in allocation methodology since the last rate case. For any change in allocation methodology used in the current rate case that has a material effect on the current test period cost of service study, provide Schedule 40b using both the new methodology used in the current rate case and the old methodology used in the last rate case.

c. Provide a class cost of service study showing the allocation basis for each primary USOA account and for any amount included therein with a unique allocation basis. Explain the methodology used and why such method is proposed. Discuss all changes in the applicant's operations that have materially changed any allocation factor as well as any significant changes in allocation methodology since the

last rate case. For any change in allocation methodology used in the current rate case that has a material effect on the current test period cost of service study, provide Schedule 40c using both the new methodology used in the current rate case and the old methodology used in the last rate case.

d. Provide appropriate supporting cost data for new allocation methodologies or rate design proposals in expedited rate applications.

## **Schedule 41 - Proposed Rates and Tariffs**

Instructions: Provide a summary of the rates designed to effect the proposed revenue increase. Provide a redline copy of all tariff pages that the applicant proposes to revise in this proceeding.

## **Schedule 42 - Present and Proposed Revenues**

Instructions:

a. Provide the detailed calculations supporting total per books revenues in Column (3) of Schedule 21. The present revenues from each of the applicant's services shall be determined by multiplying the current rates times the test period billing units (by rate block, if applicable).

b. Provide a detailed calculation supporting total adjusted revenues in Column (5) of Schedule 21. The proposed revenues from each of applicant's services shall be determined by multiplying the proposed rates by the adjusted billing units (by rate block, if applicable). Detail by rate schedule all miscellaneous charges and other revenues, if applicable. Reconcile per books billing units to adjusted billing units itemizing changes such as customer growth, weather, BTU content, and miscellaneous revenues. The revenue changes for applicant's services should be subtotaled into the applicant's traditional categories.

## **Schedule 43 - Sample Billing**

Instructions: Provide a sample billing analysis detailing the effect on each rate schedule at representative levels of consumption.

## **Schedule 44 – Additional Information Required by Commission Order**

To the extent not included in other schedules, provide all information and analyses that the State Corporation Commission has previously directed the applicant to include in its filing pursuant to Chapter 205.

## **Schedule 46 – Initial or Amended SAVE Plans and SAVE Rider Adjustments**

Instructions: Use the format of Form Schedule 46a-q.

a. Instructions for initial and amended Steps to Advance Virginia's Energy (SAVE) Plan applications. For any initial or amended SAVE Plan pursuant to § 56-603 et seq. of the



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# Regulations

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Code of Virginia, the applicant shall provide the following information:

1. A schedule that includes, to the extent known: (i) a detailed narrative describing each distribution asset class replacement program (e.g., cast iron replacement program, copper replacement program, first-generation plastic replacement program, etc.); (ii) the estimated timeline, to the extent known, for each distribution asset class replacement program; and (iii) a detailed explanation of the justification for the proposed replacement activities and costs associated with each distribution asset class replacement program.

2. A schedule that includes, to the extent known, the following information about projects that fall outside item a 1 of these instructions (e.g., gate station replacements, regulator station replacements, transmission pipeline replacements, etc.): (i) a detailed narrative describing each project; (ii) the estimated timeline, to the extent known, for each project that falls outside of the distribution asset class replacement programs; and (iii) a detailed explanation of the justification for the proposed replacement activities and costs associated with each project that falls outside of distribution asset class replacement programs.

The narrative requested in a 2 (i) of these instructions shall include detailed specific project descriptions, to the extent known, of the following: (i) gate station replacements; (ii) regulator station replacements; (iii) replacements of transmission pipelines or pipeline facilities associated with transmission pipelines (e.g., valves); (iv) replacements of distribution pipelines that exceed \$1 million in project cost that are not part of a distribution asset class replacement program (i.e., specific, discrete projects that cost more than \$1 million and involve pipeline facilities that are not part of a distribution asset class replacement program); (v) replacements of distribution pipelines that are 12 inches or greater in nominal outside diameter and have a Maximum Allowable Operating Pressure in excess of 60 psig; and (vi) replacements of any storage or peak shaving facilities. The detailed project descriptions provided for projects that fall under a 2 of these instructions shall also include comparisons between existing infrastructure and the proposed replacement infrastructure, to the extent known, to cover known material attributes, including diameter, wall thickness, yield strength, and equipment configurations, as applicable.

3. A detailed description of exactly which of the safety or reliability system integrity risks identified in clause (i) of the definition of "eligible infrastructure replacement" in § 56-603 are addressed by (i) each of the distribution asset class replacement programs included in the filing and (ii) to the extent known, each of the projects identified under item a 2 of these instructions.

4. A detailed description of how the applicant intends to prioritize replacement activities under (i) distribution asset class replacement programs and (ii) projects under a 2 of these instructions over the life of the proposed SAVE Plan or the life of the proposed Save Plan amendment. The explanation must also identify any and all pipeline facilities proposed for replacements that are not located within the Commonwealth of Virginia.

5. A detailed description of how proposed replacements either will reduce or have the potential to reduce greenhouse gas emissions.

6. A narrative describing how the applicant plants for adequate internal employees and contractor resources so that identified projects are completed within the life of the proposed SAVE Plan or SAVE Plan amendment.

7. A schedule showing, to the extent known, by year (i) tentative miles of main, by material type, anticipated to be replaced under each distribution asset class replacement program; (ii) tentative number of service lines, by material type, anticipated to be replaced under each distribution asset class replacement program; and (iii) tentative amount of infrastructure to be replaced under item a 2 of these instructions (e.g., number of regulator stations to be replaced, number of gate stations to be replaced, transmission mileage to be replaced, etc.).

8. A schedule of all projected and actual costs by type of cost and year, and by month to the extent available. The applicant shall provide such information by program if applicable, for the specific SAVE Plan filing.

9. A detailed schedule of the applicant's projections to facilitate the review of projected costs, electronically to the Division to Utility Accounting and Finance in an electronic spreadsheet with all underlying formulas and assumptions. The applicant shall provide these projections grouped separately by, but not limited to, the following categories: (i) program; (ii) project; (iii) work order; or (iv) cost type, if available.

10. The estimated lifetime revenue requirement of the proposed eligible infrastructure replacement costs, by year, on a jurisdictional basis, including all supporting calculations and assumptions. The applicant shall provide such information by program if applicable for the specific SAVE Plan filing.

11. An itemized summary that demonstrates how the applicant has fulfilled each of the filing requirements in this section. This summary shall include references and page numbers to each supporting item referenced.

12. Any SAVE plan application that is also seeking recovery through a SAVE Rider shall also provide the information required in section b of these instructions, as applicable and to the extent known.

b. Instructions for initial and adjusted SAVE Rider applications. For any SAVE Rider pursuant to § 56-603 et

seq. of the Code of Virginia, the applicant shall provide the following information:

1. A schedule of all projected and actual costs by type and by month to the extent available. The applicant shall provide such information by program if applicable for the specific SAVE Rider.
2. A schedule supporting all ADIT balances included in the SAVE Rider filing. The applicant shall provide such information in a manner that separately identifies the types of book/tax differences included in these supporting ADIT balances and include a separate written narrative describing the nature of each identified book/tax difference.
3. Provide a transaction-level summary to facilitate the audit of actual costs, electronically to the Division of Utility Accounting and Finance in an electronic spreadsheet with all underlying formulas and assumptions on the application filing date. If the SAVE Rider Adjustment includes a true-up, provide such information for costs incurred during the true-up period. If the SAVE Rider Adjustment does not include a true-up, provide the information based on the most current actual costs available to date. The applicant shall provide these transactions grouped separately by, but not limited to, the following categories: (i) program; (ii) project; (iii) work order; or (iv) cost type, if available.
4. A schedule that includes, to the extent known, the projected costs that the applicant seeks to recover through the SAVE Rider, including any and all project costs, by year, identified for distribution asset class replacement programs under item a 1 of these instructions and projects that fall outside of distribution asset class replacement programs under item a 2 of these instructions.
5. Detailed information relative to the applicant's methodology for allocating the revenue requirement among rate classes and the design of class rates.
6. The applicant shall provide an illustrative journal entry example for each the following items: (i) costs; (ii) recoveries; (iii) deferrals; (iv) carrying charges; (v) current taxes; (vi) deferred taxes; and (vii) any other items included in the applicant's SAVE Rider filing. In addition, the company shall provide a separate accompanying description for each type of journal entry provided.
7. A detailed explanation of the applicant's proposed regulatory treatment of costs, recoveries, deferrals, carrying charges, current taxes, and deferred taxes. The applicant shall provide a separate explanation for each of the items included in the applicant's SAVE Rider filing and discuss any proposed regulatory treatments that differ from the applicant's per book method of accounting.
8. A detailed explanation of any recent or proposed changes in the per books accounting or regulatory treatment of costs, recoveries, deferrals, carrying charges,

current taxes, and deferred taxes that have occurred since the applicant's previous SAVE Rider filing. The applicant shall provide a separate explanation for each of these items included in the applicant's SAVE Rider filing.

9. Identification (in the application or supporting testimony) of the estimated impact on a typical affected customer's monthly bill from the proposed revenue requirement. The applicant should provide a billing analysis based on the average annualized bill for a typical customer for each class that details (i) the proposed customer bill impact and (ii) the current bill impact. The applicant should provide both the dollar amount increase as well as percentage increase. This should be provided in an electronic file with the underlying calculations and supporting information.

10. A supporting schedule that shows the historical costs, including carrying charges, and customer collections, by year. This schedule should include calculations that support any deferral balances included in the applicant's calculations and the deferral balances at the end of the time period for which the applicant is requesting recovery of actual costs.

11. A schedule that shows a comparison of actual and projected SAVE capital expenditures to State Corporation Commission approved spending amounts, as of the end of the applicant's requested rate year. The applicant shall identify these amounts separately by case number.

12. An itemized summary that demonstrates how the applicant has fulfilled each of the filing requirements in this section. This summary shall include references and page numbers to each supporting item referenced.

## **Schedule 48 - Conservation and ratemaking efficiency plans**

Instructions: Applications made pursuant to § 56-602 A and B or § 56-602 A and C of the Code of Virginia shall file the following:

- a. Provide the revenue study or class cost of service study relied upon to establish annual per-customer fixed costs on an intra-class basis.
- b. Provide detailed calculations supporting determinations of current class, normalized class, or proposed class revenues. Such calculations should clearly show current, normalized, or proposed annual billing determinants (by rate block and class). Reconcile per books billing units to adjusted billing units itemizing changes such as customer growth, weather, and BTU content and miscellaneous revenues.
- c. Provide detailed calculations supporting the revenues produced by the rates, tariff design, or mechanism designed to effect the proposed conservation and ratemaking efficiency plan. Provide illustrative examples if necessary. Detail by rate schedule all miscellaneous charges and other

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# Regulations

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revenues, if applicable. To the extent any of the information requested in this subsection of these instructions has been provided in subsection b of these instructions, it does not need to be restated.

d. Clearly identify (in the application or supporting testimony) the estimated impact on a typical affected customer's monthly bill from the proposed revenue requirement. The applicant should provide a billing analysis based on the average annualized bill for a typical customer for each class that details (i) the proposed customer bill impact and (ii) the current bill impact. The applicant should provide both the dollar amount increase as well as percentage increase. This should be provided in an electronic file with the underlying calculations and supporting information.

e. Provide the detailed calculations showing that the rates, tariff design, or mechanism designed to effect the proposed conservation and ratemaking plan is revenue neutral as defined in Chapter 25 (§ 56-600 et seq.) of Title 56 of the Code of Virginia.

f. Provide a clean and redline copy of all tariff pages that the applicant proposes to revise in this proceeding.

g. Provide a detailed narrative description and an analysis of the proposed conservation program and a cost benefit assessment of the program using the Total Resource Cost Test, the Program Administrator Test, the Participant Test, and the Rate Impact Measure Test. Detail and support all assumptions utilized in the cost benefit assessments.

h. Provide a detailed narrative describing the proposed normalization component that removes the effect of weather from the determination of conservation and energy efficiency results. Additionally, provide any supporting calculation of such component.

i. Provide a detailed narrative describing the proposed decoupling mechanism. Provide calculations and documentation that supports the applicant's actual or proposed decoupling rate. Identify the source for the authorized distribution revenues per customer from the applicant's most recent rate case and where that amount is utilized in the applicant's conservation and ratemaking efficiency plans (CARE) application.

j. Provide a detailed narrative describing the provisions addressing the needs of low-income or low-usage residential customers.

k. Provide a detailed narrative describing provisions ensuring that rates and services to nonparticipating classes of customers are not adversely impacted. Additionally, provide all studies or calculations supporting such conclusions.

l. Provide a detailed explanation of any recent or proposed changes in the per books accounting or regulatory treatment

of costs, recoveries, deferrals, carrying charges, current taxes, and deferred taxes. Provide a separate explanation for each of the items that the applicant is proposing to recover through any applicant CARE Rider.

m. Provide a description of the accounting procedures and internal controls in place for each energy efficiency program that is administered by either a third party or by the applicant, including: (i) a description of the internal controls and procedures for rebate, incentive, and vendor payments for each newly approved energy efficiency program; (ii) a discussion of any changes in internal controls and procedures since the previous filing for existing energy efficiency programs; and (iii) support for how the applicant is ensuring that internal controls and procedures for all energy efficiency programs are functioning correctly.

n. Provide a detailed narrative and supporting workpapers showing how portfolio-level or plan-level costs are allocated to each program. For portfolio-level or plan-level costs that are unattributable to each program, provide a description of the cost and a narrative of the reasoning or justification of the cost being unattributable to each program.

o. Provide a schedule supporting all the income tax amounts included in the application, including tax credits, deferred taxes, and tax expense. For any ADIT balances included in the application, the applicant shall provide such information in a manner that separately identifies the types of book/tax differences included in these supporting ADIT balances and include a separate written narrative describing the nature of each identified book/tax difference.

p. If the application is for an amendment of an existing conservation and ratemaking efficiency plan, provide a schedule that summarizes actual participation data by program. Also provide evidence of the actual energy and demand savings achieved as a result of each specific program for which cost recovery is sought, along with revised cost-benefit tests that incorporate actual utility-specific energy and demand savings and cost data.

q. Provide a transaction-level summary to facilitate the audit of actual costs electronically to the Division of Utility Accounting and Finance in an electronic spreadsheet with all underlying formulas and assumptions. If the CARE Rider includes a true-up, provide such information for costs incurred during the true-up period. Provide these costs grouped separately by, but not limited to, the following categories: (i) program; (ii) project; (iii) work order; or (iv) cost type, if available.

r. Provide a supporting schedule that shows the historical costs and customer collections by month for any applicant CARE Rider. This schedule should include calculations that support any deferral balance included in the applicant's calculations.

s. Provide an itemized summary that demonstrates how the applicant has fulfilled each of the filing requirements in this section. This summary shall include references and page numbers to each supporting item referenced.

## **Schedule 49 - Upstream natural gas supply infrastructure plans**

Instructions: For any application made pursuant to § 56-609 of the Code of Virginia, the applicant shall provide the following information:

a. A detailed description, analysis, and quantification of the proposed eligible natural gas supply infrastructure projects and the timeline for the investment and completion of the proposed eligible natural gas supply infrastructure projects.

b. A detailed description, analysis, and quantification of the anticipated benefits of the proposed eligible natural gas supply infrastructure projects, including how such projects will result in (i) savings in the delivered cost of gas versus long-term forward market projections available to the applicant at the time of the capital investment or other alternatives; (ii) a reduction in the applicant's overall portfolio price volatility; (iii) reduction in the applicant's overall supply risk; or (iv) any combination thereof.

c. An estimated schedule for recovery of the related eligible natural gas supply infrastructure costs through the gas cost component of the applicant's rate structure or other mechanism, including proposed depreciation rates for investments in nondistribution asset classes.

d. A detailed description and analysis of how any revenue gains from the use of the pipelines by third parties will be used to offset eligible natural gas supply infrastructure costs.

e. Provide a schedule supporting all the income tax amounts included in the application, including tax credits, deferred taxes, and tax expense. For any ADIT balances included in the application, the applicant shall provide such information in a manner that separately identifies the types of book/tax differences included in these supporting ADIT balances and include a separate written narrative describing the nature of each identified book/tax difference.

f. The applicant's weather-normalized Virginia-jurisdictional firm sales demand for the calendar year preceding the application.

g. Each project's annual volume of natural gas and the resulting percentage of the applicant's weather-normalized Virginia-jurisdictional firm sales demand for the calendar year preceding the application.

h. The applicant's forecast of future expected base gas requirements for the applicant's Virginia jurisdiction over the effective period of the proposed plan.

i. The base gas purchases the applicant expects will be replaced with the natural gas acquired from the upstream

project during the first year of the plan and for any additional years of the plan thereafter for which the applicant has estimates.

j. A calculation of the anticipated savings on a nominal and a present value basis. Provide the basis of and support for the energy price forecasts utilized in calculating anticipated savings.

k. Identification (in the application or supporting testimony) of the estimated impact on a typical affected customer's monthly bill from the proposed revenue requirement. The applicant should provide a billing analysis based on the average annualized bill for a typical customer for each class that details (i) the proposed customer bill impact and (ii) the current bill impact. The applicant should provide both the dollar amount increase as well as percentage increase. This should be provided in an electronic file with the underlying calculations and supporting information.

l. A Virginia-jurisdictional lifetime revenue requirement of the proposed plan by year, including all supporting calculations and assumptions. The applicant shall provide such information by program if applicable for the specific natural gas supply infrastructure plan filing.

m. A schedule of all projected and actual costs by type of cost and year, and by month to the extent available. The applicant shall provide such information by program if applicable, for the specific natural gas supply infrastructure plan filing.

n. Provide a transaction-level summary to facilitate the audit of actual costs electronically to the Division of Utility Accounting and Finance in an electronic spreadsheet with all underlying formulas and assumptions. If the application includes a true-up, provide such information for costs incurred during the true-up period. Provide these costs grouped separately by, but not limited to, the following categories: (i) program; (ii) project; (iii) work order; or (iv) cost type, if available.

o. Detailed information relative to the applicant's methodology for allocating the revenue requirement among rate classes and the design of class rates.

p. The applicant shall provide an illustrative journal entry example for each the following items: (i) costs; (ii) recoveries; (iii) deferrals; (iv) carrying charges; (v) current taxes; (vi) deferred taxes; and (vii) any other items included in the applicant's natural gas supply infrastructure plan filing. In addition, the company shall provide a separate accompanying description for each type of journal entry provided.

q. A detailed explanation of the applicant's proposed regulatory treatment of costs, recoveries, deferrals, carrying charges, current taxes, and deferred taxes. The applicant shall provide a separate explanation for each of the items



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# Regulations

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included in the applicant's natural gas supply infrastructure plan filing and discuss any proposed regulatory treatments that differ from the applicant's per book method of accounting.

r. A detailed explanation of any recent or proposed changes in the per books accounting or regulatory treatment of costs, recoveries, deferrals, carrying charges, current taxes, and deferred taxes that have occurred since the applicant's previous natural gas supply infrastructure plan filing. The applicant shall provide a separate explanation for each of these items included in the applicant's natural gas supply infrastructure plan filing.

s. A clean and redline copy of all tariff pages that the applicant proposes to revise in this proceeding.

t. An itemized summary that demonstrates how the applicant has fulfilled each of the filing requirements in these instructions. This summary shall include references and page numbers to each supporting item referenced.

## **Schedule 50 – System expansion plans**

Instructions: For any application made pursuant to § 56-610 et seq. of the Code of Virginia, the applicant shall provide the following information:

a. A detailed description and analysis of the proposed system expansion plan and the timeline for the investment and completion of the proposed system expansion plan.

b. A business rationale explaining that the system expansion plan is in the public interest and of benefit to the affected customers served under the plan.

c. The period the system expansion rider is proposed to be in effect.

d. The estimated eligible system expansion infrastructure costs and a maximum level of investment to be included.

e. The maximum level of investment per affected customer.

f. The projected number of customers by rate class that will be served.

g. A schedule for recovery of eligible system expansion infrastructure costs through a system expansion rider.

h. A methodology for deferral of unrecovered eligible system expansion infrastructure costs in accordance with § 56-612 of the Code of Virginia.

i. A description of each class of customers eligible to participate in the system expansion plan.

j. The period of time a customer will be considered an affected customer, as that term is defined in § 56-610 of the Code of Virginia.

k. Provide a schedule supporting all the income tax amounts included in the application, including tax credits, deferred

taxes, and tax expense. For any ADIT balances included in the application, the applicant shall provide such information in a manner that separately identifies the types of book/tax differences included in these supporting ADIT balances and include a separate written narrative describing the nature of each identified book/tax difference.

l. Identification (in the application or supporting testimony) of the estimated impact on an affected customer's monthly bill from the proposed system expansion plan. The applicant should provide a billing analysis based on the average annualized bill for a typical customer for each class that details (i) the proposed customer bill impact and (ii) the current bill impact. The applicant should provide both the dollar amount increase as well as percentage increase. This should be provided in an electronic file with the underlying calculations and supporting information.

m. A Virginia-jurisdictional lifetime revenue requirement of the proposed plan by year, including all supporting calculations and assumptions. The applicant shall provide such information by program if applicable for the specific system expansion plan filing.

n. A schedule of all projected and actual costs by type of cost and year, and by month to the extent available. The applicant shall provide such information by program if applicable, for the specific system expansion plan filing.

o. Provide a transaction-level summary to facilitate the audit of actual costs electronically to the Division of Utility Accounting and Finance in an electronic spreadsheet with all underlying formulas and assumptions. If the application includes a true-up, provide such information for costs incurred during the true-up period. Provide these costs grouped separately by, but not limited to, the following categories: (i) program; (ii) project; (iii) work order; or (iv) cost type, if available.

p. Detailed information relative to the applicant's methodology for allocating the revenue requirement among rate classes and the design of class rates.

q. The applicant shall provide an illustrative journal entry example for each the following items: (i) costs; (ii) recoveries; (iii) deferrals; (iv) carrying charges; (v) current taxes; (vi) deferred taxes; and (vii) any other items included in the applicant's system expansion plan filing. In addition, the applicant shall provide a separate accompanying description for each type of journal entry provided.

r. A detailed explanation of the applicant's proposed regulatory treatment of costs, recoveries, deferrals, carrying charges, current taxes, and deferred taxes. The applicant shall provide a separate explanation for each of the items included in the applicant's system expansion plan filing and discuss any proposed regulatory treatments that differ from the applicant's per book method of accounting.

s. A detailed explanation of any recent or proposed changes in the per books accounting or regulatory treatment of costs, recoveries, deferrals, carrying charges, current taxes, and deferred taxes that have occurred since the applicant's previous system expansion plan filing. The applicant shall provide a separate explanation for each of these items included in the applicant's system expansion plan filing.

t. A clean and redline copy of all tariff pages that the applicant proposes to revise in this proceeding.

u. An itemized summary that demonstrates how the applicant has fulfilled each of the filing requirements in this section. This summary shall include references and page numbers to each supporting item referenced.

## **Schedule 51 – Biogas supply investment plans**

Instructions: For any application made pursuant to § 56-625 of the Code of Virginia, the applicant shall file the following:

a. A detailed description and analysis of the proposed eligible biogas supply infrastructure projects and the timeline for the investment and completion of the proposed eligible biogas supply infrastructure projects.

b. A detailed description and analysis of the anticipated benefits of the proposed eligible biogas supply infrastructure projects, including how such projects will result in (i) a reduction in methane or carbon dioxide equivalent emissions from the biogas facility; (ii) an additional source of supply for the applicant; (iii) a beneficial use for the biogas; or (iv) any combination thereof. Provide calculations of the costs and benefits of each project.

c. An estimated schedule for recovery of the related eligible biogas supply infrastructure costs through the gas cost component of the applicant's rate structure or other mechanism, including proposed depreciation rates for investments in nondistribution asset classes.

d. A detailed description and analysis of how any revenue gains from the use of the pipelines by third parties will be used to offset eligible biogas supply infrastructure costs.

e. Provide a schedule supporting all the income tax amounts included in the application, including tax credits, deferred taxes, and tax expense. For any ADIT balances included in the application, the applicant shall provide such information in a manner that separately identifies the types of book/tax differences included in these supporting ADIT balances and include a separate written narrative describing the nature of each identified book/tax difference.

f. The applicant's weather-normalized Virginia-jurisdictional firm sales demand for the calendar year preceding the application.

g. Quantification of each project's annual volume of biogas and the resulting percentage of the applicant's weather-

normalized Virginia-jurisdictional firm sales demand for the calendar year preceding the application.

h. Quantification of the base gas purchases the applicant expects will be replaced with the biogas acquired from the eligible biogas supply infrastructure projects during the first year of the plan and for any additional years of the plan thereafter for which the applicant has estimates.

i. If the proposed biogas supply investment plan includes the option for the applicant to receive the biogas or sell the biogas at market prices, provide a detailed description and analysis of how any revenue gains from the sale of the biogas will be used to reduce the cost of gas to the applicant's customers.

j. A Virginia-jurisdictional lifetime revenue requirement of the proposed plan by year, including all supporting calculations and assumptions. The applicant shall provide such information by program if applicable for the specific biogas supply investment plan filing.

k. Identification (in the application or supporting testimony) of the estimated impact on a typical affected customer's monthly bill from the proposed revenue requirement. The applicant should provide a billing analysis based on the average annualized bill for a typical customer for each class that details (i) the proposed customer bill impact and (ii) the current bill impact. The applicant should provide both the dollar amount increase as well as percentage increase. This should be provided in an electronic file with the underlying calculations and supporting information.

l. A schedule of all projected and actual costs by type of cost and year, and by month to the extent available. The applicant shall provide such information by program if applicable, for the specific biogas supply investment plan filing.

m. Provide a transaction-level summary to facilitate the audit of actual costs and the review of projected costs, electronically to the Division of Utility Accounting and Finance in an electronic spreadsheet with all underlying formulas and assumptions. If the application includes a true-up, provide such information for costs incurred during the true-up period. Provide these costs grouped separately by, but not limited to, the following categories: (i) program; (ii) project; (iii) work order; or (iv) cost type, if available.

n. If the applicant proposes to recover eligible biogas supply infrastructure costs through a recovery mechanism other than the gas cost component of the applicant's rate structure, provide detailed information relative to the applicant's methodology for allocating the revenue requirement among rate classes and the design of class rates.

o. The applicant shall provide an illustrative journal entry example for each the following items: (i) costs; (ii) recoveries; (iii) deferrals; (iv) carrying charges; (v) current taxes; (vi) deferred taxes; and (vii) any other items included

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# Regulations

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in the applicant's biogas supply investment plan filing. In addition, the company shall provide a separate accompanying description for each type of journal entry provided.

p. A detailed explanation of the applicant's proposed regulatory treatment of costs, recoveries, deferrals, carrying charges, current taxes, and deferred taxes. The applicant shall provide a separate explanation for each of the items included in the applicant's biogas supply investment plan filing and discuss any proposed regulatory treatments that differ from the applicant's per book method of accounting.

q. A detailed explanation of any recent or proposed changes in the per books accounting or regulatory treatment of costs, recoveries, deferrals, carrying charges, current taxes, and deferred taxes that have occurred since the applicant's previous biogas supply investment plan filing. The applicant shall provide a separate explanation for each of these items included in the applicant's biogas supply investment plan filing.

r. A clean and redline copy of all tariff pages that the applicant proposes to revise in this proceeding.

s. An itemized summary that demonstrates how the applicant has fulfilled each of the filing requirements in this section. This summary shall include references and page numbers to each supporting item referenced.

## **Schedule 52 - Additional Schedules**

Reserved for additional exhibits presented by the applicant to be labeled Schedule 52 et seq.

**NOTICE:** The following forms used in administering the regulation have been filed by the agency. Amended or added forms are reflected in the listing and are published following the listing. Online users of this issue of the Virginia Register of Regulations may also click on the name to access a form. The forms are also available from the agency contact or may be viewed at the Office of Registrar of Regulations, 900 East Main Street, 11th Floor, Richmond, Virginia 23219.

## **FORMS (20VAC5-205)**

[Forms - Schedule 1 - Historical Profitability and Market Data \(eff. 12/2023\)](#)

[Forms - Schedule 2 - Interest and Cash Flow Coverage Data \(eff. 12/2023\)](#)

[Forms - Schedule 3 - Capital Structure & Cost of Capital Statement - Per Books and Average \(eff. 12/2023\)](#)

[Forms - Schedule 9 - Rate of Return Statement - Earnings Test - Per Books \(eff.12/2023\)](#)

[Forms - Schedule 11 - Rate of Return Statement - Earnings Test - Adjusted to a Regulatory Accounting Basis \(eff. 12/2023\)](#)

[Forms - Schedule 12 - Rate Base Statement - Earnings Test - Per Books \(eff. 12/2023\)](#)

[Forms - Schedule 14 - Rate Base Statement - Earnings Test - Adjusted to a Regulatory Accounting Basis \(eff. 12/2023\)](#)

[Forms - Schedule 15 - Schedule of Regulatory Assets \(eff. 12/2023\)](#)

[Forms - Schedule 16 - Detail of Regulatory Accounting Adjustments \(eff. 12/2023\)](#)

[Forms - Schedule 17 - Lead/Lag Cash Working Capital Calculation - Earnings Test \(eff. 12/2023\)](#)

[Forms - Schedule 18 - Balance Sheet Analysis - Earnings Test \(eff. 12/2023\)](#)

[Forms - Schedule 19 - Rate of Return Statement - Per Books \(eff. 12/2023\)](#)

[Forms - Schedule 21 - Rate of Return Statement - Reflecting Ratemaking Adjustments \(eff. 12/2023\)](#)

[Forms - Supporting SAVE Roll-in Schedule 21 - Rate of Return Statement - Reflecting Ratemaking Adjustments \(eff. 12/2023\)](#)

[Forms - Schedule 22 - Rate Base Statement - Per Books \(eff. 12/2023\)](#)

[Forms - Schedule 24 - Rate Base Statement - Adjusted - Reflecting Ratemaking Adjustments \(eff. 12/2023\)](#)

[Forms - Supporting SAVE Roll-in Schedule 24 - Rate Base Statement - Adjusted - Reflecting Ratemaking Adjustments \(eff. 12/2023\)](#)

[Forms - Schedule 25 - Detail of Ratemaking Adjustments \(eff. 12/2023\)](#)

[Forms - Schedule 26 - Revenue Requirement Reconciliation \(eff. 12/2023\)](#)

[Forms - Schedule 26 - Revenue Requirement Reconciliation - FOR ILLUSTRATIVE PURPOSES ONLY \(eff. 12/2023\)](#)

[Forms - Schedule 27 - Lead/Lag Cash Working Capital Calculation - Adjusted \(eff. 12/2023\)](#)

[Forms - Schedule 28 - Balance Sheet Analysis - Adjusted \(eff. 12/2023\)](#)

[Forms - Schedule 40 a and b - Jurisdictional Cost of Service Study \(eff. 12/2023\)](#)

[Forms - Schedule 40c - Class Cost of Service Study \(eff. 12/2023\)](#)

[Forms - Schedule 46 - Initial or Amended SAVE Plans and SAVE Rider Adjustments \(eff. 12/2023\)](#)

VA.R. Doc. No. R23-7440; Filed March 9, 2023; 12:11 p.m.

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# GUIDANCE DOCUMENTS

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## PUBLIC COMMENT OPPORTUNITY

Pursuant to § 2.2-4002.1 of the Code of Virginia, a certified guidance document is subject to a 30-day public comment period after publication in the Virginia Register of Regulations and prior to the guidance document's effective date. During the public comment period, comments may be made through the Virginia Regulatory Town Hall website (<http://www.townhall.virginia.gov>) or sent to the agency contact. Under subsection C of § 2.2-4002.1, the effective date of the guidance document may be delayed for an additional period. The guidance document may also be withdrawn.

The following guidance documents have been submitted for publication by the listed agencies for a public comment period. Online users of this issue of the Virginia Register of Regulations may click on the name of a guidance document to access it. Guidance documents are also available on the Virginia Regulatory Town Hall (<http://www.townhall.virginia.gov>) or from the agency contact or may be viewed at the Office of the Registrar of Regulations, 900 East Main Street, Richmond, Virginia 23219.

### DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES

Title of Document: [2023 Handbook for Farmers \(Virginia Farmers Market Nutrition Program for Seniors and the Women, Infants, and Children \(WIC\) Program\).](#)

Public Comment Deadline: May 10, 2023.

Effective Date: May 11, 2023.

Agency Contact: Charlotte Arbogast, Senior Policy Analyst/Regulatory Coordinator, Department for Aging and Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, VA 23229, telephone (804) 662-7093, or email [charlotte.arbogast@dars.virginia.gov](mailto:charlotte.arbogast@dars.virginia.gov).

### BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

Titles of Documents: [Confidential Consent Agreements.](#)

[Disposition of Disciplinary Cases for Audiologists and Speech-Language Pathologists Practicing on Expired Licenses.](#)

[Equivalent Accrediting Body.](#)

Public Comment Deadline: May 10, 2023.

Effective Date: May 11, 2023.

Agency Contact: Erin Barrett, Senior Policy Analyst, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, VA 23233, telephone (804) 367-4688, or email [erin.barrett@dhp.virginia.gov](mailto:erin.barrett@dhp.virginia.gov).

### BOARD OF DENTISTRY

Title of Document: [Guidance on Sedation Permits.](#)

Public Comment Deadline: May 10, 2023.

Effective Date: May 11, 2023.

Agency Contact: Erin Barrett, Senior Policy Analyst, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, VA 23233, telephone (804) 367-4688, or email [erin.barrett@dhp.virginia.gov](mailto:erin.barrett@dhp.virginia.gov).

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Titles of Documents: [Cardinal Care<sup>SM</sup> - Virginia's Medicaid Program.](#)

[Changes to Hospice Procedures under Cardinal Care<sup>SM</sup> to be effective July 1, 2023 - Virginia's Medicaid Program.](#)

Public Comment Deadline: May 10, 2023.

Effective Date: May 11, 2023.

Agency Contact: Meredith Lee, Policy, Regulations, and Manuals Supervisor, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-0552, or email [meredith.lee@dmas.virginia.gov](mailto:meredith.lee@dmas.virginia.gov).

### STATE BOARD OF SOCIAL SERVICES

Titles of Documents: [Child and Family Services Manual Chapter B, Prevention Services - Updates.](#)

[Child and Family Services Manual Chapter I, Title IV-E Prevention - New.](#)

Public Comment Deadline: May 10, 2023.

Effective Date: May 11, 2023.

Agency Contact: Nikki Clarke Callaghan, Legislation, Regulations and Guidance Manager, Department of Social Services, 801 East Main Street, Richmond, VA 23219, telephone (804) 726-7943, or email [nikki.clarke@dss.virginia.gov](mailto:nikki.clarke@dss.virginia.gov).



## ANNUAL LIST

Section 2.2-4103.1 of **the** Code of Virginia requires annual publication in **the** Virginia Register of Regulations of guidance document lists from state agencies. A guidance document is defined as "...any document developed by a state agency or staff that provides information or guidance of general applicability to **the** staff or public to interpret or implement statutes or **the** agency's rules or regulations..." Agencies are required to maintain a complete, current list of all guidance documents and make **the** full text of such documents available to **the** public.

Generally, **the** format for **the** guidance document list is: document number (if any), title of document, date issued or last revised, and citation of Virginia Administrative Code regulatory authority or Code of Virginia statutory authority. Questions concerning documents or requests for copies of documents should be directed to **the** contact person listed by **the** agency.

### BOARD OF ACCOUNTANCY

Copies of **the** following documents may be viewed or obtained on regular work days from 8:15 a.m. until 5 p.m. at **the** Board of Accountancy, 9960 Mayland Drive, Suite 402, Henrico, VA 23233, telephone (804) 367-8505, or FAX (804) 527-4409. There are no costs associated with obtaining printed copies of **the** documents listed.

Questions regarding obtaining copies, interpretation, or implementation of these documents may be directed to Nancy J. Glynn, CPA, Executive Director, at **the** address provided.

#### Guidance Documents:

3638, Board of Accountancy Rights and Responsibilities under **the** Freedom of Information Act (FOIA), 8/22/2019

5970, Virginia Board of Accountancy (VBOA) Policy #1: Trust Account, 4/1/2020

5971, VBOA Policy #2: Continuing Professional Education Guidelines for Sponsors, 8/20/2020

5972, VBOA Policy #3: Substantially Equivalent Jurisdictions, 8/20/2020

5973, VBOA Policy #4: Continuing Professional Education (CPE) Guidelines for Certified Public Accountants (CPAs), 7/1/2022

5974, VBOA Policy #5: Publication of Disciplinary Action, 12/31/2018

5975, VBOA Policy #6: CPA and International Qualification Examinations, 12/31/2018

5976, VBOA Policy #7: Peer Review Oversight Committee, 12/31/2018

5977, VBOA Policy #8: Ethics Committee, 8/20/2020

5978, VBOA Policy #9: Inactive Status Procedure for Approval, Denial, Appeal, 3/5/2020

5979, VBOA Policy #10: Electronic Participation in Virginia Board of Accountancy Meetings, 12/12/2019

6132, Education Handbook, 9/1/2017

6831, Virginia Board of Accountancy Bylaws, 4/30/2020

7030, Disposition of Cases Involving Unlicensed Use of **the** CPA Title by Previously Licensed Individuals, 9/15/2022

7082, CPE Violation Penalties - Guidelines, 9/30/2021

7155, Delegations of Authority, 1/11/2022

7384, Guidelines for Accreditation of Educational Institutions, 12/22/2022

### DEPARTMENT OF ACCOUNTS

Copies of **the** following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in **the** office of **the** Department of Accounts, 101 North 14th Street, 2nd Floor, Richmond, VA 23219. Copies are available online at **the** Department of Accounts website at <http://www.doa.virginia.gov> and **the** respective document's specific web link listed with **the** document title.

Questions regarding interpretation or implementation of these documents may be directed to Douglas N. Page, Director of Finance and Administration, at telephone (804) 225-3136 or email at [doug.page@doa.virginia.gov](mailto:doug.page@doa.virginia.gov).

#### Guidance Documents:

5739, Agency Risk Management and Internal Control Standards (ARMICS), 12/28/2021

5740, Commonwealth Accounting Policies and Procedures (CAPP) Manual, 12/28/2021

5741, Financial Statement Preparation for Agencies and Institutions, 12/28/2021

5742, Year End Closing Procedures, 12/28/2021

### DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES

All guidance documents are available at no charge from **the** Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov> or from **the** department website where indicated. However, documents may be viewed during regular work days from 9 a.m. until 4 p.m. at **the** department's central office location at 8004 Franklin Farms Drive, Richmond Virginia 23229. Contact **the** individual listed under **the** individual document for more information. If no listing appears, contact Elizabeth Patacca, 8004 Franklin

Farms Drive, Richmond, VA 23229, telephone (804) 726-6625. Costs for printing hard copies of these documents vary with **the** document requested.

### Board for Aging and Rehabilitative Services

#### Guidance Documents:

4519, Virginia Guide to Supported Employment and Job Coach Training Services, 5/13/2015

4520, Consumer's Guide to Self-Employment, 7/1/2012

4521, Vocational Evaluation Best Practices Manual, 10/28/1993

4522, Vocational Rehabilitation Policy and Procedure Manual, 9/15/2022

4525, Long-Term Employment Support Services (LTESS) and Extended Employment Services (EES) Policy Manual, 4/1/2020

4526, 2020-2023 Workforce Innovation and Opportunity Act Combined State Plan, 6/28/2022

4531, Human Research Procedures Manual, 11/30/2021

4532, Personal Assistance Services Program Handbook, 9/12/2011

4533, Personal Assistance Services Policy and Procedures Manual Chapters 1 through 5, 1/1/2015

4534, Personal Assistance Services Policy and Procedures Manual Chapters 6 through 14, 1/1/2015

4540, State Plan for Independent Living, 11/26/2020

4541, Centers for Independent Living General Policies and Procedures Manual, 1/10/2017

4545, Wilson Workforce and Rehabilitation Center Governance Manual, 11/8/2018

5079, Vendor Application for Licensed Behavioral Health Services Provider A1205, 8/1/2014

5081, Guidance for Provision of Therapeutic Behavioral Services (TBS), 1/1/2017

5082, Guidance for **the** Provision of Community Support Services (CSS), 8/1/2018

5100, Virginia State Plan for Aging Services, 10/1/2019

5158, Virginia Department of Aging (VDA) National Family Caregiver Support Guidance, 7/27/2017

5159, VDA Cost Sharing/Fee for Service Policy, 12/3/2013

5160, VDA Grants Manual, 1/24/2018

5161, VDA Farm Market Fresh for Seniors Handbook for Farmers, 5/13/2021

5162, Criminal Background Check Policy for Area Agencies on Aging and Subcontractors, 7/1/2017

5335, Adult Services Assisted Living Facility Private Pay Assessment Manual, 12/1/2015

5343, Adult Services Broadcast 5696 Revised Adult Protective Services (APS) Minimum Training Standards, 6/23/2009

5346, Adult Services Auxiliary Grant Policy Manual Chapters A through L and Transmittals, 12/6/2018

5348, Adult Services Assisted Living Facility Public Pay Assessment Manual, 11/14/2019

5349, Adult Services Manual, Chapters 1 through 9, 12/19/2018

6264, Licensed Behavioral Health Services - Guidance and Fees Document, 10/1/2013

6494, Work Incentives Specialist Advocate (WISA) Manual, 1/20/2022

6495, VDA Aging Services Standards: All Standards Combined, 4/4/2019

6496, Pre-Employment Transition Services Manual, 2/17/2022

6497, Office of State Long-Term Care Ombudsman Policies and Procedures, 8/1/2018

6499, Board and Advisory **Council** Handbook for Virginia's Area Agencies on Aging, 12/23/2015

6500, Auxiliary Grant in Supportive Housing: Provider Operating Manual, 8/22/2019

6501, User Manual: Uniform Assessment Instrument, 2/1/2017

6504, Assisted Living Facility Relocation Plan, 6/29/2018

6758, Senior Community Service Employment Program Operations Manual, 12/26/2019

6883, State Plan for Assistive Technology, 7/9/2020

6964, Electronic Storage of Centers for Independent Living (CILs) Consumer Service Records, 3/6/2021

6992, Electronic Signatures Guidance for Independent Living Centers, 5/13/2021

7199, Senior Community Service Employment Program State Plan modification, 5/12/2022

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Guidance documents are available at **the** Oliver W. Hill Building, 102 Governor Street, Richmond, VA or on **the** Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>. For information about guidance documents of **the** Department of Agriculture and Consumer Services, including interpretation, please contact:

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## Guidance Documents

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For guidance documents relating to dairy and foods, contact Pamela Miles at (804) 786-8899.

For guidance documents relating to meat and poultry, contact JoAnn Connell at (804) 786-4569.

For guidance documents relating to approved capture drugs, methods approved for animal euthanasia, commercial breeder guidelines, and [the](#) Animal Care Civil Penalty Matrix, contact Carolynn Bissett at (804) 786-2483.

For guidance documents relating to avian influenza, contact Carolynn Bissett at (804) 786-2483.

For guidance documents relating to [the](#) Milk Commission, contact Crafton Wilkes at (804) 786-2013.

For guidance documents relating to agricultural stewardship, contact Darrell Marshall at (804) 786-3538.

For guidance documents relating to pesticides, contact Liza Fleeson Trossbach at (804) 371-6559.

For guidance documents relating to honey bees, contact Keith Tignor at (804) 786-3515.

For guidance documents relating to charitable gaming and charitable solicitations, contact Michael Menefee at (804) 786-3983.

For guidance documents relating to weights and measures (including motor fuel), contact Gary Milton at (804) 786-1274.

For guidance documents relating to industrial coproducts, spongy moths, or ginseng, contact David Gianino at (804) 786-3515.

Costs associated with obtaining printed copies of these documents from [the](#) agency vary. Guidance documents are available for no charge on [the](#) Virginia Regulatory Town Hall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov).

### Guidance Documents:

#### Charitable Gaming Board

[4309, Use of Proceeds](#), 12/1/2012

[4310, Progressive Games](#), 6/2/2010

[4311, Electronic Pull-Tab Game Displays, Themes, and Sounds](#), 11/14/2012

#### Board of Agriculture and Consumer Services

[750, Guidelines for \[the\]\(#\) Virginia Ginseng Management Program](#), 12/16/2016

[756, Virginia Entry Requirements for Honey Bee Hives and Appliances](#), 12/16/2016

[1115, Industrial Co-Products Guidelines](#), 12/16/2016

[1743, Agricultural Stewardship Act Guidelines](#), 11/10/2022

[2552, Virginia Shipping Requirements for Package Bees and Queens](#), 12/16/2016

[3255, Approved Capture Drugs and Drug Administering Equipment](#), 7/20/2009

[3256, Methods Prescribed or Approved for Animal Euthanasia and Competency Certification Requirements](#), 5/20/2013

[3747, Guidelines for Enforcement of \[the\]\(#\) Virginia Weights and Measures Law - Civil Penalty Assessment Decision Matrix](#), 10/1/2008

[3748, Guidelines for Enforcement of \[the\]\(#\) Virginia Code Relating to Motor Fuels and Lubricating Oils - Civil Penalty Assessment Decision Matrix](#), 10/1/2008

[4100, Office of Weights and Measures Technical Bulletin Number 2011-2 - Advertisement Signs and Posted Signs with Taxes Included or Excluded and \[the\]\(#\) Total Price Displayed at \[the\]\(#\) Pump](#), 7/1/2011

[4307, Information Regarding Commercial Dog Breeder Legislation](#), 1/20/2009

[4308, Office of Weights and Measures Technical Bulletin Number 2011-3 - Taxes Charged for \[the\]\(#\) Purchase of Gasoline, Diesel, Off-Road Diesel, Heating Oil, and Kerosene](#), 7/1/2011

[4698, Health Spa Contract Requirements](#), 7/29/2010

[5023, Agents of Virginia Cooperative Extension Program Proctoring Commercial Applicator Examinations](#), 7/3/2012

[5024, Answering Telephone Requests for Pesticide Applicator or Pesticide Business License Examination Scores](#), 7/3/2012

[5025, Applicator Recertification Options - Approval Procedures for Recertification Courses](#), 12/19/2018

[5028, Commercial Carpet Cleaners Who Apply Pesticides for Flea and Tick Control](#), 7/3/2012

[5029, Discontinuance Policy](#), 7/6/2012

[5030, Division of Consumer Protection - Administrative Procedure for Compliance Actions](#), 8/7/2012

[5031, Guidelines for Enforcement of \[the\]\(#\) Virginia Pesticide Control Act - Civil Penalty Assessment Decision Matrix](#), 7/2/2012

[5033, Product Registration - When Two Pesticide Products May Be Registered for a Single Fee](#), 9/29/2010

[5034, Product Registration - Submission of 24c- Special Local Need Registration](#), 12/11/2014

[5035, Production Registration - Submission of Labels](#), 12/11/2014

[5036, Registration Label Review](#), 8/24/2017

5037, Supervision of Registered Technicians, Including Government Employees and Not-for-Hire Individuals, 12/19/2018

5328, Model Ordinance for Use by Localities in Their Regulation of Charitable Solicitations, 9/13/2013

6450, Certification of Individuals Treating Cooling Towers or Swimming Pools, 12/19/2018

6451, Guidelines for Home Manufactured Pet Foods and Treats, 12/19/2018

6479, Guidelines Governing Veterinary Protocols, 12/26/2018

CACL MATRIX, Virginia Comprehensive Animal Care Laws and Related Regulations Civil Penalty Matrix, 2/20/2020

LIVESTOCK MATRIX, Virginia Livestock and Poultry Law and Related Regulations Civil Penalty Matrix, 2/20/2020

OACER 2018-01, Guidelines Governing the Approval of Continuing Education Training for Animal Control Officers, 1/1/2018

OPIS 2020-01, Guidelines for Beehive Distribution Program, 7/31/2020

OPIS Spongy Moth, Virginia Cooperative Spongy Moth Suppression Program, 2023 Guidelines, 9/15/2022

OPS-AdminProc, Office of Pesticide Services - Administrative Procedure for Compliance Actions, 12/19/2018

OWM 2016-01, Handling of Diesel Exhaust Fluid Dispensed for Testing, 5/1/2016

OWM 2017-01, Guidelines for Approval of Public Weighmaster Licenses, 4/1/2017

Produce Safety Matrix, Virginia Produce Safety Law and Related Regulations Civil Penalty Matrix Guidelines for Enforcement, 3/4/2021

## State Milk Commission

2727, Virginia State Milk Commission Monthly Report Audit Manual, 11/27/2012

## VIRGINIA ALCOHOLIC BEVERAGE CONTROL AUTHORITY

Copies of guidance documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the office of the Virginia Alcoholic Beverage Control Authority, 7450 Freight Way, Mechanicsville, Virginia 23116. Copies may be obtained free of charge from and questions regarding interpretation or implementation of these documents may be directed to LaTonya D. Hucks-Watkins, Senior Legal Counsel, at the same address, telephone (804) 213-4698, FAX (804) 213-4574, or email at [latonya.hucks-watkins@virginiaabc.com](mailto:latonya.hucks-watkins@virginiaabc.com). Guidance documents are available for no charge on the

Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>.

## Virginia Alcoholic Beverage Control Authority Board of Directors

### Guidance Documents:

Issued Quarterly, Licensee Newsletter Spring 2003, 3/1/2003

1843, Farm Winery Remote Festivals Bulletin, 7/19/2001

1847, Licensee Bulletin Vol. 56, No.1; Mixed Beverage Restaurant 1850, Virginia's Licensing Process; Brochure, 1/1/2002

1851, Retail Licensee Guide, 1/1/2001

1854, Circular Letter 84-3; Wholesaler Financial Interest, 1/1/1984

1855, Licensee Bulletin Vol. 56, No. 3; Types of Licenses, 1/1/2000

1856, Licensee Bulletin Vol. 56, No. 4; Operating a Licensed Club, 1/1/2000

1857, Wholesale Licensee Bulletin, 12/1/2017

1858, Circular Letter 84-4; Recordkeeping, 12/26/1984

1859, Circular Letter 85-5; Retail License Food Requirements, 3/26/1985

1860, Circular Letter 85-6; Wholesalers and Manufacturers Nonalcoholic Merchandise, 5/31/1985

1861, Circular Letter 87-1; Gifts and Contributions, 1/28/1987

1864, Circular Letter 88-3; Gifts of Money or Property, 9/7/1988

1866, Circular Letter 90-1; Information Exchange with Virginia Department of Taxation, 3/1/1990

1870, Circular Letter 94-1; Suspension of Licenses, 3/16/1994

1871, Circular Letter 98-1; Sponsoring Public Events, 1/1/1998

1872, Circular Letter 98-2; Wine Festivals, 2/1/1998

1873, Circular Letter 01-1; Cooperative Advertising Alcoholic Beverages, 1/1/2001

1874, Circular Letter 01-2; Coupons, 2/1/2001

1876, Circular Letter 84-8; Retailer Shelf Space Plans, 12/26/1984

1881, Circular Letter 85-9; Cooperative Advertising of Nonalcoholic Merchandise, 1/1/1985

3394, Circular Letter 06-01; CO<sub>2</sub> Filters Provided to Retailers, 2/14/2006



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## Guidance Documents

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3397, Circular Letter 06-04; Solicitor Tasting Permits, 9/1/2006

3398, Circular Letter 07-01; Limitations on Wine and Beer Shippers, 4/23/2007

3400, Circular Letter 07-03; Expenditures by Manufacturers at Tasting Events, 6/29/2007

3401, Circular Letter 07-04; Off-Premise Retail Delivery Permit, 7/1/2007

3402, Circular Letter 07-05; In-State Delivery Permit, 7/1/2007

3403, Circular Letter 07-08; Tasting Events, 12/15/2007

5750, Virginia Alcoholic Beverage Control License Application, 9/3/2012

5805, Circular Letter 15-04; Special Events, 6/5/2015

5806, Circular Letter 15-03; Advertising via Social Media, 8/4/2015

5807, Circular Letter 15-02; Limited Brewery Licenses Process Guidance, 8/4/2015

5808, Circular Letter 15-01; Distilled Spirits Table Service, 8/4/2015

5809, Circular Letter 14-03; Infusion of Distilled Spirits, 8/4/2015

5810, Circular Letter 14-02; Brewery Licenses Interstate Transfer and Sale of Beer, 8/4/2015

5811, Circular Letter 14-01; Product Approval of Gift Packages, 8/4/2015

5812, Circular Letter 13-03; Brewery Licenses Registration and Product Approval, 8/4/2015

5813, Circular Letter 13-01; Prices Charged to Wholesale Distributors by Wineries and Breweries, 8/4/2015

5814, Circular Letter 12-02; Purchase Orders, 8/4/2015

5815, Circular Letter 09-01; Wine and Beer Wholesaler Invoices, 8/4/2015

5817, Beer Wholesalers Letter 2015; Monthly Reporting and Payment of Tax, 8/7/2015

5818, Wine Wholesalers; Monthly Reporting and Payment of Tax, 8/10/2015

5819, Farm Wineries; Records, Reporting, and Taxes, 8/10/2015

5820, Vendors and Brokers Supplier Manual, 8/10/2015

5850, Circular Letter 15-05; Delivery of Samples to Retail Licensees, 11/18/2015

5949, Circular Letter 15-06; Temporary Extensions Increase, 12/30/2015

5958, Circular Letter 16-01; Distillery Store Events, 2/2/2016

5983, Circular Letter 16-02; Wineries, Farm Wineries, and Brewery Tasting Rooms, 3/23/2016

6201, Brewery License Bulletin, 12/1/2017

16-03, Circular Letter 16-03; Licensees with On-Premises and Mixed Beverage Privileges, 4/7/2016

17-01, Chandel Pricing for Retail Licensees Possessing both On-Premises and Off-Premises Privileges, 4/25/2017

17-02, Agency Liability for Delivery Permittees, 5/3/2017

19-02, Wine and Beer Wholesalers Tastings, 9/19/2019

19-03, Manufacturing on Brewery Premises, 9/19/2019

19-04, Shared Equipment and Alternation of Premises between Manufacturing Types, 10/17/2019

20-01, Retail Licensee Bulletin Marketplace Licenses, 11/17/2020

21-01, 2021 Retail Licensee Bulletin, 5/3/2021

21-02, Approval of Outdoor Dining Areas, 7/22/2021

21-03, June 2021 Retail Licensee Bulletin (Expiration of Pre-reform Licenses), 6/2/2021

22-01, Definitions for the Words "Designer" and "Vintage" as They are Used within the Context of 3VAC5-70-230 of the Virginia Administrative Code, 5/5/2022

### COMMISSION ON THE VIRGINIA ALCOHOL SAFETY ACTION PROGRAM

Copies of guidance documents for the Commission on the Virginia Alcohol Safety Action Program are available at no charge on the Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>.

Questions regarding interpretation or implementation of these documents may be directed to Christopher Morris, Special Programs Coordinator, via telephone at (804) 786-5895, or by email, at [chris.morris@vasap.virginia.gov](mailto:chris.morris@vasap.virginia.gov).

#### Guidance Documents:

6762, Virginia Alcohol Safety Action Program Operational Guidelines, 1/1/2022

2022IIPPM, Ignition Interlock and Remote Alcohol Monitoring Process and Procedure Manual, 11/23/2022

### AUDITOR OF PUBLIC ACCOUNTS

Copies of guidance documents for the Auditor of Public Accounts (APA) are available at no charge on the Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov> or on the APA's website at [http://www.apa.virginia.gov/APA\\_Reports/guidelines.aspx](http://www.apa.virginia.gov/APA_Reports/guidelines.aspx).

Questions regarding interpretation or implementation of these documents may be directed to Rachel Reamy, auditor, Auditor of Public Accounts, telephone (804) 362-8436, or email [rachel.reamy@apa.virginia.gov](mailto:rachel.reamy@apa.virginia.gov).

### Guidance Documents:

[ABC SPEC22, Specifications for Audits of Authorities, Boards, and Commissions, 7/1/2022](#)

[CCT SPEC22, Specifications for Audits of Counties, Cities, and Towns, 7/1/2022](#)

[GRAcct22, General Receiver Accounting Manual, 6/1/2022](#)

[Sheriffs22, Virginia Sheriffs Accounting Manual, 6/1/2022](#)

[UFRM22, Uniform Financial Reporting Manual, 9/1/2022](#)

### VIRGINIA DEPARTMENT OF AVIATION

For questions regarding [the](#) Airport Program Manual or to request a copy, please contact Susan Simmers with [the](#) Airport Services Division of [the](#) Virginia Department of Aviation (DOAV) at telephone (804) 236-3636, email [susan.simmers@doav.virginia.gov](mailto:susan.simmers@doav.virginia.gov), or postal mail 5702 Gulfstream Road, Richmond, VA 23250.

This guidance document is available for no charge on [the](#) Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>.

A printed copy of [the](#) Airport Program Manual may be viewed at [the](#) Virginia Department of Aviation (DOAV) office at 5702 Gulfstream Road, Richmond, VA 23250. A printed copy may be obtained from DOAV at no charge.

### Guidance Document:

[Airport Program Manual, Airport Program Manual - May 2022, 5/31/2022](#)

### DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

All departmental guidance documents are available electronically on [the](#) Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov> without charge. There may be a nominal charge if an individual requests that [the](#) department mail a paper copy of any of these documents.

Included in [the](#) detailed listing for each Department of Behavioral Health and Developmental Services (DBHDS) guidance document is [the](#) name and contact information of [the](#) staff person who can respond to interpretive or implementation questions. Direct questions regarding interpretation of any DBHDS guidance documents to Ruth Anne Walker, Director of Regulatory Affairs, email [ruthanne.walker@dbhds.virginia.gov](mailto:ruthanne.walker@dbhds.virginia.gov), telephone (804) 225-2252, or FAX (804) 371-4609.

### State Board of Behavioral Health and Developmental Services

### Guidance Documents:

[DD 1, 2021 Person-Centered Individual Support Plan Guidance, 6/7/2021](#)

[DD 4, DSP and DSP Supervisor Developmental Disability \(DD\) Waiver Orientation and Competencies Protocol, 3/27/2020](#)

[DD 5, Department of Behavioral Health and Developmental Services \(DBHDS\) DD Support Coordination Case Management Handbook, 11/25/2021](#)

[DD 6, Supported Decision-Making Agreement Sample, 7/15/2022](#)

[FOR 1, Guidelines for \[the\]\(#\) Management of Individuals Found Not Guilty By Reason of Insanity, 3/3/2022](#)

[FOR 3, Not Guilty By Reason of Insanity Reference Manual for Community Services Boards or Behavioral Health Authorities, 1/15/2017](#)

[FOR 4, Adult Outpatient Competency Restoration Manual for Community Services Boards or Behavioral Health Authorities, 1/15/2017](#)

[FOR 5, Forensic Evaluation Oversight Manual, 4/1/2022](#)

[HR 1, Office of Human Rights, Protocols, Procedures, and Practices Manual, 1/30/2018](#)

[LIC 5, Human Services and Related Fields Approved Degrees and Experience, 5/3/2013](#)

[LIC 6, Guidance for Selected Licensing Regulations, 11/25/2014](#)

[LIC 8, Fall Risk Assessments, 6/5/2017](#)

[LIC 9, Nutrition Guidelines and Form, 6/5/2017](#)

[LIC 10, Guidance on Ceiling Height Requirements, 6/8/2017](#)

[LIC 12, Guidance for Certificate of Use and Occupancy, 6/9/2017](#)

[LIC 15-OL, Guidance for Counseling in Medication Assisted Opioid Treatment Services, 3/1/2018](#)

[LIC 16, Guidance for Quality Improvement Plan, 11/28/2020](#)

[LIC 17, Guidance for Serious Incident Reporting, 11/28/2020](#)

[LIC 18, Individuals with Developmental Disabilities with High Risk Health Conditions, 6/1/2020](#)

[LIC 19, Corrective Action Plans \(CAPs\), 8/22/2020](#)

[LIC 20, Incident Reporting, 8/22/2020](#)

[LIC 21, Guidance for Risk Management, 8/27/2020](#)

[MH 1, Mandatory Outpatient Treatment Guidance, 8/15/2012](#)

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## Guidance Documents

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MH 1a, Mandatory Outpatient Treatment Guidance, 12/30/2016

MH 2, Medical Screening and Assessment Guidance, 4/1/2014

MH-CSB 1, Discharge Protocols for Community Services Boards and State Mental Health Facilities, 11/15/2018

MH-CSB 2, Discharge Assistance Program Manual, 11/30/2018

ORS-01, Certified Recovery Residences, 3/7/2020

Part C 5, Child Indicators Booklet, 12/20/2018

Part C 8, Supporting Young Children with Autism Spectrum Disorders and Their Families, 1/31/2012

Part C 9, Early Intervention Practice Manual, 7/9/2021

Part C 10, Transition from Part C to Part B Questions and Answers, 12/28/2018

### **VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGRAM**

Copies of **the** following document may be viewed or obtained on regular work days from 8:30 a.m. until 5 p.m. at **the** office of **the** Virginia Birth-Related Neurological Injury Compensation Program, 7501 Boulders View Drive, Suite 201, Richmond, VA 23225, telephone (804) 330-2471, or FAX (804) 330-3054. There are no costs associated with obtaining copies of **the** document listed. **The** documents may be viewed using **the** link provided or on **the** Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>.

Please address any questions concerning **the** guidance document to George Deebo, Executive Director, telephone (804) 330-2471, or email [gdeebo@vabirthinjury.com](mailto:gdeebo@vabirthinjury.com).

#### **Guidance Document:**

6252, Administrative Guidance Regarding Changes in **the** Program's Manner of Processing Claims, 8/15/2017

### **OFFICE OF CHILDREN'S SERVICES**

Copies of **the** following documents may be viewed during regular workdays from 9 a.m. to 5 p.m. at **the** Office of Children's Services, 1604 Santa Rosa Road, Suite 137, Richmond, VA 23229, telephone (804) 662-9815, or FAX (804) 662-9831. Copies may be obtained by contacting Kristi Schabo, Office of Children's Services, 1604 Santa Rosa Road, Suite 137, Richmond, VA 23229, telephone (804) 662-9815, or FAX (804) 662-9831. Documents are available at no charge on **the** Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>.

Questions regarding interpretation or implementation of these documents may be directed to Kristi Schabo, Office of Children's Services, 1604 Santa Rosa Road, Suite 137,

Richmond, VA 23229, telephone (804) 662-9815, or FAX (804) 662-9831.

#### **Guidance Documents:**

Policy Manual 2022, Policy Manual for **the** Children's Services Act (CSA), 12/1/2022

Spec Ed and CSA, Special Education and **the** CSA, 12/1/2022

User Guide 2022, User Guide for **the** CSA, 12/1/2022

### **CHRISTOPHER NEWPORT UNIVERSITY**

Copies of **the** Christopher Newport University guidance documents may be viewed during regular workdays from 9 a.m. until 4 p.m. in **the** Office of Institutional Research, 1 Avenue of **the** Arts, Newport News, VA, 23606. Copies may be obtained free of charge by contacting Tamra McGrath at **the** same address, telephone (757) 594-7609, or email [ir@cnu.edu](mailto:ir@cnu.edu). Copies are also available free of charge from **the** Virginia Regulatory Town Hall website at <http://www.townhall.virginia.gov>. Questions regarding interpretation or implementation of these documents may also be directed to Tamra McGrath at **the** same address and contact points.

#### **Guidance Documents:**

Catalog 1, Undergraduate Catalog, 12/20/2022

Catalog 2, Graduate Catalog, 12/20/2022

Handbook 1, University Handbook, 12/20/2022

Handbook 2, Student Handbook, 12/20/2022

Handbook 3, Residence Life Handbook, 12/20/2022

### **VIRGINIA CODE COMMISSION**

Copies of **the** following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in **the** office of **the** Virginia Code Commission, Pocahontas Building, 900 East Main Street, 11th Floor, Richmond, VA 23219. Copies may be obtained free of charge by contacting Terri Edwards at **the** same address, telephone (804) 698-1881, or email [tedwards@dls.virginia.gov](mailto:tedwards@dls.virginia.gov).

#### **Guidance Document:**

Form, Style and Procedure Manual for Publication of Virginia Regulations, revised 2014, § 2.2-4104

### **DEPARTMENT OF CONSERVATION AND RECREATION**

Copies of **the** following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in **the** Policy Office of **the** Department of Conservation and Recreation, 600 East Main Street, 24th Floor, Richmond, VA 23219. Documents are also available on **the** Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>. **The** Policy Office

serves as [the](#) central repository for [the](#) Department of Conservation and Recreation, [the](#) Board of Conservation and Recreation, [the](#) Virginia Soil and Water Conservation Board, [the](#) Virginia Cave Board, and [the](#) Virginia Land Conservation Foundation. In some cases, individual copies of certain documents may also be viewed at [the](#) department's regional offices or at Virginia State Parks.

Questions regarding availability, interpretation, or implementation of these documents may be directed to Lisa McGee, Policy and Planning Director, Department of Conservation and Recreation, 600 East Main Street, 24th Floor, Richmond, VA 23219, telephone (804) 786-4378 or FAX (804) 786-6141. Other staff may be assigned to answer specific questions regarding these documents.

## Board of Conservation and Recreation

### Guidance Documents:

[DCR-BCR-001, Draft Community Flood Preparedness Fund Guidelines, 3/1/2021](#)

[DCR-NH-064, Natural Heritage Resources of Virginia: Rare Animal Species, 9/1/2021](#)

[DCR-NH-065, \[The\]\(#\) Natural Communities of Virginia: Ecological Groups and Community Types, 7/1/2021](#)

[DCR-NH-074, Virginia's Precious Heritage: A Report on \[the\]\(#\) Status of Virginia's Natural Communities, Plants, and Animals, 12/1/2003](#)

[DCR-NH-075, Natural Heritage Resources of Virginia: Rare Plants, 9/1/2021](#)

[DCR-PRR-001, 2018 Virginia Outdoors Plan, 1/1/2018](#)

[DCR-PRR-002, Virginia Recreational Trails Program, 8/1/2019](#)

[DCR-PRR-003, Land and Water Conservation Fund Application Manual, 3/15/2022](#)

[DCR-PRR-004, A Guide to Citizen Involvement in \[the\]\(#\) Scenic River Designation Process, 12/15/2015](#)

[DCR-PRR-010, Bear Creek State Park Master Plan, 2/25/2015](#)

[DCR-PRR-011, Belle Isle State Park Master Plan, 7/21/2017](#)

[DCR-PRR-012, Caledon State Park Master Plan, 4/25/2012](#)

[DCR-PRR-013, Chippokes State Park Master Plan, 6/24/2021](#)

[DCR-PRR-014, Claytor Lake State Park Master Plan, 12/29/2015](#)

[DCR-PRR-015, Douthat State Park Master Plan, 10/15/2014](#)

[DCR-PRR-016, False Cape State Park Master Plan, 1/6/2020](#)

[DCR-PRR-017, First Landing State Park Master Plan, 5/12/2022](#)

[DCR-PRR-018, Hungry Mother State Park Master Plan, 8/5/2015](#)

[DCR-PRR-019, James River State Park Master Plan, 10/15/2014](#)

[DCR-PRR-020, Kiptopeke State Park Master Plan, 8/5/2015](#)

[DCR-PRR-021, Lake Anna State Park Master Plan, 6/17/2011](#)

[DCR-PRR-022, Mason Neck State Park Master Plan, 7/21/2017](#)

[DCR-PRR-023, New River Trail State Park Master Plan, 3/23/2012](#)

[DCR-PRR-024, Natural Tunnel State Park Master Plan, 2/25/2015](#)

[DCR-PRR-025, Occoneechee State Park Master Plan, 7/17/2018](#)

[DCR-PRR-026, Pocahontas State Park Master Plan, 11/21/2017](#)

[DCR-PRR-027, Raymond R. Guest, Jr. Shenandoah River State Park, 9/26/2012](#)

[DCR-PRR-028, Sailor's Creek Battlefield Historical State Park Master Plan, 10/15/2014](#)

[DCR-PRR-029, Sky Meadows State Park Master Plan, 5/12/2022](#)

[DCR-PRR-030, Smith Mountain Lake State Park Master Plan, 3/2/2020](#)

[DCR-PRR-031, Staunton River Battlefield State Park Master Plan, 12/29/2015](#)

[DCR-PRR-032, Wilderness Road State Park Master Plan, 7/7/2014](#)

[DCR-PRR-033, Grayson Highlands State Park Master Plan, 4/17/2017](#)

[DCR-PRR-034, Leesylvania State Park Master Plan, 12/21/2020](#)

[DCR-PRR-035, Holliday Lake State Park Master Plan, 7/7/2014](#)

[DCR-PRR-036, Twin Lakes State Park Master Plan, 5/12/2022](#)

[DCR-PRR-037, York River State Park Master Plan, 12/29/2015](#)

[DCR-PRR-038, Westmoreland State Park Master Plan, 7/21/2017](#)

[DCR-PRR-039, Fairy Stone State Park Master Plan, 4/17/2017](#)

[DCR-PRR-040, Powhatan State Park Master Plan, 8/6/2012](#)

[DCR-PRR-041, High Bridge Trail State Park Master Plan, 9/27/2012](#)



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## Guidance Documents

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DCR-PRR-042, Seven Bends State Park Master Plan, 5/12/2022

DCR-PRR-043, Widewater State Park Master Plan, 8/15/2014

DCR-PRR-044, Southwest Virginia Museum Historical State Park Master Plan, 9/2/2011

DCR-PRR-045, Middle Peninsula State Park Master Plan, 6/1/2015

DCR-PRR-046, Staunton River State Park Master Plan, 7/7/2014

DCR-PRR-047, Natural Bridge State Park Master Plan, 1/11/2022

DCR-VLCF-002, Virginia Land Conservation Foundation Grant Manual, 7/12/2022

DCR-VLCF-003, Land Preservation Tax Credits Conservation Value Review Criteria, 3/27/2009

DCR-VLCF-004, Procedural Guidelines for Land Conservation Tax Credits Conservation Value Review, 12/12/2006

DCR-VLCF-005, Virginia's Land Preservation Tax Credit Brochure, 1/10/2022

DCR-VLCF-006, Land Preservation Tax Credit Questions and Answers, 3/8/2022

DCR-VLCF-007, Virginia Land Conservation Foundation Conservation Easement Dispute Resolution Guidance, 10/27/2015

### Virginia Soil and Water Conservation Board

#### Guidance Documents:

DCR-VSWCB-018, 2023 Grant Manual for the Virginia Dam Safety, Flood Prevention, and Protection Assistance Fund, 11/1/2022

DCR-VSWCB-019, Virginia Soil and Water Conservation Board Guidance on Impounding Structure Ownership, 9/7/2016

DCR-VSWCB-021, Guidance on Credits and Refunds of Dam Safety Certificate Application Fees, 11/30/2010

DCR-VSWCB-022, Guidance on Agricultural Exemption, 11/30/2010

DCR-VSWCB-023, Guidance on Roadways on or Below Impounding Structures, 11/30/2010

DCR-VSWCB-033, Financial Commitments for Establishment of a New Soil and Water Conservation District (SWCD district), or Realignment of an Existing District, 10/15/2003

DCR-VSWCB-036, Virginia Soil and Water Conservation Board Guidance on Freedom of Information Act Requirements

for Resource Management Plans Program Implementation by Soil and Water Conservation District Boards and Technical Review Committees, 9/27/2018

DCR-VSWCB-037, Guidance on New Probable Maximum Precipitation (PMP) Implementation, 3/29/2018

DCR-VSWCB-038, Dam Break Inundation Zone Modeling and Mapping Procedures, 9/27/2018

DCR-VSWCB-039, Impounding Structure Hazard Classification Procedures, 9/7/2016

DCR-VSWCB-040, The Determination of Insurance Levels in Accordance with § 10.1-605 of the Code of Virginia, 9/7/2016

DCR-VSWCB-041, Virginia Dam Safety Program Enforcement Manual, 9/7/2016

DCR-VSWCB-042, The Use of Overtopping Protection Systems on Existing Dams, 12/6/2017

DCR-VSWCB-043, Engineering Job Approval Authority Procedures, 12/6/2017

DCR-VSWCB-047, Methodology for Identifying Perennial Streams, 12/16/2020

VSWCB-DCR-046, Design and Use of Devices to Lower the Reservoir Water Level, 12/16/2020

### STATE CORPORATION COMMISSION

#### Office of the Clerk of the Commission

Most business entity and Uniform Commercial Code (UCC) documents may be viewed and printed from the online Clerk's Information System (CIS) at <https://cis.scc.virginia.gov/>. All business entity and Uniform Commercial Code (UCC) documents are available during regular work days from 8:15 a.m. until 5 p.m. at the State Corporation Commission, Clerk's Office, 1st Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. Copies of forms and documents may also be obtained free of charge by writing the Clerk's Office at P.O. Box 1197, Richmond, VA 23218-1197 or by contacting the Clerk's Office by telephone (804) 371-9733 or toll-free (866) 722-2551.

Most of the forms may be downloaded from the Clerk's Office section on the State Corporation Commission's website. Find business entity forms at <https://scc.virginia.gov/pages/Forms-and-Fees>. Find UCC forms at <https://scc.virginia.gov/pages/UCC-Forms-Fees>.

Questions regarding interpretation or implementation of the forms and documents may be directed to Bernard J. Logan, Clerk of the Commission, State Corporation Commission, 1st Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9733, or toll-free (866) 722-2551. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197.

### Bureau of Financial Institutions

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the State Corporation Commission, Bureau of Financial Institutions, Tyler Building, 8th Floor, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 640, Richmond, VA 23218-0640. Copies may be obtained free of charge by contacting the bureau at the same address, telephone (804) 371-9657, FAX (804) 371-9416, or email [bfiquestions@scc.virginia.gov](mailto:bfiquestions@scc.virginia.gov).

Questions regarding interpretation or implementation of these documents may be directed to E.J. Face, Jr., Commissioner of Financial Institutions, Bureau of Financial Institutions, Tyler Building, 8th Floor, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9659, FAX (804) 371-9416, or email [bfiquestions@scc.virginia.gov](mailto:bfiquestions@scc.virginia.gov). The mailing address is P.O. Box 640, Richmond, VA 23218-0640. Guidance documents and other information (including items such as annual reports, annual summary of operations, newsletters, bulletins, and forms) are available online at the bureau's website at <https://www.scc.virginia.gov/bfi/>.

The listed Administrative Letters can be found at <https://scc.virginia.gov/pages/BFI-Laws-Regulations> or contact the Bureau of Financial Institutions at telephone (804) 371-9657, FAX (804) 371-9416, or email [bfiquestions@scc.virginia.gov](mailto:bfiquestions@scc.virginia.gov).

### Guidance Documents for Financial Institutions:

#### Banks

BFI-AL-0201, Application for a Branch Office, revised and reissued June 1, 2011, §§ 6.2-831 and 6.2-1133 of the Code of Virginia

BFI-AL-0202, Investment by Banks in Shares of Investment Companies, issued August 10, 1987, § 6.2-874 of the Code of Virginia

BFI-AL-0203, Loans Secured by Stock of Financial Institutions Holding Companies, revised and reissued June 1, 2011, §§ 6.2-874, 6.2-1186 and 6.2-1187 of the Code of Virginia

BFI-AL-0204, Investment in Community Development Corporations, revised and reissued April 20, 2016, § 6.2-874 of the Code of Virginia

BFI-AL-0205, Securities Rating Services, revised and reissued February 26, 2014, § 6.2-875 of the Code of Virginia

BFI-AL-0206, Loans in Violation of § 6.2-875, revised and reissued June 1, 2011, § 6.2-875 of the Code of Virginia

BFI-AL-0207, Obligations Subject to the Limits Specified, revised and reissued June 1, 2011, § 6.2-875 of the Code of Virginia

BFI-AL-0208, Exceptions to Lending Limits for State-Chartered Banks, revised and reissued June 1, 2011, § 6.2-875 of the Code of Virginia

BFI-AL-0209, Right of Offset by Holders of Subordinated Bank Debt, revised and reissued June 1, 2011, §§ 6.2-875 and 6.2-890 of the Code of Virginia

BFI-AL-0210, Loans Secured by Real Estate, revised and reissued June 1, 2011 and May 4, 2021, §§ 6.2-878 and 6.2-879 of the Code of Virginia

BFI-AL-0212, Outside Auditor Access to Virginia Examination Reports, revised and reissued June 1, 2011, §§ 6.2-904 and 6.2-1195 of the Code of Virginia

BFI-AL-0214, Responsibility of Directors for Legal Lending Limit Violations, revised and reissued June 1, 2011, § 6.2-875 H of the Code of Virginia

BFI-AL-0215, Bank-Owned Life Insurance, revised and reissued June 1, 2011, §§ 6.2-808, 6.2-814 A, 13.1-627 A 14, 13.1-627 A 15, and 38.2-302 A 3 of the Code of Virginia

BFI-AL-0216, Payment of Dividends, issued March 27, 2012, §§ 6.2-869 and 6.2-708 of the Code of Virginia

#### Savings Institutions

BFI-AL-0201, Application for a Branch Office, revised and reissued June 1, 2011, §§ 6.2-831 and 6.2-1133 of the Code of Virginia

BFI-AL-0203, Loans Secured by Stock of Financial Institutions Holding Companies, revised and reissued June 1, 2011, §§ 6.2-874, 6.2-1186 and 6.2-0187 of the Code of Virginia

BFI-AL-0212, Outside Auditor Access to Virginia Examination Reports, revised and reissued June 1, 2011, §§ 6.2-904 and 6.2-1195 of the Code of Virginia

BFI-AL-0301, Investment in Capital Stock of USL Savings Institutions Insurance Group, Ltd., revised and reissued June 1, 2011, §§ 6.2-1110 and 6.2-1186 A 22 of the Code of Virginia

BFI-AL-0303, Investment by Virginia Savings Institutions in Shares of Open-End Management Investment Companies, revised and reissued June 1, 2011, § 6.2-1186 A 21 of the Code of Virginia

#### Credit Unions

BFI-AL-0401, Investments of Funds by Credit Unions, revised and reissued February 22, 2017, § 6.2-1376 of the Code of Virginia

BFI-AL-0402, Third Parties that Provide Data Processing Services to Credit Unions, issued February 13, 2018, Chapter 13 (§ 6.2-1300 et seq.) of Title 6.2 of the Code of Virginia

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# Guidance Documents

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## Interest and Usury

BFI-AL-0701, Judgment Rate of Interest, revised and reissued June 1, 2011, § 6.2-302 of **the** Code of Virginia

BFI-AL-0702, Charges on Subordinate Mortgage Loans by Certain Lenders, revised and reissued June 1, 2011, § 6.2-327 of **the** Code of Virginia

BFI-AL-0703, Rebate of Unearned Installment Loan Interest by Banks - Rule of 78, revised and reissued June 1, 2011, §§ 6.2-401, 6.2-403, 6.2-423 and 6.2-1409 of **the** Code of Virginia

## Mortgage Lenders and Brokers

BFI-AL-1603, Compensating, or Offering to Compensate, Unlicensed Mortgage Brokers, revised and reissued June 1, 2011, § 6.2-1600 of **the** Code of Virginia

BFI-AL-1605, Compensation of Unlicensed Mortgage Brokers, revised and reissued June 1, 2011, § 6.2-1625 of **the** Code of Virginia

BFI-AL-1606, Charging "Assignment Fees" to Borrowers, revised and reissued June 1, 2011, § 6.2-326 of **the** Code of Virginia

BFI-AL-1607, Fees Charged by Mortgage Brokers, revised and reissued June 1, 2011, § 6.2-1616 B 4 of **the** Code of Virginia

BFI-AL-1610, Prepayment Penalties in Alternative Mortgage Transactions, revised and reissued June 1, 2011, §§ 6.2-422 and 6.2-423 of **the** Code of Virginia

BFI-AL-1611, Nontraditional Mortgage Products, revised and reissued June 1, 2011

## Short-Term Lenders

BFI-AL-1802, Threatening Criminal Proceedings, revised and reissued July 1, 2021 and June 1, 2011, § 6.2-1816

Publications listed below without a link may be found at: <https://www.scc.virginia.gov/pages/Reports-Publications> or contact **the** Bureau of Financial Institutions at telephone (804) 371-9657, FAX (804) 371-9416, or email [bfquestions@scc.virginia.gov](mailto:bfquestions@scc.virginia.gov).

"Bank Director Responsibilities," revised October 2010

"Annual Report of **the** Bureau of Financial Institutions - Banks, Credit Unions, Savings Institutions, and Trust Companies," published on an annual basis, <https://www.scc.virginia.gov/bfi/annual.aspx>

"Annual Report of **the** Bureau of Financial Institutions - Mortgage Lender and Broker Licensees, and Industrial Loan Associations," published on an annual basis, <https://www.scc.virginia.gov/bfi/annual.aspx>

"Annual Report of **the** Bureau of Financial Institutions -Money Transmitters, Credit Counseling Agencies, and Debt

Settlement Services Providers" published on an annual basis, <https://www.scc.virginia.gov/bfi/annual.aspx>

"Annual Report of **the** Bureau of Financial Institutions - Consumer Finance Licensees, Short-Term Lender Licensees, and Check Cashers published on an annual basis, <https://www.scc.virginia.gov/bfi/annual.aspx>

"Summary of Operations of **the** Bureau of Financial Institutions," published annually to provide information regarding **the** bureau's regulatory activities, <https://www.scc.virginia.gov/bfi/sumops.aspx>

"Weekly Bulletin," information regarding **the** status of applications of various entities regulated by **the** bureau, published weekly, <https://scc.virginia.gov/typedfiles/Weekly-Bulletin>

## **Consumer Alerts and Information:**

"**The** Compliance Connection," regulatory news for Virginia mortgage lender, mortgage broker, and mortgage loan originator licensees

Bureau of Financial Institutions Confidentiality Policy" <https://scc.virginia.gov/pages/Confidentiality-Policy>

Online Payment <https://scc.virginia.gov/pages/BFI-On-Line-Payment>

**The Consumer Services and Complaint Information** brochure (contains information about how **the** Bureau of Financial Institutions may assist consumers, how to file a complaint, an explanation of **the** complaint process, and some general complaint guidelines) <https://www.scc.virginia.gov/pages/File-Complaint-Consumers>

File a Complaint <https://scc.virginia.gov/pages/File-a-Financial-Complaint>

Notice to Virginia Residents Regarding Virtual Currency <https://scc.virginia.gov/pages/Banks-Consumer-Lenders>

## **Bureau of Insurance**

Copies of **the** following documents may be viewed during regular work days from 8:15 a.m. until 4:30 p.m. in **the** office of **the** State Corporation Commission, Bureau of Insurance, Tyler Building, 6th Floor, 1300 East Main Street, Richmond, VA 23219. **The** mailing address is P.O. Box 1157, Richmond, VA 23218. For general information call **the** Bureau of Insurance at telephone (804) 371-9741 or toll free in Virginia at (800) 552-7945.

Questions regarding interpretation or implementation of these documents may be directed to Van Tompkins, Policy Advisor and Administrative Supervisor. Single copies of each document listed may be obtained free of charge by contacting Ms. Tompkins at P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9694, or FAX (804) 371-9873. Most of these documents are available online at **the** State Corporation

Commission website at <https://scc.virginia.gov/pages/Insurance>.

### Administrative Letters:

Administrative Letter 1977-4, 1977 Insurance Legislation, issued April 15, 1977, <https://www.scc.virginia.gov/getattachment/0f9398b0-a0f0-4b41-beca-a0e733b04b16/77-4.pdf>

Administrative Letter 1977-5, Readable Insurance Policies - Automobile, Fire, and Homeowners Policies, issued May 9, 1977, §§ 38.2-2107 (formerly § 38.1-367.1) and 38.2-2224 (formerly § 38.1-387.1), <https://www.scc.virginia.gov/getattachment/01aa3dea-65b8-4b09-88f3-53aa0071c97b/77-5.pdf>

Administrative Letter 1977-6, 1977 Acts of **the** General Assembly of Virginia, issued May 9, 1977, §§ 38.2-2201 (formerly § 38.1-380.1), 38.2-2202 (formerly § 38.1-380.2) and 46.2-465 (formerly § 46.1-497.1), <https://www.scc.virginia.gov/getattachment/5ed161a8-263e-468f-9cfd-e9b4e643c64b/77-6.pdf>

Administrative Letter 1977-7, Assignment of Driving Record Points, issued May 9, 1977, § 38.2-1904 (formerly § 38.1-279.33), <https://www.scc.virginia.gov/getattachment/fe399f3f-a28d-49c6-a14f-64a4b52aa4c4/77-7.pdf>

Administrative Letter 1977-8, 1977 Acts of **the** General Assembly of Virginia, issued May 12, 1977, §§ 38.2-2118 (formerly § 38.1-279.49:1), 38.2-2204 (formerly § 38.1-381), 38.1-389.3 (Repealed 1996) and 38.2-2807 (formerly § 38.1-781), <https://www.scc.virginia.gov/getattachment/55c6c37c-4007-4e1b-b8dd-bd9c7088b46d/77-8.pdf>

Administrative Letter 1977-9, 161 Private Passenger Car Class Plan, issued May 26, 1977, §§ 38.2-1904 (formerly § 38.1-279.33), 38.2-1910 (formerly § 38.1-279.38) and 38.2-2213 (formerly § 38.1-381.6), <https://www.scc.virginia.gov/getattachment/9d485634-69df-44e8-baf3-62e90cb55375/77-9.pdf>

Administrative Letter 1977-11, Automobile Rate Classification Statement, issued July 15, 1977, § 38.2-2214 (formerly § 38.1-381.7), <https://www.scc.virginia.gov/getattachment/053543cb-2956-4cd7-aed0-46d7d53e3f27/77-11.pdf>

Administrative Letter 1977-14, Assignment of Driving Record Points, issued July 26, 1977, §§ 38.2-1904 (formerly § 38.1-279.33) and 38.2-1928 (formerly § 38.1-279.56), <https://www.scc.virginia.gov/getattachment/2f39c876-37d1-4aa7-ae7-0ff8991ee06e/77-14.pdf>

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## Financial Regulation Unit Guidance Documents:

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Letter to Insurers Prior to an Examination Specifying **the** Date of **the** Upcoming Examination and Requesting Specific Documentation **the** Insurer is to Provide to **the** Bureau of Insurance Staff, revised December 2014, (This letter is available upon request from **the** Financial Examination Section of **the** Financial Regulation Division by calling (804) 371-9123).

**The** following documents are available at <https://www.scc.virginia.gov/pages/Company-Financial-Reporting>:

Notice of Certified Reinsurer Applications

List of Approved Certified Reinsurers

NAIC List of Qualified Jurisdictions

[Form and Instructions for Form CR-F](#)

[Form and Instructions for Form CR-S](#)

[NAIC Certified and Reciprocal Jurisdiction Reinsurer webpage](#)

List of Approved Reciprocal Jurisdiction Reinsurers

NAIC List of Reciprocal Jurisdictions

ReFAWG Review Process for Passporting Certified and Reciprocal Jurisdiction Reinsurers

Process for Evaluating Qualified and Reciprocal Jurisdictions

**The** following documents are available at <https://www.scc.virginia.gov/pages/Company-Licensing-and-Amendments>

Dental Plan Organizations Requirements for Organizing and Licensing in Virginia, revised January 2022, § 38.2-6102

Instructions for Completing **the** Initial Reinsurance Intermediary License Application, revised April 2007, § 38.2-1348

Requirements for Surplus Lines Approval in Virginia for an Alien Insurer, revised January 2022, § 38.2-4805.1

Requirements for Surplus Lines Approval in Virginia for a Foreign Carrier, revised November 2022, § 38.2-4805.1

Application for **the** Establishment of a Managed Care Health Insurance Plan (MCHIP), January 2022, § 38.2-5800

Home Protection Company Requirements for Organizing and Licensing in Virginia, revised March 2022, §§ 38.2-1024 and 38.2-2603

Captive Insurers Requirements for Organizing and Licensing in Virginia, revised March 2022, §§ 38.2-1024 and 38.2-1102

Health Services Plan Requirements for Organizing and Licensing in Virginia, revised January 2022, § 38.2-4200

Health Maintenance Organizations Requirements for Organizing and Licensing in Virginia, revised January 2022, § 38.2-4301

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Virginia Legal Services Organization Requirements for Organizing and Licensing in Virginia, revised August 2020, § 38.2-4413

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Optometric Services Plan Requirements for Organizing and Licensing in Virginia, revised January 2022, § 38.2-4517

Insurance Premium Finance Company Requirements for Organizing and Licensing in Virginia, revised September 2022, § 38.2-4701

Community-Based Continuing Care Providers Registration and Disclosure Filing Guidelines, March 2022, § 38.2-4919

Continuing Care Providers Registration and Disclosure Filing Guidelines, revised March 2022, § 38.2-4901

Viatical Settlement Providers Requirements for Operating in Virginia, revised June 2022, § 38.2-6002

Multiple Employer Welfare Arrangements Requirements for Operating in Virginia, revised March 2022, Article 3 of Chapter 34 of Title 38.2

Requirements for Accredited Substantially Similar, and Trusteed Reinsurers, December 2022, § 38.2-1316.2

Requirements for Certified Reinsurers, September 2022, § 38.2-1316.2 B

Requirements for Reciprocal Jurisdiction Reinsurers, § 38.2-1316.2 E

Requirements for Organizing and Licensing of a Group Self-Insurance Association, § 65.2-802

Licensing Procedures for Managing General Agents to Obtain Authority in Virginia (Procedures, Instructions and Application), revised October 2005, § 38.2-1359

Information Concerning Purchasing Group Registration, January 2022, § 38.2-5108

Information Concerning Risk Retention Group Registration, January 2022, §§ 38.2-5102 and 38.2-5103

Application for License as an Insurance Rating Organization, Advisory Organization, or Statistical Agent, July 2011, § 38.2-1914

The following document is available at [https://www.naic.org/industry\\_ucaa.htm](https://www.naic.org/industry_ucaa.htm): Uniform Certificate of Authority Application, revised August 2014, §§ 38.2-1024 and 38.2-1206,

The following documents are available at [https://www.scc.virginia.gov/pages/Insurance-Holding-Companies-Forms-\(14VAC5-260\)](https://www.scc.virginia.gov/pages/Insurance-Holding-Companies-Forms-(14VAC5-260)):

Form A, Instructions for Application for Approval of Acquisition of Control of or Merger with a Domestic Insurer Pursuant to § 38.2-1323, revised January 1, 2015, 14VAC5-260

Form B, Instructions for Insurance Holding Company System Annual Registration Statement Pursuant to § 38.2-1329, revised January 1, 2015, 14VAC5-260

Form C, Instructions for Summary of Changes to Registration Statement Pursuant to § 38.2-1329, revised January 1, 2015, 14VAC5-260

Form D, Instructions for Prior Notice and Application for Approval of Certain Transactions Pursuant to § 38.2-1330 B, revised January 1, 2015, 14VAC5-260

Form E, Instructions for Pre-Acquisition Notification Form Regarding the Potential Competitive Impact of a Proposed Merger or Acquisition by a Nondomiciliary Insurer Doing Business in this Commonwealth or by a Domestic Insurer Pursuant to § 38.2-1323, revised January 1, 2015, 14VAC5-260

Form F, Instructions for Enterprise Risk Report Pursuant to § 38.2-1329 L, May 15, 2015, 14VAC5-260

Form G, Instructions for Notice of Dividends and Distributions to Shareholders Pursuant to §§ 38.2-1329 F and 38.2-1330.1, revised January 1, 2015, 14VAC5-260

The following document is available at <https://www.scc.virginia.gov/pages/Annual-License-Renewal-and-Financial-Filing-Submis>: NAIC Financial Standard State Filing Checklists for filings due in 2021 for Fraternal Societies, Health Organizations, Life, Accident and Health Companies, Property and Casualty Companies, and Title Companies

### Virginia Specific Financial and License Renewal Forms:

Form R01, [Analysis of Excess Capital and Surplus Investments Report](#)

Form R2A, [Application for Renewal of License](#)

Form R03, [Audited Financial Statements Exemption Affidavit](#)

Form R05, [Certificate of Assuming Insurer](#)

Form R05Q, [Certificate of Assuming Insurer Quarterly Update](#)

Form R06, [Costs of HMO's Indemnification and Nonparticipating Referral Provider Arrangements](#)

Form R08, [Producer-Controlled Insurer Report](#)

Form R09, [Report of Assessable Ocean and Inland Marine Premium](#)

Form R10, [Report of Assets Pledged, Hypothecated or Encumbered](#)

Form R12, [Request for Information Regarding Reinsurance Intermediaries \(RIS\)](#)

Form R13, [Statement of Material Changes](#)

Form R14, [Supplementary Statement of Covered and Uncovered Expenses](#)

Form R15, [Certificate of Certified Reinsurer](#)

Form R16, [Surplus Lines Annual Filing Information](#)

Form R19, [Multiple Employer Welfare Arrangement Policy Verification](#)

Form R20, [CBCC and CCRC Demographic Information Form Multiple Employer Welfare Arrangement Renewal](#)

[Purchasing Group Annual Renewal](#)

[Premium Finance Annual Statement Form](#)

[Reinsurance Intermediary License Renewal Application](#)

### Market Regulation Unit Guidance Documents:

Assigned Risk Workers' Compensation Rates, <https://www.scc.virginia.gov/pages/Workers-Compensation>

Common Problems Found during Agent Investigations, revised July 2021, <https://www.scc.virginia.gov/getattachment/7dabf3ed-ad83-4854-8da7-4eec9a452c3f/comprob.pdf>

Common Problems Found during Life and Health Market Conduct Examinations, revised April 2015, [https://www.scc.virginia.gov/getattachment/3a829497-4921-4493-a620-5ef4f604daf0/lh\\_prob.pdf](https://www.scc.virginia.gov/getattachment/3a829497-4921-4493-a620-5ef4f604daf0/lh_prob.pdf)

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Forms/Reports for Insurers: Long-Term Care (14VAC5-200), <https://www.scc.virginia.gov/pages/Long-Term-Care-Forms-Reports>

Medicare Supplement (14VAC5-170), <https://www.scc.virginia.gov/pages/Medicare-Supplement-Forms>

Mandated Benefits (Form MB-1 and instructions) (14VAC5-190), <https://www.scc.virginia.gov/pages/Mandated-Benefits-and-Mandated-Offers>

NAIC Product Review Filing Checklists for Life and Health, <https://www.scc.virginia.gov/pages/NAIC-Product-Checklists>

Statistical Report Form (VA SRF-2), revised 2016, [https://www.scc.virginia.gov/getattachment/83c31e87-af27-4868-96fd-2afe422da476/stat\\_rept.pdf](https://www.scc.virginia.gov/getattachment/83c31e87-af27-4868-96fd-2afe422da476/stat_rept.pdf)

Virginia Bureau of Insurance Rates and Policy Forms Search Engine, Life and Health, and Property and Casualty, <https://www.scc.virginia.gov/boi/SERFFInquiry/default.aspx>

Virginia Property and Casualty Product Requirements Locator, <https://eapps.naic.org/prl/do/search/home>

Virginia Property and Casualty Filing Guidelines Handbook, revised July 2022, [https://www.scc.virginia.gov/getattachment/4e4d6de6-2b13-4bd7-9bfd-d5e5ed7f07ca/pc\\_handbook.pdf](https://www.scc.virginia.gov/getattachment/4e4d6de6-2b13-4bd7-9bfd-d5e5ed7f07ca/pc_handbook.pdf)

Workers' Compensation Voluntary Market Loss Costs Multipliers, revised July 1, 2022, [https://www.scc.virginia.gov/getattachment/c4ef0b6d-0ed5-45da-b89b-fa19285d803d/wclc\\_mult.pdf](https://www.scc.virginia.gov/getattachment/c4ef0b6d-0ed5-45da-b89b-fa19285d803d/wclc_mult.pdf)

### Administration and Assessment Unit Guidance Documents:

Administrative Letter 2014-02, Premium **Tax** and Assessment Practices and Procedures, issued January 28, 2014, <https://www.scc.virginia.gov/getattachment/d49538bc-3fa3-40a7-b887-52a9147c301e/14-02.pdf>

Administrative Letter 2018-05 Assessment Practices and Procedures; Withdraws and Replaces Administrative Letter 2015-11, Issued October 1, 2018, <https://www.scc.virginia.gov/getattachment/16199393-1201-4ea9-ab54-ad8631292f9c/18-05.pdf>

Consumer Assistance and Outreach Services Guide, 2021, <https://www.scc.virginia.gov/getattachment/d528a0b5-14f5-415b-9abf-76e3301bc1d2/outreach.pdf>

### Life and Health Consumer Guides:

10 Tips to Help You Understand Your Coverage and Rights under Your Managed Care Health Insurance Plan, <https://www.scc.virginia.gov/pages/Ten-Tips-for-Managed-Care>

2022 Choosing a Medigap Policy: A Guide to Health Insurance for People with Medicare, published 2022, <https://scc.virginia.gov/getattachment/b6642990-6ce3-4377-bfb2-bf6eb7d9064f/02110-Medicare-Medigap-guide.pdf>

2023 Medicare Premiums, Deductibles, and Co-insurance, revised October 2022, <https://www.scc.virginia.gov/getdoc/7f958478-3b61-4ad3-8547-b98bb353901e/medchange.pdf>

2023 Part D Medicare Prescription Drug Plans in Virginia, revised September 2022, <https://www.scc.virginia.gov/getdoc/bb6e605b-2879-4766-a08a-139f681a9e45/medcare-drug.pdf>

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2023 Special Needs Plans in Virginia, revised September 2022, <https://www.scc.virginia.gov/getdoc/a397e358-bbd3-4fb6-b063-a36935ee7806/SpecialNeedsPlanVA.pdf>

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A Shopper's Guide for Health Insurance in Virginia, <https://www.scc.virginia.gov/getattachment/f5c76b90-9e05-4b34-8c23-b1e0ca0b2e81/HealthInsShopGuide.pdf>

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Form 4052, Application for Business Entity Insurance License, January 2021, <https://scc.virginia.gov/getattachment/5fb1dfd7-5e04-465b-b906-2fe05681d242/4052.pdf>

Form 4151, Appointment Form, January 2021, <https://scc.virginia.gov/getattachment/1ca03a26-9a68-4bbd-b3ec-4f3d0267afa6/4151.pdf>

Form 4921, Appointment Cancellation Form, January 2021, <https://scc.virginia.gov/getattachment/23442b30-7725-4c95-92e6-35cf9131710e/4921.pdf>

Form 5001, Virginia Service Request Form, September 2018, <https://scc.virginia.gov/getattachment/ca4f323c-e510-4be4-be29-3893b409fd04/5001.pdf>

Virginia Individual License Cancellation Request Form, revised January 31, 2018, <https://scc.virginia.gov/getattachment/47affc45-b706-4293-b733-904554f3dc81/indcanc.pdf>

Virginia Agency License Cancellation Request Form January 31, 2018, <https://scc.virginia.gov/getattachment/a68cae81-d710-4ae8-aa01-f7760d7bb089/agcanc.pdf>

Title Instructor Certification and Affidavit of Course Completion, [https://scc.virginia.gov/getattachment/205290c0-98bc-47ee-bae1-c71bec320226/instr\\_cert.pdf](https://scc.virginia.gov/getattachment/205290c0-98bc-47ee-bae1-c71bec320226/instr_cert.pdf)

Nonlicensed 1033 Consent Waiver Form, January 2021, <https://scc.virginia.gov/getattachment/375dbf57-eb01-40c1-9327-ee7a9d0c5a28/1033.pdf>

Unlicensed Ocean Marine Disclosure Form, [https://scc.virginia.gov/getattachment/c375e550-e604-407d-bb6f-938d5ae77b4b/om\\_form.pdf](https://scc.virginia.gov/getattachment/c375e550-e604-407d-bb6f-938d5ae77b4b/om_form.pdf)

Annual Certification of Anti-Fraud Initiatives Form, <https://scc.virginia.gov/getattachment/586e8ac9-a959-4478-bfc8-cf0527d99d69/viatcert.pdf>

### Forms for Surplus Lines Insurance:

Form 3001, Application for Individual Insurance License, January 2021, <https://scc.virginia.gov/getattachment/7eb7faee-cfad-4725-bd7b-5b585f8ccefe/3001.pdf>

Form 4052, Application for Business Entity Insurance License, January 2021, <https://scc.virginia.gov>

/getattachment/5fb1dfd7-5e04-465b-b906-2fe05681d242/4052.pdf

Form SLB-2, Bond for Surplus Lines Insurance Broker, January 2004, <https://scc.virginia.gov/getattachment/a2e754f2-933f-4f5c-ab1d-6a241ce866cf/slb-2.pdf>

Annual Assessment Report, <https://scc.virginia.gov/boi/SLBAssessment>

Form SLB-9, Notice to Insured, effective August 2020, <https://scc.virginia.gov/getattachment/32e8a02c-b7a5-4dd2-90dd-ece667aa6549/slb-9.pdf>

## Forms Respecting Licensing of Public Adjusters:

Form PA-2, Bond for Public Adjusters, July 2014, <https://scc.virginia.gov/getattachment/733f647b-9429-4ca5-a169-48496d5d5cc3/pa2bond.pdf>

## Forms for Title Settlement Agents and Agencies:

Title Settlement Agent and Agency Financial Responsibility Certification Form, [https://scc.virginia.gov/getattachment/bc1b3a5d-15bf-4f2e-876f-f49b247ace54/tsa\\_cert.pdf](https://scc.virginia.gov/getattachment/bc1b3a5d-15bf-4f2e-876f-f49b247ace54/tsa_cert.pdf)

Title Settlement Agent Surety Bond, <https://scc.virginia.gov/getattachment/2ed8aa40-7ae5-4bfa-80d5-d783d60ac973/tsasuretybond.pdf>

Waiver of Blanket Fidelity Bond or Employee Dishonesty Insurance Policy for Title Insurance Settlement Agents, <https://scc.virginia.gov/getattachment/fb9249fe-98af-4356-af00-d0393c0bc5ef/tsawaiver.pdf>

Settlement Agent Official Registration Form, Individual, March 30, 2012, [https://www.scc.virginia.gov/getattachment/6821971a-c914-430e-8cbe-173f7787cc9b/sareg\\_indiv.pdf](https://www.scc.virginia.gov/getattachment/6821971a-c914-430e-8cbe-173f7787cc9b/sareg_indiv.pdf)

Settlement Agent Registration Form - Corporation or Other Legal Entity, March 30, 2012, [https://scc.virginia.gov/getattachment/93a5296c-2bf3-4d1f-a051-260c9b04ce12/sareg\\_corp.pdf](https://scc.virginia.gov/getattachment/93a5296c-2bf3-4d1f-a051-260c9b04ce12/sareg_corp.pdf)

## Health Benefit Exchange Division

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the Virginia State Corporation Commission, 1300 East Main Street, 5th Floor, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Copies may be obtained at the cost of \$0.50 per page.

Questions regarding interpretation or implementation of these documents may be directed to Keven Patchett, Director, Health Benefit Division, 1300 East Main Street, 5th Floor, Richmond, VA 23219, [ExchangeDivision@scc.virginia.gov](mailto:ExchangeDivision@scc.virginia.gov).

## Guidance Documents for Exchange Assistants:

CDO and CAC Frequently Asked Questions, November 10, 2021, <https://www.scc.virginia.gov/getattachment/4fcfed74-53cd-49cc-b964-30715ac140a9/CDO-FAQ.pdf>

Navigator Frequently Asked Questions, November 10, 2021, <https://www.scc.virginia.gov/getattachment/eccaa566-9f3e-4a55-842f-fd9e7f43acb2/Navigator-FAQ.pdf>

## Guidance Documents for Exchange Consumers:

HBE FAQ, (English, Spanish, Korean, Vietnamese) February 15, 2021, <https://www.scc.virginia.gov/pages/Details-for-Consumers>

SHOP FAQ, (English, Spanish, Korean, Vietnamese), January 15, 2021

<https://www.scc.virginia.gov/getattachment/eda34922-f36b-4e36-a607-fd83d457d8e2/SHOP-FAQs-English.pdf>

<https://www.scc.virginia.gov/getattachment/9f5dd8d1-89b7-4074-9b26-a0ac52f720c1/SHOP-FAQs-Spanish.pdf>

<https://www.scc.virginia.gov/getattachment/bb7da211-bfbf-4524-8698-f433ba9e14bc/SHOP-FAQs-Korean.pdf>

<https://www.scc.virginia.gov/getattachment/8af82a3b-c800-4499-939e-28d8ef57390e/SHOP-FAQs-Vietnamese.pdf>

## Exchange Administration Documents:

Fraud, Waste, and Abuse Guidelines, issued May 27, 2021

[https://www.scc.virginia.gov/getattachment/5fdee8df-1ab9-4d46-840e-03a449251588/HBE\\_FraudWasteAbuse\\_Guidelines.pdf](https://www.scc.virginia.gov/getattachment/5fdee8df-1ab9-4d46-840e-03a449251588/HBE_FraudWasteAbuse_Guidelines.pdf)

## Division of Utility Accounting and Finance

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the Virginia State Corporation Commission, Division of Utility Accounting and Finance, 1300 East Main Street, 4th Floor, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Contact Yolanda Suite at (804) 371-9700 to make an appointment. Copies may be obtained at the cost of \$0.50 per page.

Questions regarding interpretation or implementation of these documents may be directed to Kimberly Pate, Director, or Patrick Carr, Scott Armstrong, or Andrea Macgill, Deputy Directors, Division of Utility Accounting and Finance, 1300 East Main Street, 4th Floor, Richmond, VA 23219, telephone (804) 371-9950, or FAX (804) 371-9447. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Some of the listed documents may be downloaded from the Division of Utility Accounting and Finance Section on the State Corporation Commission's website at <http://www.scc.virginia.gov>. Hard copies for certain documents are available. Contact the Division of Utility Accounting and Finance at (804) 371-9950 or by email at [accounting@scc.virginia.gov](mailto:accounting@scc.virginia.gov).

## Guidance Documents:

Uniform System of Accounts for Telecommunications Companies, Part 32 of Federal Communications Commission Rules and Regulations, revised October 1, 2021 § 56-249

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## Guidance Documents

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Uniform System of Accounts for Electric Utilities, Part 101 promulgated by the Federal Energy Regulatory Commission, revised April 1, 2021, § 56-249

Uniform System of Accounts for Natural Gas Companies, Part 201 promulgated by the Federal Energy Regulatory Commission, revised April 1, 2021, § 56-249

Uniform System of Accounts for Class A Water Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 144 pages, § 56-249

Uniform System of Accounts for Class C Water Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 62 pages, § 56-249

Uniform System of Accounts for Class A Wastewater Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 145 pages, § 56-249

Uniform System of Accounts for Class C Wastewater Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 61 pages, § 56-249

Accounting Requirements for Rural Utilities Service Electric Borrowers, Electric Cooperatives, Part 1767 promulgated by the Department of Agriculture, revised January 1, 2022, § 56-249

### Forms for Annual Reports:

Annual Financial and Operating Report for Electric Companies, consisting of the Federal Energy Regulatory Commission Form 1 and supplemental schedules, § 56-249. Length of report varies by company.

Annual Financial and Operating Report for Gas Companies, consisting of the Federal Energy Regulatory Commission Form 2 and supplemental schedules, § 56-249. Length of report varies by company.

Annual Financial and Operating Report for Telephone Companies, § 56-249. Length of report varies by company, <https://scc.virginia.gov/pages/Telephone-Utilities>

Annual Financial and Operating Report for Class A Water or Sewer Companies, National Association of Regulatory Utility Commissioners Form, § 56-249. Length of report varies by company.

Annual Financial and Operating Report for Class C Water or Sewer Companies, National Association of Regulatory Utility Commissioners Form, § 56-249. Length of report varies by company, <https://scc.virginia.gov/pages/Water-and-Sewer-Companies>

### Guidelines:

Guidelines for Filing Affiliate or Merger Applications (Title 56, Chapter 4, Regulation of Relations with Affiliated Interests; and Title 56, Chapter 5, Utility Transfers Act), <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Revised Guidelines for Filing Chapter 4 Applications, 6 pages, §§ 56-76 through 56-87, <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Revised Guidelines for Filing Chapter 5 Applications, 3 pages, §§ 56-88 through 56-92, <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Supplemental Guidelines for Filing Chapter 5 Applications under Streamlined Review, 1 page, §§ 56-88 through 56-92, <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Chapter 4 - Transaction Summary - Affiliate Transactions, 7 pages, §§ 56-76 through 56-87, <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Chapter 5 - Transaction Summary - Utilities Transfers Act, 11 pages, §§ 56-88 through 56-92, <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Interest Rate to be Paid on Customer Deposits, updated December 7, 2021, 20VAC5-10-20, updated annually, <http://www.scc.virginia.gov/uaf/fileguide.aspx>

Instructions for Filing Securities Applications by Investor-Owned Utilities, revised June 20, 2000, § 56-60, <http://www.scc.virginia.gov/uaf/fileguide.aspx>

Instructions for Filing Securities Applications by Electric Cooperative Utilities, revised June 20, 2000, § 56-60, <http://www.scc.virginia.gov/uaf/fileguide.aspx>

Instructions for Submitting Annual Financing Plans by Investor-Owned Utilities, revised June 20, 2000, § 56-56, <http://www.scc.virginia.gov/uaf/fileguide.aspx>

Instructions for Submitting Annual Financing Plans by Electric Cooperative Utilities, June 20, 2000, § 56-56, <http://www.scc.virginia.gov/uaf/fileguide.aspx>

### Division of Public Utility Regulation

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the State Corporation Commission, Division of Public Utility Regulation, 4th Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218. Contact Kelli Gravely at the same address, telephone (804) 371-9611, FAX (804) 371-9350, or email [kelli.gravely@scc.virginia.gov](mailto:kelli.gravely@scc.virginia.gov). Questions regarding interpretation or implementation of these documents may also be directed to Kelli Gravely. Additional information regarding the Division of Public Utility Regulation may be obtained at <http://www.scc.virginia.gov/pur>.

### Communications Related Guidance Documents:

Letter, Division of Public Utility Regulation, Concerning Annual Payphone Service Provider Registration for 2023 including the letter and the forms for the payphone service provider annual registration, 20VAC5-407. Contact the Division of Public Utility Regulation at (804) 371-9611.

Letter, Division of Public Utility Regulation, Concerning Annual Operator Service Provider Registration for 2023 including **the** letter and **the** forms for **the** operator service provider annual registration, 20VAC5-407. Contact **the** Division of Public Utility Regulation at (804) 371-9611.

Application for Registration as an Operator Service Provider, Revised October 2022, 20VAC5-407, [https://www.scc.virginia.gov/getdoc/b5396994-2267-406b-ae7f-abc36b860db6/osp-\(1\).doc](https://www.scc.virginia.gov/getdoc/b5396994-2267-406b-ae7f-abc36b860db6/osp-(1).doc), or <https://www.scc.virginia.gov/getdoc/101c5495-c9d2-4b71-aa1a-3b58528963c1/osp.pdf>

Application for Registration as a Payphone Service Provider, Revised October 2022, 20VAC5-407, <https://www.scc.virginia.gov/getdoc/dc2cd230-868e-4303-86ff-708bc0eb6f01/psp.pdf>, or [https://www.scc.virginia.gov/getdoc/0cdab58b-b623-4cff-8088-f3ba05459429/psp-\(1\).doc](https://www.scc.virginia.gov/getdoc/0cdab58b-b623-4cff-8088-f3ba05459429/psp-(1).doc)

Instructions and Form for Competitive Local Exchange Carrier Performance or Surety Bond, <https://scc.virginia.gov/getdoc/dcb2d463-c0dd-478c-bedc-92ab7a3ef7e5/bond-blank-clec>

## Energy Related Guidance Documents:

Tree Trimming Guidelines, September 1, 1996, House Joint Resolution Number 155 of **the** 1989 Acts of Assembly, <https://scc.virginia.gov/getattachment/bf4f4ccb-7564-456e-ab72-1fd48da25a9c/tree.pdf>

Guidelines regarding application requirements for a certificate of public convenience and necessity for water and sewerage utilities, November 1, 2006, § 56-265.1 et seq., <https://scc.virginia.gov/getattachment/f8583d9c-e270-4b67-ba66-00040ebcfb98/ws.pdf>

Letter to All Electric and Gas Utilities regarding collection of monthly bills (cold weather termination of service) and filing of complaint procedures, November annually, § 56-247.1, <https://scc.virginia.gov/getattachment/181aaa64-2a7e-4fa2-83e9-0df0aa915058/cold.pdf>

Form NMIN, Agricultural Net Metering or Net Metering Interconnection Notification, revised March 1, 2020, 20VAC5-315, <https://scc.virginia.gov/getattachment/27638978-b63f-4440-b8d4-c910c091f9b7/formnmin.pdf>

Form PPAR, Self-Certification for Registration as a Third-Party Partial Requirements Power Purchase Agreement Registered Provider, 20VAC5-315-77, revised March 1, 2020, <https://scc.virginia.gov/getattachment/778c31a4-99e6-4c91-8fb7-e24e3084e3e7/ppar.pdf> or, [https://scc.virginia.gov/getdoc/876e921e-aee9-412d-b564-8ca74cadbf76/bond\\_blank-\(1\).doc](https://scc.virginia.gov/getdoc/876e921e-aee9-412d-b564-8ca74cadbf76/bond_blank-(1).doc)

Electric Utility Integrated Resource Planning Guidelines, revised December 23, 2008, §§ 56-597, 56-598, and 56-599, <https://scc.virginia.gov/getattachment/2cd5741c-51d9-4003-b43f-85a6680a3608/irp.pdf>

Gas Utility Five-Year Forecast Information Requirements, revised August 2016, § 56-248.1, <https://scc.virginia.gov/getattachment/cfebaae9-45ea-4b58-a0e7-333eba38c7b9/forecast.pdf>

Guidelines Regarding Notice Information for a Third Party Renewable Power Purchase Agreement, December 2013, Chapter 382 of **the** 2013 Acts of Assembly, and Chapter 803 of **the** 2017 Acts of Assembly, <https://scc.virginia.gov/pages/Renewable-Energy-Pilot-Program>

Guidelines of Minimum Requirements for Transmission Line Applications Filed under Title 56 of **the** Code of Virginia, effective January 1, 2018, <https://scc.virginia.gov/getattachment/921b6b42-4e06-4ab5-b296-e73fcdcd60cac/Trans.pdf>

Staff Guidance on Ordinary versus Non-Ordinary Extension Projects, effective January 1, 2018, <https://scc.virginia.gov/getattachment/e71dc224-567c-4a4a-9787-df1909168818/StaffGuidanceOrdvsNonOrd.pdf>

Guidelines Regarding Electric Power Storage Battery Pilot Programs, effective November 26, 2018. See Commission Order, Docket No. PUR-2018-00060, <https://scc.virginia.gov/docketsearch#caseDocs/138487>

Guidelines for Public School Excess Wind Solar Renewable Generation Pilot Programs, effective November 26, 2018. See Commission Order, Docket No. PUR-2018-00061, <https://scc.virginia.gov/docketsearch#caseDocs/138488>

Guidelines for Municipal Excess Renewable Generation Pilot Programs, effective December 1, 2019. See Commission Order, Docket No. PUR-2019-00182, <https://scc.virginia.gov/docketsearch#caseDocs/140283>

## Division of Public Service Taxation

Copies of **the** following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in **the** State Corporation Commission, Office of **the** Public Service Taxation Division, Tyler Building, 9th Floor, 1300 East Main Street, Richmond, VA 23219. **The** mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Copies may be obtained free of charge by contacting Heather Barnes at **the** same address, telephone (804) 371-9855, FAX (804) 371-9797, or email [heather.barnes@scc.virginia.gov](mailto:heather.barnes@scc.virginia.gov). Many of these forms are available on **the** website at <http://www.scc.virginia.gov/pst>.

Questions regarding interpretation or implementation of these documents may be directed to Heather Barnes, Principal Utility Appraiser, Public Service Taxation Division, State Corporation Commission, Tyler Building, 9th Floor, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9855, (FAX) 804 371-9797, or email [heather.barnes@scc.virginia.gov](mailto:heather.barnes@scc.virginia.gov). **The** mailing address is P.O. Box 1197, Richmond, VA 23218-1197.



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# Guidance Documents

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## Guidance Documents:

CCTD-1, State **Tax** Bills, all updated annually, Chapter 26 of Title 58.1 of **the** Code of Virginia

CCTD-3, **Tax** Report, Electric Companies, revised December 2021, § 58.1-2628.

CCTD-6, **Tax** Report, Telecommunications Companies, revised December 2021, § 58.1-2628.

CCTD-7, **Tax** Report, Gas Companies, revised January 2021, § 58.1-2628.

CCTD-8, **Tax** Report, Water Companies, revised January 2022, § 58.1-2628.

CCTD-9, Report of Certificated Motor Vehicle Carriers for **the** Assessment of Rolling Stock, revised December 2021, § 58.1-2654.

CCTD-10, Report for Special **Tax** on Common Carriers by Motor Vehicle, revised December 2021, § 58.1-2663.

CCTD-11, Report for Special **Tax** on Virginia Pilots' Association, revised December 2021, § 58.1-2663.

CCTD-12, Report of Railroad Companies - Statement of Gross Transportation Receipts, revised December 2021, § 58.1-2663.

CCTD-EUCT, Electric Utility Consumption **Tax** Monthly Report, revised April 2021, §§ 58.1-2901 and 58.1-2902.

CCTD-NGCT, Natural Gas Consumption **Tax** Monthly Report, revised April 2021, §§ 58.1-2905 and 58.1-2906.

Real Estate Transaction Form Purchase or Conveyance, 2021, § 58.1-2628.

Motor Vehicle Carriers, Urban-Suburban Statement for Special **Tax** Exemption, 1963, § 58.1-2660,

Application for Registration as a Payphone Service Provider, revised December 2016.

Application for Registration as an Operator Service Provider, revised May 2019.

## Division of Securities and Retail Franchising

Copies of **the** following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in **the** State Corporation Commission, Division of Securities and Retail Franchising, 9th Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. **The** mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Copies may be obtained free of charge by contacting Kathy O'Sullivan at **the** same address, telephone (804) 371-9784, or FAX (804) 371-9911.

Questions regarding interpretation or implementation of these documents may be directed to Carmen Clifford, Principal Training and Outreach Coordinator, at **the** same address, telephone (804) 371-1525, or FAX (804) 371-9911.

## Guidance Documents:

North American Securities Administrators Association Statements of Policy, September 2019, (Virginia Securities Act, 21VAC5-30-80), <https://law.lis.virginia.gov/admincode/title21/agency5/chapter30/section80/>

## Investor Education Publications:

Be an Informed Franchisee, September 2021, <https://www.scc.virginia.gov/pages/SRF-Publications-Resources>

Invest in Your Future: A Guide to Investment Planning, May 2016, <https://scc.virginia.gov/pages/SRF-Publications-Resources>

Protect Your Future: A Guide to Investment Planning, May 2016, <https://scc.virginia.gov/pages/SRF-Publications-Resources>

Securities Complaint Form, June 2003 (Virginia Securities Act), <https://scc.virginia.gov/pages/File-SRF-Complaint>

## Virginia Securities Act Forms:

Find all forms for **the** Virginia Securities Act (§ 13.1-501 et seq. of **the** Code of Virginia) at <https://scc.virginia.gov/pages/SRF-Forms>.

## Broker-Dealer

Uniform Application for Broker-Dealer Registration (Form BD), revised January 2008.

Broker-Dealer's Surety Bond (Form SA 11), July 1999.

Application for Renewal of a Broker-Dealer's Registration (Form SA 2), July 1999.

Uniform Notice of Termination or Withdrawal of Registration as a Broker-Dealer (Form BDW), January 2008.

Affidavit of Undertaking to **the** Virginia Division of Securities and Retail Franchising (Form AFF 1), April 2007.

## Broker-Dealer Agent

Application for Renewal of Registration as an Agent of an Issuer (Form SD 4), 1997.

Non-FINRA Broker-Dealer or Issuer Agents to be Renewed Exhibit (Form SD 4 A), 1974.

Non-FINRA Broker-Dealer or Issuer Agents to be Canceled with no Disciplinary History (Form SD 4 B), 1974.

Non-FINRA Broker-Dealer or Issuer Agents to be Canceled with Disciplinary History (Form SD 4 C), 1974.

Uniform Application for Securities Industry Registration or Transfer (Form U-4), May 2009.

Uniform Termination Notice for Securities Industry Registration (Form U-5), May 2009.

Agent Multiple Employment Agreement (Form SA 16), July 2007.

Affidavit Regarding Small Corporate Offering Registration Offering (Form AFF), July 1999.

### Investment Advisor

Uniform Application for Registration of Investment Advisors (Form ADV), September 2019

Investment Advisor's Surety Bond Form (Form IA-sure), July 1999.

Notice of Withdrawal from Registration as Investment Advisor (Form ADV-W), July 2017.

Affidavit of Understanding to **the** Virginia Division of Securities and Retail Franchising (Form AFF 2), April 2015.

Affidavit of Understanding to **the** Virginia Division of Securities and Retail Franchising (Form AFF 3), April 2015.

### Investment Advisor Representative

Uniform Application for Securities Industry Registration or Transfer (Form U-4), May 2009.

Uniform Termination Notice for Securities Industry Registration (Form U-5), May 2009.

Investment Advisor Representative Multiple Employment Agreement (Form SA 15), July 2007.

Affidavit for Waiver of Examination (Form SA 3), July 1999.

### Securities Registration

Intrastate Crowdfunding Exemption (ICE) Notice Filing Form (Form ICE), July 2020

Uniform Notice of Federal Crowdfunding Offering Form (Form U-CF), December 2017.

Uniform Application to Register Securities (Form U-1), December 2017.

Uniform Consent to Service of Process (Form U-2), June 2016.

Uniform Form of Corporate Resolution (Form U-2a), July 1999.

Small Company Offering Registration (SCOR) (Form U-7), July 2019.

NASAA-SCOR-Form (U-7 SCOR), May 2019.

Registration by Notification - Original Issue (Form SA 4), November 1996.

Registration by Notification - Non-Issuer Distribution (Form SA 5), November 1996.

Registration by Notification - Pursuant to 21VAC5-30-50 Non-Issuer Distribution "Secondary Trading" (Form SA 6), 1989.

Registration by Qualification (Form SA 8), July 1991.

Escrow Agreement (Form SA 12), 1971.

Impounding Agreement (Form SA 13), July 1999.

Notice of Limited Offering of Securities (Form VA-1), November 1996.

Uniform Investment Company Notice Filing (Form NF), April 1997.

Notice of Exempt Offering of Securities (Form SEC Form D), revised May 2017.

Model Accredited Investor Exemption Uniform Notice of Transaction Form (Form Model Form), July 1999.

Application for Coordinated State Review Coordinated Review-Equity (Form CR-Equity-1), August 2003.

Small Business Securities Offering Application for Mid-Atlantic Regional Review Form (Form CR-SCOR Mid-Atlantic), May 2002.

Uniform Notice of Regulation A - Tier 2 Offering, February 2017.

### **Virginia Retail Franchising Act Forms:**

Uniform Franchise Registration Application (Form A), July 2008.

Franchisor's Costs and Sources of Funds (Form B), July 2008.

Uniform Franchise Consent to Service of Process (Form C), July 2008.

Affidavit of Compliance Franchise Amendment and Renewal (Form E), July 2008.

Guarantee of Performance (Form F), March 2013.

Franchisor's Surety Bond (Form G), July 1999.

Notice of Claim of Exemption (Form H), March 2018.

Escrow Agreement (Form K), July 2007.

Application for Coordinated Review of Franchise Registration (Form CR-FRAN), June 1999.

### **Virginia Trademark Act Forms:**

Application for Registration of a Trademark or Service Mark (Form TM1), November 2014.

Application for Renewal Registration of a Trademark or Service Mark (Form TM2), November 2014.

Certificate of Name Change of an Applicant or Registrant (Form TM3), November 2014.

Assignment of Trademark or Service Mark Registration (Sample TM4), November 2014.

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# Guidance Documents

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## Division of Utility and Railroad Safety

Copies of **the** following documents may be viewed during regular work days from 8:15 a.m. to 5 p.m. in **the** office of **the** State Corporation Commission, Division of Utility and Railroad Safety, 4th Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. **The** mailing address is P.O. Box 1197, Richmond, VA 23218. Copies may be obtained at a charge of \$0.50 per page. To obtain copies, contact Jennifer Fisher at **the** same address, telephone (804) 371-9484, FAX (804) 371-9484, or email [jennifer.fisher@scc.virginia.gov](mailto:jennifer.fisher@scc.virginia.gov). Some of **the** documents may be downloaded from **the** division website at <http://www.scc.virginia.gov/urs/mutility/pubs.aspx>.

Questions regarding interpretation or implementation of these documents may be directed to Lauren Govoni, Director, Division of Utility and Railroad Safety, 1300 East Main Street, 4th Floor, Richmond, VA 23219, telephone (804) 371-9750, FAX (804) 371-9734, or email [lauren.govoni@scc.virginia.gov](mailto:lauren.govoni@scc.virginia.gov). **The** mailing address is P.O. Box 1197, Richmond, VA 23218-1197.

### Outreach Documents:

Marking Color Code Card, 2 pages, <http://www.scc.virginia.gov/urs/colorcode.pdf>

Virginia Professional Excavator's Manual, revised May 2019, 86 pages, <https://scc.virginia.gov/urs/excavatormanual.pdf>

Homeowner's Brochure, March 2015, 2 pages, <https://scc.virginia.gov/urs/mutility/doc/hobroch.pdf>

Virginia Underground Utility Marking Standards, February 2020, 24 pages, [https://scc.virginia.gov/mutility/docs/va\\_uums.pdf](https://scc.virginia.gov/mutility/docs/va_uums.pdf)

Exposing Underground Utility Lines Requirements and Best Practices, August 2005, 11 pages, [https://scc.virginia.gov/urs/mutility/docs/exp\\_bp.pdf](https://scc.virginia.gov/urs/mutility/docs/exp_bp.pdf)

Impact Mole Requirements and Best Practices, January 2011, 14 pages, [https://scc.virginia.gov/urs/mutility/docs/imole\\_bp.pdf](https://scc.virginia.gov/urs/mutility/docs/imole_bp.pdf)

Trenchless Excavation Requirements and Best Practices, January 2011, 14 pages, <https://scc.virginia.gov/urs/mutility/docs/te.pdf>

Liquefied Petroleum Gas: A Guide to Understanding Regulatory Requirements in Virginia, May 2016, 12 pages, <https://scc.virginia.gov/urs/pipe/lpgguide.pdf>

Plumbers Beware: A Safety Precautions Brochure, July 2007, 2 pages, <https://scc.virginia.gov/urs/mutility/docs/plumber.pdf>

Coloring Book for Children: Wally's Digging Adventure, 20 pages, <https://scc.virginia.gov/urs/mutility/docs/color.pdf>

Procedural Guidelines for Enforcement of Pipeline Safety Standards, January 2022, 4 pages, <https://scc.virginia.gov/urs/pipe/enfpps.pdf>

Pipeline Safety Program Metrics, January 2022, 18 pages, <https://www.scc.virginia.gov/getattachment/579295f0-1932-448a-8306-61ec9916fafa/Pipeline-Safety-Program-Metrics-2022.pdf>

For copies of **the** following DVDs, email [vadamageprevention@scc.virginia.gov](mailto:vadamageprevention@scc.virginia.gov):

Dig with C.A.R.E. Keep Virginia Safe, Training DVD, English and Spanish versions, August 2008

Dig with C.A.R.E. Keep Virginia Safe, Requirements and Best Practices for Trenchless Excavation, Training DVD, English and Spanish versions, January 2011

Wally's Digging Adventure DVD, July 2010. A children's DVD for use in conjunction with **the** Wally's Digging Adventure Coloring Book for Children.

### Advisory Committee Information:

Damage Prevention Advisory Committee Bylaws, December 2017, § 56-265.31 et seq., 5 pages, <https://scc.virginia.gov/urs/mutility/docs/bylaws.pdf>

### La informacion en Espanol:

CARE Folleto: Virginia Guiua para Excavar o Demoler sin Peligro, May 2007, 2 pages, <https://scc.virginia.gov/urs/mutility/docs/folleto.pdf>

Tarjeta deCodigo de Colores, 2 pages, <https://scc.virginia.gov/urs/mutility/docs/colores.pdf>

## DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Copies of **the** following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in **the** office of **the** Department of Criminal Justice Services, 1100 Bank Street, 12th Floor, Richmond, VA 23219, <http://www.dcjs.virginia.gov>. Copies may be obtained by contacting Jackson Miller, Director, at **the** address provided, telephone (804) 225-4300, FAX (804) 786-0588, or email [jackson.miller@dcjs.virginia.gov](mailto:jackson.miller@dcjs.virginia.gov). Copies of guidance documents are free and can be accessed on **the** agency's website or **the** Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov>. Questions regarding interpretation or implementation of these documents may be directed to Jackson Miller at **the** address provided, telephone (804) 225-4300, FAX (804) 786-0588, or email [jackson.miller@dcjs.virginia.gov](mailto:jackson.miller@dcjs.virginia.gov).

### Criminal Justice Services Board

#### Guidance Documents:

5469, Certified Crime Prevention Community Program Manual, 10/12/2018

5470, Certified Crime Prevention Community Program Recertification Guidelines, 10/12/2018

5481, CASA/CJA Advisory Committee Guidance Policy for Court Appointed Special Advocates Programs, 11/2/2017

5482, Comprehensive Community Corrections Act and Pretrial Services Act, 2/15/2022

5483, Local Community-based Probation and Pretrial Services Grant Application Guide for FY 2015–2016 Continuation Funding, 2/27/2015

5851, Field Training Officer Requirements, 11/19/2015

7225, Forfeited Asset Sharing Program Manual, July 2022, 8/4/2022

## VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND

Guidance documents may be obtained from the agency's website at <https://www.vfdb.k12.va.us/vfdb/> or by using the links provided. For assistance with accessing documents, contact Tessy Schlemmer, Director of Human Resources, Virginia School for the Deaf and the Blind, P.O. Box 2069, Staunton, VA 24402, telephone (540) 332-9065, or email [tessy.schlemmer@vsdb.virginia.gov](mailto:tessy.schlemmer@vsdb.virginia.gov). Questions regarding interpretation or implementation of these documents may also be addressed to Tessy Schlemmer.

### Guidance Documents:

VSDB Policy Manual

Student Handbook and Code of Conduct

VSDB Board of Visitors Bylaws, revised March 2010

## DEPARTMENT OF EDUCATION

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the office of the Department of Education, 101 North 14th Street, Richmond, VA 23219. Most of these guidance documents are available for no charge through the Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>. Additionally, for questions about interpretation and implementation, please contact Jim Chapman at the Virginia Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540, or email [jim.chapman@doe.virginia.gov](mailto:jim.chapman@doe.virginia.gov).

### State Board of Education

#### Guidance Documents:

Adult Education, Individual Student Alternative Education Plan (ISAEP) Program Guidelines, 9/27/2012

Adult Education, High School Equivalency (HSE) Examination Guidelines, 9/22/2016

Assessment, English Learners: Guidelines for Participation in the Virginia Assessment Program, 8/22/2018

Assessment, Protocol for State-Directed Investigations of Testing Irregularities, 4/30/2008

Assessment, Guidelines for Instruction-Based Assessments, 12/31/2004

Assessment, Guidelines for the Use of Local Performance Assessments to Verify Credits in Writing, 9/20/2018

COVID-19, Emergency Career and Technical Education Work-Based Learning Guidelines for Internship and Cooperative Education Experiences, 7/9/2020

COVID19, Emergency Guidance on Graduation Requirements, Awarding of Credits and Continuity of Learning Due to COVID-19, 5/28/2020

COVID19, Emergency Guidelines for Local Alternatives to Awarding Standard Units of Credit, 5/28/2020

COVID19, Emergency Guidelines for Locally-Awarded Verified Credits, 4/1/2021

COVID19, Joint Guidance for Student Placements Reimbursed by the Children's Services Act, 5/28/2020

COVID19, Emergency Guidelines for the Use of Local Performance Assessments to Verify Credits in Writing for the 2020-2021 School Year, 2/4/2021

Early Childhood, Virginia's Definition of School Readiness, 4/30/2008

Early Childhood, Virginia Preschool Initiative Virtual Instruction Guidance for 2021-2022, 6/24/2021

Early Childhood, Guidelines for Practice Year 2 of the Early Childhood Unified Measurement and Improvement System, 8/18/2022

Early Childhood, Child Care Subsidy Program Guidance Manual, 9/29/2022

Employment and License, Virginia License Renewal Manual, 2/17/2022

Employment and License, Hiring of Retired Public School Teachers and Administrators for Critical Shortage Areas, 8/7/2001

Employment and License, Virginia's High Objective Uniform State Standard of Evaluation (HOSSE) for Experienced Teachers, 4/30/2005

Employment and License, Virginia High Objective Uniform State Standard of Evaluation (HOSSE) for Visiting International Faculty (VIF) Cultural Exchange Teachers, 3/30/2007

Employment and License, Guidelines for Prescribed Professional Teacher's Examinations, 3/3/2022



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Employment and License, Criteria for Implementing Experiential Learning Credits for Alternate Route Applicants Seeking Initial Licensure, 10/30/2005

Employment and License, Policy Statement for Implementing in Virginia Approved Programs the Virginia Communication and Literacy Assessment, 11/30/2005

Employment and License, Virginia Standards for the Professional Practice of Teachers, 4/28/2011

Employment and License, Advancing Virginia's Leadership Agenda Guidance Document: Standards and Indicators for School Leaders and Documentation for the Principal of Distinction (Level II) Administration and Supervision Endorsement, 9/27/2012

Employment and License, Guidelines Pertaining to the Employment of Substitute Teachers, 3/24/2011

Employment and License, Procedural Guidelines for Conducting Licensure Hearings, 2/4/2021

Employment and License, Guidelines for Alternate Routes to Licensure, 12/22/2022

Employment and License, Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, 7/1/2021

Employment and License, Recertification Guidance Document for Virginia Career Switcher Programs, 9/16/2021

Employment and License, Virginia Teacher Performance Evaluation System Handbook, 8/19/2021

Employment and License, Board of Education Guidance on Cultural Competency Training for Teachers and Other Licensed School Board Employees in Virginia Public Schools, 1/5/2022

Employment and License, Guidelines for Mentor Teacher Programs for Beginning and Experienced Teachers, 2/3/2022

Employment and License, Guidelines for Uniform Performance Standards and Evaluation Criteria for Superintendents, 5/12/2022

Employment and License, Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals, 5/12/2022

Facilities, Guidelines for the Operation of Electronic Room Partitions, 3/5/2020

Finance and Operations, Use of Literary Fund Proceeds, 6/29/2007

Finance and Operations, Guidelines for Establishing Joint or Regional Continuation High Schools or Programs, 5/28/2004

Finance and Operations, Eligibility Criteria and Procedures for Supplemental Funding for School Divisions in the

Commonwealth of Virginia That Enter into Cost-Saving or Service-Sharing Agreements, 7/23/2009

Finance and Operations, Criteria for Making Distributions from the Public Charter School Fund, 1/10/2008

Finance and Operations, Guidelines for Providing Loan Interest Rate Subsidy Grant Payments for the Virginia Public School Authority Pooled Bond Program (Revised - September 2019), 11/14/2019

Flag/Moment of Silence, Guidelines on the Recitation of the Pledge of Allegiance, Including Guidelines for Appropriate Etiquette and Conventions for Respecting the Dignity of the Flag, 7/26/2001

Flag/Moment of Silence, Guidelines on the Minute of Silence Requirements, 6/13/2000

Flag/Moment of Silence, Guidelines Concerning Religious Activity in Public Schools, 12/30/1995

Instruction, Guidelines for the K-3 Record for Reading and Mathematics, 9/23/2011

Instruction, Objectives for Personal Living and Finance, 12/30/2006

Instruction, Criteria for Character Education, 7/26/2012

Instruction, Curriculum and Administrative Guide for Driver Education in Virginia, 12/30/2010

Instruction, Guidelines for Banking-In-School Demonstration Partnership Programs, 12/30/2006

Instruction, Procedures for Initiating Academic Year Governor's Schools, 1/30/1999

Instruction, Homebound Instructional Services Guidelines, 2/1/2012

Instruction, Guidelines for Alternatives to Animal Dissection, 7/30/2004

Instruction, World-Class Instructional Design and Assessment (WIDA) English Language Proficiency (ELP) Standards, 3/30/2008

Instruction, Virginia Public Charter School Application Process, 9/22/2016

Instruction, Application for College Partnership Laboratory Schools and the Procedures for Receiving, Reviewing, and Ruling on College Partnership Laboratory School Applications, 10/25/2012

Instruction, Guidelines and Standards of Learning for Family Life Education, 7/9/2020

Instruction, Virginia's Textbook Review Process, 3/24/2011

Instruction, Guidelines for Local Textbook Approval, 9/22/2011

Instruction, List of Board of Education Regulations Identified as Waivable for Charter School Purposes, 6/30/1999

Instruction, Guidelines for Academic and Career Plans, 9/17/2009

Instruction, Physical Education and Physical Activity Program Guidelines for Public Elementary and Middle Schools, 6/28/2018

Instruction, Board of Education Approved Industry Certifications, Occupational Competency Assessments, and Professional Licenses, 6/23/2022

Instruction, High School to Work Partnerships Guidelines and Model Liability Waiver, 6/26/2014

Instruction, Guidelines for **the** Use of Computer Science Courses to Satisfy Graduation Requirements, 10/13/2022

Instruction, Guidelines for Graduation Requirements: Local Alternative Paths to Standard Units of Credit (Alternatives to **the** 140- Clock-hour Requirement), 10/22/2015

Instruction, Guidelines for Using Supplementary Written Materials to Teach **the** Documents of Virginia History and **the** United States Constitution, 1/22/2015

Instruction, Guidelines for Issuing a Virginia Seal of Biliteracy, 6/25/2015

Instruction, Virginia Public Charter School Application, 9/22/2016

Instruction, Criteria Checklist for Virginia Public Charter School Applications, 9/22/2016

Instruction, Board of Education-approved Criteria for Awarding **the** Science, Technology, Engineering, and Mathematics (STEM) Diploma Seal, 10/18/2018

Instruction, STEM Competition Team Grant Initiative: Guidance for Submission of Application, 9/19/2019

Instruction, Career and Technical Education Work-Based Learning Guide, 8/4/2022

Instruction, Definition of Students with Limited or Interrupted Formal Education, 5/27/2021

Instruction, Digital Devices in **the** Classroom - Health and Safety Guidelines, 6/25/2021

Instruction, Guidance for Successful Virtual Learning, 6/24/2021

Instruction, Guidance for Unscheduled Remote Learning Days, 9/2/2021

Instruction, Curriculum Guidelines for Instruction on **the** Safe Use of and Risks of Abuse of Prescription Drugs, 8/19/2021

Instruction, Model Policies Concerning Instructional Materials with Sexually Explicit Content, 8/4/2022

Instruction, Board of Education Approved Courses to Satisfy Graduation Requirements for **the** Standard, Advanced Studies, and Modified Standard Diplomas in Virginia Public Schools, 10/13/2022

Military, Guidelines for Honorary High School Diplomas for Veterans of World War II, **The** Korean War, and **the** Vietnam War, 10/25/2010

School Calendar, Guidelines for Considering and Approving Requests for Year-Round Instructional Program Waivers Pursuant to § 22.1-79.1, 9/19/2019

School Facilities, Model Guidelines for **the** Wearing of Uniforms in Public Schools, 7/1/1996

School Facilities, Guidelines for School Facilities in Virginia's Public Schools, 4/1/2021

School Facilities, Guidelines for a Water Management Program to Prevent Legionella Pneumophila Growth in Public School Buildings, 6/24/2021

School Safety, Model Guidance for Positive and Preventive Code of Student Conduct Policy and Alternatives to Suspension, 9/16/2021

School Safety, Virginia School Search Resource Guide, Including Student Search Guidelines, 10/1/2000

School Safety, Guidance for Accommodating Children with Special Dietary Needs in School Nutrition Programs, 10/11/2002

School Safety, Guidelines for Management of **the** Student's Scholastic Record, 5/1/2004

School Safety, Model Guidelines for School Attendance for Children with Human Immunodeficiency Virus, 12/30/1990

School Safety, Model School Crisis and Emergency Management Plan, 11/30/2007

School Safety, Persistently Dangerous Schools and Unsafe School Choice Option, 4/30/2003

School Safety, Diabetes Management in Schools: Manual for Unlicensed Personnel, 11/25/2021

School Safety, Guidelines for Student Drug-Testing in **the** Public Schools, 6/30/2004

School Safety, Guidelines for **the** Prevention of Sexual Misconduct and Abuse in Virginia Public Schools, 3/24/2011

School Safety, Guidelines for Policies on Concussions in Students, 5/13/2021

School Safety, Elementary School Gun Safety Guidelines and Curriculum, 7/31/2011

School Safety, Persistently Dangerous Schools Identification Process and Criteria, 4/29/2003

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School Safety, Model Policy to Address Bullying in Virginia's Schools, 10/24/2013

School Safety, Guidelines for School Division Policy Regarding Service Dogs in Virginia's Public Schools, 12/31/2011

School Safety, Resource Document for Local Screening Requirements in Virginia's Public Schools, 9/30/2009

School Safety, Guidelines for Recognition and Treatment of Anaphylaxis in the School Setting, 12/30/2014

School Safety, The Manual for the Training of Public School Employees in the Administration of Medication, 6/1/2012

School Safety, Approved Training Programs for the Treatment of Students with a Seizure Disorder, 12/23/2021

School Safety, Guidelines for Use of Designated Stock Albuterol in Schools, 2/3/2022

School Safety, Guidelines for Policies on Heat-Related Illness Prevention, 9/29/2022

School Safety, Guidelines for Policies on Sudden Cardiac Arrest Prevention in Student Athletes, 11/10/2022

SOA, Process by which Locally Prescribed Graduation Requirements that Exceed the Requirements in 8VAC20-131-50 of the Regulations Establishing Standards for Accrediting Public Schools in Virginia May Be Amended or Discontinued, 11/17/2011

SOA, Interpretation of Regulations for Certain Transfer Students, 12/20/2002

SOA, Substitute Tests Approved for Awarding Verified Credit, 7/27/2017

SOA, Guidelines on Exemplar School Recognition, 4/26/2018

SOA, Guidance Document Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public Schools in Virginia, 11/25/2021

Special Education, Discipline of Students with Disabilities, 12/30/2010

Special Education, Your Family's Special Education Rights – Virginia Procedural Safeguards Notice, 9/30/2013

Special Education, Required Modifications to Local Procedures and Policies, 11/30/2009

Special Education, Alternative Special Education Staffing Plan Procedures, 12/11/2015

Special Education, Procedures for Receiving and Resolving Complaints which Allege Violation of Federal and State Laws and Regulations Pertaining to Children with Disabilities, 2/25/2000

Special Education, Training Standards for Paraprofessionals Assigned to Work with a Teacher Who Has Primary Oversight of Students with Autism Spectrum Disorder, 1/10/2013

Special Education, Standard Diploma Credit Accommodations for Students with Disabilities, 9/20/2018

Special Education, Guidelines for Educating Students with Specific Learning Disabilities (SLD), 2/28/2017

Special Education, Parent's Guide to Special Education, 12/31/2010

Special Education, Parents' Guide to Special Education Dispute Resolution, 12/31/2008

Special Education, Guidance on Prior Written Notice in the Special Education Process, 5/31/2013

Special Education, Guidance for Military Families with Students in Special Education, 8/31/2014

Special Education, Guidance Document on Manifestation Determination New Requirements, 11/30/2006

Special Education, Extended School Year Services, 12/31/2007

Special Education, Guidance Document on the Implementation of the Regulations Governing Special Education Programs for Children with Disabilities in Virginia, 8/31/2009

Special Education, Guidance Document for Implementing New Special Education Requirements for the Definition of "Parent", 5/31/2009

Special Education, Guidelines for School Division Transfer of Assistive Technology Devices, 9/6/2013

Special Education, Functional Behavioral Assessment, Behavior Intervention Plans and Positive Intervention and Supports, 12/31/2015

Special Education, Guidelines for Working with Students Who Are Blind or Visually Impaired In Virginia Public Schools, 12/15/2017

Special Education, Guidelines for Working with Students Who Are Deaf or Hard of Hearing in Virginia Public Schools, 2/20/2020

Special Education, Speech-Language Pathology Services in the Schools: Guidelines for Best Practice, 12/31/2018

Special Education, Educational Interpreting Services, 12/31/2010

Special Education, Guidance on Evaluation and Eligibility for the Special Education and Related Services, 1/31/2018

Special Education, Guidance Document for Standards-based Individualized Education Programs, 3/31/2016

Special Education, Special Education in Local and Regional Jails: Guidelines for Best Practice, 3/3/2022

Special Education, Guidance for the Development of Postsecondary Goals, 3/3/2022

Special Education, Transfer of Rights for Students with Disabilities upon Reaching the Age of Majority in Virginia, 9/2/2021

Special Education, Handbook for Occupational and Physical Therapy Services in the Public Schools of Virginia, 12/31/2010

Special Education, Handbook for Educators of Students Who Are English Language Learners with Suspected Disabilities, 2/6/2020

Special Education, Guidelines for Educating Students with Autism Spectrum Disorders, 10/31/2010

Special Education, Models of Best Practice in the Education of Students with Autism Spectrum Disorders, 5/31/2011

Special Education, VAAP Participation Criteria and the Determination of Significant Cognitive Disabilities, 2/20/2020

Special Education, Virginia Early Childhood Inclusion Guidance Document, 2/16/2018

Special Education, Guidelines for the Provision of Behavior Analysis in Public Schools, 2/18/2021

Special Education, VDOE Supplemental Guidance for Evaluation and Eligibility in Special Education and Sample Eligibility Forms and Disability Worksheets, 9/16/2021

Special Education, Guidelines for the Consideration of the Need for Age and Developmentally Appropriate Instruction, 5/27/2021

Standards of Quality, Guidance Regarding Maximum Class Size and Student-Teacher Ratios in the Standards of Quality, 1/16/2014

Student Services, Suicide Prevention Guidelines, 9/3/2020

Student Services, Policy Regarding Medication Recommendation by School Personnel, 8/16/2002

Student Services, Child Abuse and Neglect Recognition and Intervention Training Curriculum Guidelines, 5/13/2021

Student Services, Eating Disorders Awareness in the Public School Setting, 8/6/2020

Student Services, Guidelines for Training on the Prevention of Trafficking of Children, 6/28/2018

Student Services, Guidelines for the Prevention of Suspension and Expulsion of Young Children: Supporting Children with Challenging Behaviors in Early Childhood Settings, 12/6/2018

Student Services, Virginia Community School Framework, 1/23/2020

Student Services, Guidance and Model Policy for the Notification of Protective Orders in Public Elementary and Secondary Schools, 12/24/2020

Student Services, Model Policies for the Treatment of Transgender Students in Virginia's Public Schools, 3/6/2021

Student Services, Virginia Social Emotional Learning Standards, 6/26/2021

Student Services, Guidance for the Provision of Specialized Student Support Positions in Virginia Public Schools, 7/8/2021

Tax Credits, Guidelines for the Education Improvement Scholarship Tax Credits Program, 6/13/2019

Tax Credits, Guidelines for the Neighborhood Assistance Act Tax Credit Program for Education, 6/10/2021

Teacher Education, Accountability Measurement of Partnerships and Collaborations Based on PreK-12 School Needs Required by the Regulations Governing the Review and Approval of Education Programs in Virginia, 11/29/2012

Teacher Education, Definitions of At-Risk of Becoming Low-Performing and Low-Performing Institutions of Higher Education in Virginia as Required by Title II of the Higher Education Act (HEA), 3/23/2017

Teacher Education, Criteria for Identifying Alternative Routes to Teacher Licensure as "Low Performing" or "At Risk of Becoming Low Performing" Required by Title II of the Higher Education Opportunity Act, 2/17/2011

Technology, Acceptable Use Policy: A Handbook, 1/1/2001

Technology, Guidelines for the Donation of Obsolete Educational Technology Hardware and Software by Schools Boards to Students, 10/20/2000

Transportation, Virginia School Bus Specifications, 5/30/2019

School Facilities, Guidelines for Implementing New Appropriation Act Provisions for Literary Fund School Construction Loans in the 2022-2024 Biennium

### DEPARTMENT OF ELECTIONS

The Virginia Department of Elections is located in the Washington Building, First Floor, 1100 Bank Street, Richmond, VA 23219. The Virginia State Board of Elections (SBE) is the policy making board responsible for approving regulations, forms, and guidance documents. Copies of guidance documents authorized to be provided are subject to costs stated in the department's FOIA policy published on its website and may be viewed on regular work days from 8:30 a.m. until 4:30 p.m. Questions regarding interpretation or implementation of these documents may be directed to department staff at the address provided, via telephone at (804) 864-8901 or toll free (800) 552-9745, by email [info@elections.virginia.gov](mailto:info@elections.virginia.gov), or FAX (804) 371-0194.



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# Guidance Documents

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Questions will be directed to **the** appropriate staff member for response.

Obtain up-to-date information on many of **the** SBE and Department of Elections guidance documents on **the** Department of Elections website at <http://www.elections.virginia.gov>. Additionally, most of these guidance documents are available electronically for no charge through **the** Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov>.

## State Board of Elections

### Guidance Documents:

[6945, State Board of Elections \(SBE\) Policies and Election Laws](#), 12/30/2021

[7135, Campaign Finance Laws and Policies](#), 12/30/2021

[7136, Candidate Information](#), 12/30/2021

[7137, Freedom of Information Act Policy](#), 12/30/2021

[DEL-1, 2022 Delegations](#), 12/5/2022

[FW-2021, Forms Warehouse](#), 12/30/2021

[GREB Handbook, the Handbook](#), 12/30/2021

## VIRGINIA EMPLOYMENT COMMISSION

Copies of **the** following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in **the** central office of **the** Virginia Employment Commission, 703 East Main Street, Richmond, VA 23219. Copies of **the** guidance documents may be obtained by contacting Susan Batte, at **the** Virginia Employment Commission, Office of Commission Appeals, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-4140, FAX (804) 786-9034, or email [susan.batte@vec.virginia.gov](mailto:susan.batte@vec.virginia.gov). Unless otherwise indicated, there is a \$1.00 per document copying charge. These documents may be accessed and downloaded from **the** Virginia Employment Commission's website at <http://www.vec.virginia.gov>.

Questions regarding interpretation or implementation of **the** guidance documents may be directed to Susan Batte, Chief Administrative Law Judge, Office of Commission Appeals, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-4140, FAX (804) 786-9034, or email [susan.batte@vec.virginia.gov](mailto:susan.batte@vec.virginia.gov).

### Guidance Documents:

[VEC-01, Guide to Effective Unemployment Insurance Adjudication](#), 12/12/2012

[VEC-02, Precedent Decision Manual](#), 12/28/2012

[VEC-03, Precedent Decision Manual Supplement](#), 12/12/2012

[VEC-04, Employer as Claimant Interoffice Communication](#), 5/20/2011

## DEPARTMENT OF ENERGY

Questions regarding this list of guidance documents may be directed to Michael Skiffington, Regulatory Coordinator, Department of Energy, 1100 Bank Street, 8th Floor, Richmond, VA 23219, telephone (804) 692-3212, FAX (804) 692-3237, or email [mike.skiffington@energy.virginia.gov](mailto:mike.skiffington@energy.virginia.gov).

All Department of Energy guidance documents are available electronically for no charge on **the** Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov>.

## Division of Mines

### Division of Mines Study and Instruction Material

Study and instruction materials relating to coal mine safety are available free of charge at **the** Department of Energy, Mine Safety Program, 3405 Mountain Empire Road, Big Stone Gap, VA 24219.

Questions regarding **the** interpretation or implementation of this material may be directed to Sammy Fleming, Inspector Supervisor, Mine Safety Program, at **the** same address, telephone (276) 523-8100, or FAX (276) 523-8239.

### Notices and Memoranda to Operators

Mine Safety Program Notices and Memoranda to Operators may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. at **the** Department of Energy, 3405 Mountain Empire Road, Big Stone Gap, VA 24219.

Questions regarding interpretation or implementation of these documents may be directed to Randy Moore, Director of **the** Mine Safety Program, at **the** same address, telephone (276) 523-8226, or FAX (276) 523-8239.

### Coal Mine Safety Program Procedures

Coal Mine Safety Program procedures may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. at **the** Department of Energy, 3405 Mountain Empire Road, Big Stone Gap, VA 24219. These procedures are used by agency staff to implement **the** Coal Mine Safety Act (§ 45.2-500 et seq. of **the** Code of Virginia).

Questions regarding interpretation or implementation of these procedures may be directed to Randy Moore, Director of Coal Mine Safety Program, at **the** same address, telephone (276) 523-8226, or FAX (276) 523-8239.

### Guidelines for Application of Regulatory Standards

Guidelines for Application of Regulatory Standards may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. at **the** Department of Energy, 3405 Mountain Empire Road, Big Stone Gap, VA 24219. These documents are used by agency staff to implement **the** Coal Mine Safety Act (§ 45.2-500 et seq. of **the** Code of Virginia).

Questions regarding interpretation or implementation of these documents may be directed to Mike Willis at **the** same address, telephone (276) 523-8228, or FAX (276) 523-8239.

### **Division of Mined Land Repurposing**

#### Division of Mined Land Repurposing Memoranda

Division of Mined Land Repurposing memoranda may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at **the** Department of Energy, Customer Assistance Center, 3405 Mountain Empire Road, Big Stone Gap, VA 24219. Inquiries may be directed to Sherry Horne, telephone (276) 523-8100, or FAX (276) 523-8141.

Questions regarding interpretation or implementation of these documents may be directed to Darlene Gibson, Hearings and Legal Services Officer, Department of Energy, Division of Mined Land Repurposing, at **the** same address, telephone (276) 523-8157, or FAX (276) 523-8163.

#### Procedures

Division of Mined Land Repurposing procedures may be viewed or copied during regular work hours from 8 a.m. until 5 p.m. at **the** Department of Energy, Customer Assistance Center, 3405 Mountain Empire Road, Big Stone Gap, VA 24219. Inquiries may be directed to Sherry Horne, telephone (276) 523-8100, or FAX (276) 523-8141.

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#### Other Documents

Other documents issued by **the** Division of Mined Land Repurposing may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at **the** Department of Energy, Customer Assistance Center, 3405 Mountain Empire Road, Big Stone Gap, VA 24219, telephone (276) 523-8100, or FAX (276) 523-8141.

### **Division of Mineral Mining**

#### Documents and Communication Memoranda

Division of Mineral Mining documents and communication memoranda may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at **the** Department of Energy, Division of Mineral Mining, 900 Natural Resources Drive, P.O. Box 3727, Charlottesville, VA 22903 (Fontaine Research Park). Copies may be obtained by contacting Anne Grassler at **the** same address, telephone (434) 951-6311, or FAX (434) 951-6325.

Questions regarding interpretation or implementation of these documents may be directed to Phil Skorupa, Director, Division

of Gas and Oil, at **the** same address, telephone (434) 951-6312, or FAX (434) 951-6325.

#### Procedures

Division of Mineral Mining procedures may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at **the** Department of Energy, Division of Mineral Mining, 900 Natural Resources Drive, P.O. Box 3727, Charlottesville, VA 22903 (Fontaine Research Park). Copies may be obtained by contacting Anne Grassler at **the** same address, telephone (434) 951-6311, or FAX (434) 951-6325. These procedures are used by agency staff to implement 4VAC25-31, 4VAC25-35, and 4VAC25-40.

Questions regarding interpretation or implementation of these procedures may be directed to Phil Skorupa, Director, Division of Gas and Oil, at **the** same address, telephone (434) 951-6312, or FAX (434) 951-6325.

#### Forms

Division of Mineral Mining forms may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at **the** Department of Energy, Division of Mineral Mining, 900 Natural Resources Drive, P.O. Box 3727, Charlottesville, VA 22903 (Fontaine Research Park). Copies may be obtained by contacting Anne Grassler at **the** same address, telephone (434) 951-6311, or FAX (434) 951-6325. These forms are used by agency staff to implement 4VAC25-31, 4VAC25-35, and 4VAC25-40.

Questions regarding interpretation or implementation of these forms may be directed to Phil Skorupa, Director, Division of Gas and Oil, at **the** same address, telephone (434) 951-6312, or FAX (434) 951-6325.

### **Division of Gas and Oil**

#### Division of Gas and Oil Memoranda to Operators and Bulletins

Division of Gas and Oil memoranda to operators and bulletins may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at **the** Department of Energy, Division of Gas and Oil, 3405 Mountain Empire Road, Big Stone Gap, VA 24219. Copies may be obtained by contacting Sarah Gilmer at **the** same address or telephone (276) 523-8100.

Questions regarding interpretation or implementation of these documents may be directed to Phil Skorupa, Director, Division of Gas and Oil, at **the** same address, telephone (434) 951-6312, or FAX (434) 951-6325.

#### Forms

Division of Gas and Oil forms may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at **the** Department of Energy, Division of Gas and Oil, 3405 Mountain Empire Road, Big Stone Gap, VA 24219. Copies may be obtained by contacting Sarah Gilmer at **the** same address or telephone (276) 523-8100.

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## Guidance Documents

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Questions regarding interpretation or implementation of these forms may be directed to Phil Skorupa, Director, Division of Gas and Oil, at **the** same address, telephone (434) 951-6312, or FAX (434) 951-6325.

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For FOIA requests, please contact [the](#) department's FOIA Officer at (804) 698-4085. For more information, please go to <https://www.deq.virginia.gov/get-involved/about-deq/freedom-of-information-act>. Copies may also be requested by writing to: FOIA Officer, Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218. There may be a charge for copies. Unless a cost is specifically listed, [the](#) charge will be based on [the](#) department's FOIA Policy.

Requests for copies or questions regarding interpretation of [the](#) Litter Prevention and Recycling documents should be directed to: Manager, Waste Planning, Data and Reporting, Department of Environmental Quality, 1111 East Main Street, Suite 1400, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4193.

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### DEPARTMENT OF FIRE PROGRAMS

Copies of the agency's guidance documents can be viewed at the Virginia Department of Fire Programs Headquarters, 1005 Technology Park Drive, Glen Allen, VA 20359. Please contact the Agency's Chief Administrative Officer, (804) 371-0220 or toll free at 1-866-4VAFIRE to schedule an appointment to view the guidance documents.

Copies of the guidance documents are available free of charge via the agency's website at [www.vafire.com](http://www.vafire.com), under the Grants and Local Aid link and the State Fire Marshal's Office link. Copies of the agency's guidance documents are also available to download free of charge from the Virginia Regulatory Town Hall website at <https://www.townhall.virginia.gov/>.

To obtain hard copies of the agency's guidance documents from the department, please contact the agency's chief administrative officer at (804) 371-0220 or toll free at 1-866-4VAFIRE.

Direct interpretive or implementation questions regarding the Virginia Fire Services Board guidance documents to the department's grant and local aid manager at 804-371-0220 or toll free at 1-866-4VAFIRE.

Direct interpretive or implementation questions regarding the issuance of permits to the department's State Fire Marshal's Office headquarters office at (804) 371-0220 or toll free at 1-866-4VAFIRE.

### Virginia Fire Services Board

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### DEPARTMENT OF FORENSIC SCIENCE

The following document is available on the department's website at <http://dfs.virginia.gov> or through the Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>. Questions regarding this document may be directed to Amy C. Jenkins, Department Counsel, Department of Forensic Science, 700 North 5th Street, Richmond, VA 23219, (804) 786-2281, or email [amy.jenkins@dfs.virginia.gov](mailto:amy.jenkins@dfs.virginia.gov).

#### Forensic Science Board

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### DEPARTMENT OF FORESTRY

Copies of the following documents may be viewed during regular work days from 7 a.m. until 5:30 p.m., Monday through Thursday, in the office of the Department of Forestry, 900 Natural Resources Drive, Suite 800, Charlottesville, VA 22903. The documents may be downloaded from the Department of Forestry's website at <http://www.dof.virginia.gov> or through the Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov>.

Copies of the Alternate Management Plans and Reforestation of Timberlands Policy may be obtained free of charge by contacting Amanda Davis at the same address, telephone (804) 644-7301, FAX (434) 296-2369, or email [amanda.davis@dof.virginia.gov](mailto:amanda.davis@dof.virginia.gov). Questions regarding interpretation or implementation of Alternate Management Plans or Reforestation of Timberland Policy also may be directed to Amanda Davis.

For additional information about the Reforestation of Timberlands (RT) program or the Seed Law, including Alternate Management Plans, please contact your local forester. See <http://dof.virginia.gov/locations/index.htm>.

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### GEORGE MASON UNIVERSITY

Copies of the following documents may be viewed by appointment during regular work days from 9 a.m. to 4 p.m. in the Office of Diversity, Equity, and Inclusion, 369 Aquia Hall,

George Mason University, 4400 University Drive, Fairfax, VA. Copies may be obtained free of charge by contacting the University Policy Manager, at the same address, telephone (703) 993-8730, FAX (703) 993-8899, or email [dei@gmu.edu](mailto:dei@gmu.edu). The documents may be downloaded from the George Mason University website at <http://www.gmu.edu>.

Questions regarding interpretation or implementation of these guidance documents may be directed to the University Policy Manager.

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### DEPARTMENT OF GENERAL SERVICES

Copies of the guidance documents are available by from the Department of General Services by contacting Rhonda Bishton, Regulatory Coordinator, Virginia Department of General Services, 1100 Bank Street, Suite 420, Richmond, VA 23219, or from the department's website at [www.dgs.virginia.gov](http://www.dgs.virginia.gov). Copies of the following guidance documents are available to download free of charge from the Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>.

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Questions regarding interpretation or implementation of these documents may be directed to Michael Capps, Regulatory Coordinator, 109 Governor Street, Richmond VA 23219, telephone (804) 864-7190, or email [michael.capps@vdh.virginia.gov](mailto:michael.capps@vdh.virginia.gov). Questions will be redirected to knowledgeable program administrators.

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WTR-657(W), Distribution System-Fire Pump for Small Systems, 6/7/1991

WTR-680(W), Treatment-Fluoride, 5/29/1992

WTR-704(W), Abandonment of Waterworks, 3/11/1993

WTR-740(W), Technical Assistance Lead and Copper Rule Desktop Evaluations, 1/26/1995

WTR-769(W), Monitoring of Additives to Drinking Water, 10/8/1996

WTR-782(W), Distribution System Air Release Valves, 1/27/1997

WTR-801(W), Cross Connection Control, 3/31/1998

WTR-802(W), Pitless Adapters and Watertight Well Caps, 9/17/1998

WTR-810(W), Package Water Treatment Plants, 4/28/1999

WTR-813(W), Well Development, 3/24/2017

WTR-817(W), Cartridge Filtration, 3/9/2000

WTR-834(W), Consumer Confidence Report Implementation Instructions, 3/23/2012

WTR-835(W), Cross Connection Control, 3/7/2001

WTR-839(W), Ultraviolet (UV) Disinfection Systems for Public Water Supplies, 6/10/2013

WTR-841(W), Interim Guidance on Waterworks Classification, 6/13/2001

WTR-842(W), Board for Water and Wastewater Operators vs. Department of Health Responsibilities, 4/22/2008

WTR-844(W), Procedure Enforcement Special Notices (Boil Water, Do Not Drink, Do Not Use, Rescission Notices), 8/3/2009

WTR-850(W), Review of Changes to Disinfection, 12/29/2011

WTR-851(W), Surveillance and Regulations - Sanitary Surveys, 4/1/2016

WTR-859(W), Public Notification Rule Implementation, 11/26/2002

WTR-880(W), Treatment - Hollow Fiber, Positive Pressure Driven Microfiltration and Ultrafiltration and Ultrafiltration Membrane Filtration Technology, 9/14/2012

WTR-884(W), Use of Emergency Wells, 6/27/2005

WTR-886(W), Secondary Maximum Contaminant Levels, 7/8/2005

WTR-894(W), Sample Collection and Analysis Special Sampling Procedures, 5/9/2014

WTR-897(W), System Evaluation, Design, and Construction Mixed Oxidant Treatment Systems (MIOX), 6/24/2009

WTR-898(W), Compliance Sampling and Reporting Guidance Manual, 9/29/2017

WTR-899(W), Ozone Treatment and Disinfection Credit, 11/18/2010

WTR-902(W), Exception to Surface Water Treatment Plant Loading Rates, 10/23/2007

WTR-906(W), Procedures for Arsenic Removal Treatment Systems, 5/27/2008

WTR-908(W), State Only Non-Federal Violations, 8/12/2010

WTR-910(W), Surveillance and Regulations Groundwater Rule Implementation Procedures, 10/14/2015

WTR-914(W), Virginia's Optimization Program (VOP), 10/5/2012

WTR-915(W), Disinfection of Groundwater Sources, 5/6/2015

WTR-917(W), Revised Total Coliform Rule (RTCR) Implementation Procedures, 12/5/2017

WTR-918(W), Disinfection of Water Mains, Distribution Storage Tanks, Wells, and Treatment Facilities, 9/22/2015

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#### Guidance Documents:

76-10.01, Delegation to Agency Subordinates, 10/13/2022

76-10.02, Providing Sanction Reference Point Worksheets, 5/3/2018

76-10.03, Subpoenas for Disciplinary Hearings, 10/30/2018

76-10.05, Reports to **the** Data Bank, 5/14/2018

76-10.06, Disciplinary Process for Cases Involving Noncompliance with § 54.1-2400.6, 12/28/2017

76-10.12, Participation of Adjudication Specialists in Closed Sessions, 8/9/2017

76-10.17, Publication of Notices and Orders on **the** Department Websites, 11/27/2018

76-10.24, Summary Suspensions and Restrictions, 3/6/2018

76-20, Adjudication Manual Disciplinary Process, 11/10/2022

76-20.01, Communication with **the** Media, 5/15/2018

76-20.04, Disclosure of Non-Investigative Information by **the** Department, 5/3/2018

76-20.05, Disclosure of Information to Health Practitioner Monitoring Program, 8/9/2017

76-30.2, Procurement of Professional Services, 10/19/2017

76-34, Reporting by Hospitals and Other Health Care Institutions, 9/16/2021

76-35, Virginia Freedom of Information Act Requests, 9/1/2022

76-39, Guidelines for Pro Hac Vice Practice, 12/14/2017

76-40.01, Receipt and Investigation of Allegations of Misconduct, 7/26/2017

76-40.02, Unlicensed Activity, 8/9/2017

76-40.05, Disciplinary Cases Involving Board Members, 3/6/2018

76-80.12, Extension of Time for Active Duty Service Members or Spouses, 5/5/2017

76-90.01, Prescription Drug Monitoring Advisory Committee, 5/4/2018

76-90.02, Custodians of Records, 5/2/2018

76-90.03, Foreign Applicants and Social Security Numbers, 12/8/2022

76-90.05, Principles/Establishment of Fees, 5/1/2017

### BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

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#### Guidance Documents:

30-1, Sanctioning Reference Points; Instruction Manual, 11/3/2011

30-2, Bylaws of **the** Board of Audiology and Speech-Language Pathology, 4/16/2020

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## Guidance Documents

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30-3, Use of Confidential Consent Agreements, 6/5/2018  
30-4, Supervision of Speech-Language Assistants, 4/28/2022  
30-5, Equivalent Accrediting Body for Audiology Educational Programs, 6/5/2018  
30-6, Board Definition of Active Practice, 4/1/2021  
30-8, Speech-Language Pathology Practice and the Need for Licensure, 4/1/2021  
30-9, Continuing Education Audits and Sanctioning, 4/17/2019  
30-10, Disposition of Disciplinary Cases for Practicing on an Expired License, 6/5/2018  
30-11, Guidelines for Processing Applications, 4/1/2021  
30-12, Guidance for Telepractice, 9/19/2019

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#### Guidance Documents:

115-1.1, Disciplinary Actions for Noncompliance with Continuing Education and Continuing Education Recommendations, 11/10/2022  
115-1.2, Bylaws of the Board, 7/25/2019  
115-1.3, Bylaws for the Advisory Board on Art Therapy, 1/8/2021  
115-1.4, Guidance on Technology-Assisted Counseling and Technology-Assisted Supervision, 7/7/2022  
115-1.5, Sanction Reference Points Manual, 5/20/2016  
115-1.8, Examinations Acceptable for Certification as a Rehabilitation Provider, 11/22/2019  
115-1.9, Certifications Approved by the Board for Certification as a Substance Abuse Counselor, 7/7/2022  
115-2, Impact of Criminal Convictions, Impairment, and Past History on Licensure, Certification or Registration, 9/1/2022  
115-3, Frequently Asked Questions about Credentials Appeals, 7/25/2019

115-4.1, Evidence of Clinical Practice for Licensure by Endorsement, 7/7/2022  
115-4.11, Board Guidance on Use of Confidential Consent Agreements, 7/7/2022  
115-4.3, Direct Client Hours in an Internship, 2/5/2021  
115-5, Conduct of an Informal Conference by an Agency Subordinate, 5/18/2018  
115-6, Guidance on Emotional Support Animals, 4/2/2020  
115-7, Supervised Experience for Delivery of Clinical Services for Professional Counselor Licensure, 10/15/2020  
115-8, Approved Degrees in Human Services and Related Fields for QMHP Registration, 10/14/2021  
115-9, Board-Recognized Entity for Licensure by Endorsement, 11/2/2018  
115-10, Guidance on Conversion Therapy, 6/30/2019  
115-11, Scopes of Practice in Substance Abuse Counseling or Treatment, 1/23/2020  
115-12, Acceptance of Training and Participation as a Disaster Mental Health Worker for Continuing Competency, 1/23/2020

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#### Guidance Documents:

60-1, Board Policy on Confidential Consent Agreements, 11/10/2022  
60-2, Sanction Reference Point Instruction Manual, 11/14/2019  
60-3, Periodic Inspections for Anesthesia and Sedation, 2/6/2020  
60-4, Questions and Answers about Sedation, 2/6/2020  
60-5, Auditing for Continuing Education and Sanctioning, 8/5/2021  
60-6, Closing of a Dental Practice on Death of a Dentist, 11/11/2021  
60-7, Chart on Delegable Duties to Dental Assistants, 2/3/2022

60-8, Educational Requirements for Dental Assistants II, 11/11/2021

60-9, Policy on Sanctioning for Practicing With an Expired License, 8/4/2022

60-10, Guidance on Sanctioning for Advertising Violations, 8/5/2021

60-11, Policy Regarding Delegation of Pulp-Capping Procedures to a Dental Assistant II, 8/4/2022

60-13, Remote Supervision of Dental Hygienists, 2/6/2020

60-14, Bylaws of the Board, 11/10/2022

60-15, Standards for Professional Conduct in the Practice of Dentistry, 12/14/2018

60-17, Policy on Recovery of Disciplinary Costs, 2/3/2022

60-18, Dental Laboratory Work Order, 8/5/2021

60-19, Dental Laboratory Subcontractor Work Order, 8/5/2021

60-20, Radiation Certification, 9/10/2021

60-22, Policy on Sanctioning for Failure to Comply With Insurance and Billing Practices, 8/5/2021

60-23, Teledentistry, 12/13/2019

60-24, Guidance for Dental Practices, 11/11/2021

60-25, Dental Clinical Competency Examination for Licensure, 5/12/2022

60-26, Dental Hygiene Clinical Competency Examination, 5/12/2022

60-27, Guidance on Sedation Inspections and Permits, 2/3/2022

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### Guidance Documents:

65-1, Time Credit for Continuing Education Courses, 4/17/2018

65-2, Disposition of Cases for Practicing on an Expired License, 4/17/2018

65-3, Processing Applications for Licensure, 3/18/2021

65-4, Aiding and Abetting Unlicensed Practice, 1/24/2019

65-7, Guidance for Education and Pathology Coursework for Licensure as a Funeral Director, 3/18/2021

65-10, Bylaws of the Board, 9/16/2021

65-11, Inspection Guidance Document, 3/18/2021

65-12, Confidential Consent Agreements, 12/9/2021

65-14, Sanction Reference Points Instruction Manual, 4/17/2018

65-15, Guidance for Internship Extensions, 9/15/2022

65-16, Auditing for Continuing Competency Requirements, 12/9/2021

65-17, Disciplinary Actions against Funeral Homes for Failing to Initiate Corrective Action, 4/17/2018

65-18, Guidance on Surface Transportation and Removal Services in Virginia, 6/13/2019

65-19, Identification of Funeral Service Interns, 12/9/2021

65-20, Participation in Virginia Department of Treasury Unclaimed Property Audit, 12/9/2021

76-21.3:1, Inspection Report for Funeral Establishments, 9/17/2020

76-21.3:2, Inspection Report for Crematories, 1/11/2019

## BOARD OF HEALTH PROFESSIONS

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### Guidance Documents:

75-2, Appropriate Criteria in Determining the Need for Regulation of Any Health Care Occupation or Professions, 2/25/2019

75-4, Bylaws of the Board of Health Professions, 5/26/2022

76-21.1 30, Mixing, Diluting, or Reconstituting of Drugs for Administration, 7/1/2018



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76-21.2:1, [Inspection Report for Veterinary Establishments](#), 6/24/2021

76-21.3:1, [Inspection Report for Funeral Establishments](#), 9/17/2020

76-21.3:2, [Inspection Report for Crematories](#), 1/11/2019

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#### Guidance Documents:

95-2, [Board Procedures for Auditing Continuing Education](#), 12/23/2021

95-3, [Sanction Reference Manual](#), 6/28/2018

95-4, [Board Policy on Confidential Consent Agreements](#), 12/23/2021

95-8, [Bylaws of the Board of Long-Term Care Administrators](#), 11/12/2020

95-9, [Continuing Education for Dual Licensees](#), 9/1/2022

95-11, [Disposition of Cases for Practicing on an Expired License](#), 9/1/2022

95-12, [Processing Applications for Licensure: Examination, Endorsement, and Reinstatement](#), 12/23/2021

95-13, [Guidance on Completion of Continuing Education](#), 12/23/2021

### BOARD OF MEDICINE

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#### Guidance Documents:

76-21.1 30, [Mixing, Diluting, or Reconstituting of Drugs for Administration](#), 7/1/2018

85-1, [Bylaws of the Board of Medicine](#), 12/8/2022

85-2, [Assistant Attorney General Opinion on Who Can Do a School Physical Examination](#), 12/8/2022

85-3, [Bylaws for Advisory Boards of the Board of Medicine](#), 9/29/2022

85-4, [Acceptance of Continuing Education in Chiropractic](#), 12/8/2022

85-5, [Guidance on Questions Concerning Medical Records](#), 2/17/2022

85-6, [Competency Assessment for Three Paid Claims](#), 12/8/2022

85-7, [Guidance on Conversion Therapy](#), 12/12/2019

85-8, [Authority of Physician Assistants to Write Do Not Resuscitate \(DNR\) Orders](#), 12/8/2022

85-9, [Policy on U.S. Medical Licensing Examination Step Attempts](#), 8/4/2022

85-10, [Disclosures by Licensed Midwives for High-Risk Pregnancies](#), 8/19/2021

85-11, [Sanctioning Reference Points Instruction Manual](#), 8/15/2011

85-12, [Telemedicine](#), 8/19/2021

85-13, [Guidelines on Performing Procedures on the Newly Deceased for Training Purposes](#), 12/8/2022

85-14, [Continuing Competency Violations](#), 4/9/2021

85-15, [Guidelines Concerning the Ethical Practice of Surgery and Invasive Procedures](#), 12/8/2022

85-16, [Questions and Answers on Continuing Competency Requirements for the Virginia Board of Medicine](#), 12/8/2022

85-17, [Supervisory Responsibilities of an Occupational Therapist](#), 8/18/2022

85-20, [Attorney General Opinion on Employment of Surgeon by Nonprofit Corporation](#), 12/8/2022

85-21, [Attorney General Opinion on Employment of Physician by For-Profit Corporation](#), 12/8/2022

85-23, [Policy on the Use of Confidential Consent Agreements](#), 12/8/2022

85-26, [Compliance with Law for Licensed Midwives](#), 10/18/2018

85-27, [Role of Licensed Midwives in Newborn Hearing Screening](#), 10/18/2018

85-28, Authority of Licensed Midwives to Order Tests, 10/18/2018

90-11, Boards Guidance on Continuing Competency Violations for Nurse Practitioners, 2/4/2021

90-33, Authority of Licensed Nurse Practitioners to Write DNR Orders, 5/16/2019

90-56, Practice Agreement Requirements for Licensed Nurse Practitioners, 2/2/2023

90-64, Telemedicine for Nurse Practitioners, 8/11/2021

110-13, Guidance on Use of Collaborative Agreements, 2/4/2021

110-8, Information on Prescriptive Authority in Virginia, 8/17/2021

### BOARD OF NURSING

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#### Guidance Documents:

90-1, Registered Nurses (RN) or Licensed Practical Nurses (LPN) as First Assistant in Surgery, 11/13/2018

90-2, Transmittal of Third-Party Orders, 1/29/2019

90-3, Continued Competency Violations for Nurses, 1/29/2019

90-4, Opinion on How Licensure as a Nurse Relates to Service on a Volunteer Rescue Squad, 7/8/2021

90-5, Guidance on Conversion Therapy, 12/10/2020

90-6, Peripherally Inserted Central Catheters and Removal by Registered Nurses, 11/16/2021

90-7, Sanctioning Reference Points Instruction Manual, 10/13/2022

90-9, Board Guidelines for Prescription Drug Administration Training Program for Child Day Care, 7/17/2019

90-10, Board Guidelines for Processing Applications for Licensure, 7/7/2022

90-11, Boards' Guidance on Continuing Competency Violations for Nurse Practitioners, 2/4/2021

90-12, Delegation of Authority to Board of Nursing Registered Nurse Staff, 1/29/2019

90-13, Applying for Initial Approval of a Nursing Education Program, 12/23/2021

90-14, Continued Approval of a Nursing Education Program, 12/23/2021

90-15, Use of Cervical Ripening Agents by Registered Nurses, 11/13/2018

90-16, Adult Immunization Protocols, 2/4/2021

90-17, Opinion of Cutting of Corns and Warts with a Scalpel by RN/LPN, 11/13/2018

90-19, Epidural Anesthesia by Registered Nurses, 12/2/2020

90-22, Requests for Accommodations for National Council Licensure Examination for Registered Nurses (NCLEX) and National Nurse Aide Assessment Program (NNAAP) Testing, 1/29/2019

90-23, Decision-Making Model for Determining RN or LPN Scope of Practice, 11/13/2018

90-31, Administer a Medication That Has Been Transmitted Orally or in Writing by a Pharmacist Acting as the Prescriber's Agent, 1/29/2019

90-33, Authority of LNP's to Write Do Not Resuscitate Orders, 5/16/2019

90-34, Review and Challenge of NCLEX, 5/16/2019

90-35, Noncompliance with Board Orders, 1/29/2019

90-36, Training of Employees of School Boards in the Administration of Insulin and Glucagon, 12/10/2020

90-38, Disposition of Cases against Nurses or Massage Therapists Practicing with Expired Licenses, 1/29/2019

90-39, Indefinite Suspension Timeframes, 1/29/2019

90-40, Surveillance Activities Required by the Occupational Safety and Health Act (OHSA) Respiratory Standards, 11/13/2018

90-41, Patient Abandonment, 5/16/2019

90-42, Reinstatement after Mandatory Suspension, 11/13/2018

90-43, Attachment of Scalp Leads for Internal Fetal Monitoring, 11/19/2019

90-46, Administration of Over-the-Counter Drugs by Certified Nurse Aides, 11/13/2018

90-47, Massage Therapy Practice and Use of Titles, 11/14/2019

90-52, Delegation of Removal of Venous and Arterial Sheaths to Unlicensed Personnel Not Permitted, 5/16/2019

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## Guidance Documents

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90-54, Process for Delegation of Informal Fact-Finding to an Agency Subordinate, 9/17/2019

90-55, Impact of Criminal Convictions on Nursing Licensure or Certification and Employment in Virginia, 2/4/2021

90-56, Practice Agreement Requirements for Licensed Nurse Practitioners, 2/2/2023

90-57, Bylaws of the Board of Nursing, 3/18/2020

90-58, Bylaws of the Advisory Board on Massage Therapy, 11/14/2019

90-59, Impact of Criminal Convictions on Registration of Medication Aides and Licensure of Massage Therapists, 2/4/2021

90-61, Disposition of Cases against Nurse Aides and Medication Aides for Practicing on Expired Certificates or Registrations, 4/3/2019

90-62, Medication Administration Training Curriculum, 11/10/2022

90-63, Registered Nurses and Procedural Sedation, 7/8/2021

90-64, Telemedicine for Nurse Practitioners, 8/11/2021

110-8, Information on Prescriptive Authority in Virginia, 8/17/2021

110-18, Advance Preparation for Administration, 12/9/2019

### BOARD OF OPTOMETRY

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#### Guidance Documents:

105-1, Guidance on Telepractice in Optometry, 9/17/2020

105-9, Processing Licensure Applications, 9/16/2021

105-10, End of a Contact Lens Fitting, 10/27/2022

105-11, Cases Involving Practice With an Expired License, 5/12/2022

105-12, Continuing Education Audits and Sanctions, 4/3/2019

105-13, Free Eye Screenings, 10/27/2022

105-14, Bylaws of the Board of Optometry, 12/9/2021

105-26, Delegation of Informal Fact-Finding to an Agency Subordinate, 7/13/2018

105-28, Instruction Manual for Use of Sanction Reference Points, 7/20/2011

### BOARD OF PHARMACY

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#### Guidance Documents:

110-1, List of Categories of Facility Licenses and a Brief Description of Each, 11/25/2021

110-10, Dispensing Drugs from a Mobile Van, 6/21/2018

110-11, Proof of Identity for Schedule II Drugs, 6/21/2018

110-12, Bylaws of the Board of Pharmacy, 11/12/2020

110-13, Guidance on Use of Collaborative Agreements, 2/4/2021

110-14, Proximity of a School or Daycare to a Cannabis Dispensing Facility, 5/27/2021

110-15, Delegation of Authority for Disciplinary Action to the Executive Director of the Board, 2/6/2020

110-16, Performing Inventories, 8/6/2020

110-17, Instructions for Graduates of Foreign Schools of Pharmacy, 8/5/2021

110-18, Advance Preparation for Administration, 12/9/2019

110-19, Use of Automated Dispensing Devices in Certain Facilities, 11/25/2021

110-2, Instructions for Applicants for Pharmacist Licensure, 8/5/2021

110-20, Criminal Background Checks of Material Owners for Pharmaceutical Processors or Cannabis Dispensing Facilities, 10/27/2022

110-21, Sanction Reference Manual, 12/10/2018

110-22, Dispensing Records; Identification of Pharmacist, 8/6/2020

110-23, Inspection Deficiency Monetary Penalty Guide for Physicians Selling Drugs, 2/6/2020

110-24, Guidance for Setting North American Pharmacist Licensure Examination (NAPLEX) Passing Score, 6/21/2018

110-25, Guidance for Life of a Prescription After a Prescriber No Longer in Practice, 10/27/2022

110-26, Pharmacy Working Conditions, 5/12/2022

110-27, Pharmacist-in-Charge Responsibilities, 5/27/2021

110-28, Guidance for Free Clinic Pharmacy Permit Applicants, 12/18/2018

110-29, Guidance Document for Practitioners Dispensing, 2/4/2021

110-3, Guidance on Alternative Delivery of Prescriptions, Pharmacy to Physician or Pharmacy to Controlled Substance Registrant, 9/16/2021

110-4, Continuing Education Guide for Pharmacists, 3/18/2021

110-5, Instructions and Forms for Reporting of Thefts or Losses of Drugs, 11/25/2021

110-6, Guidance for Pharmacies within Opioid Treatment Programs, 10/27/2022

110-7, Practitioner-Patient Relationship and the Prescribing of Drugs for Family or Self, 8/17/2021

110-8, Information on Prescriptive Authority in Virginia, 8/17/2021

110-9, Pharmacy Inspection Deficiency Monetary Penalty Guide, 11/25/2021

110-30, Drugs within Animal Shelters, 11/25/2021

110-31, Approved Capture Drugs and Drug Administering Equipment, Directive from the State Veterinarian, 11/25/2021

110-32, Cannabis: Potential Drug Interactions, 8/4/2022

110-33, Pharmacy Interns as Pharmacy Technicians; Pharmacy Technician Ratio, 11/26/2022

110-34, Manufacturer and Wholesale Distributor License, 11/25/2021

110-35, Requirements for Prescriptions, 10/27/2022

110-36, Compliance with U.S. Pharmacopeia Standards for Compounding, 11/28/2019

110-37, Guidance for Conducting Informal Fact-Finding by an Agency Subordinate, 12/18/2018

110-38, Requirement for Non-Resident Pharmacies to Submit Inspection Report, 3/30/2021

110-39, Hours of Continuous Work and Breaks for Pharmacists, 2/4/2021

110-40, Guidance on Access to the Premises of a Pharmaceutical Processor by Contractor, 2/4/2021

110-41, Guidance on Emergency Medical Services Drug Kits, 11/25/2021

110-42, Continuing Education Audit and Recommended Sanctions, 2/3/2022

110-43, Dispensing With an Authorized Generic, 12/18/2018

110-44, Protocol for the Prescribing and Dispensing of Naloxone, 11/25/2021

110-46, Delivery of Dispensed Drugs, 12/11/2017

110-47, Provision of Counseling and Information by Pharmacists on Proper Drug Disposal, 3/29/2018

110-48, Verification Sources for a Pharmaceutical Processor, 8/6/2020

110-49, Credentials for Nonresident Pharmacy Dispensing Only for Animals, 8/6/2020

## BOARD OF PHYSICAL THERAPY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/physicaltherapy> or the Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at [ptboard@dhp.virginia.gov](mailto:ptboard@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Erin L. Barrett, Agency Regulatory Coordinator, at the address provided or by telephone at (804) 367-4688. Copies are free of charge.

### Guidance Documents:

112-1, Bylaws of the Board of Physical Therapy (PT), 10/3/2019

112-2, Confidential Consent Agreements, 5/25/2021

112-3, Guidance on Receipt of Verbal Orders for Medications by Physical Therapists, 10/3/2019

112-4, Licensure Requirement for Instructors in PT Educational Program, 5/1/2018

112-5, Credentialing and Test of English as a Foreign Language (TOEFL) Requirements for Physical Therapy Graduates of Non-Approved Schools, 9/30/2021

112-7, Guidance on PT in Public Schools and Direct Access, 2/15/2022

112-11, Functional Capacity Evaluations and Use of Aides in Home Care, 5/1/2018

112-12, Physical Therapy Services in Home Health, 5/1/2018

112-13, Approval of a Traineeship, 7/22/2021



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## Guidance Documents

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112-14, Electromyography (EMG) and Sharp Debridement in Practice of Physical Therapy, 5/1/2018

112-15, Supervision of Unlicensed Persons in Any Setting, 5/1/2018

112-16, Use of Initials after Name, 5/1/2018

112-17, Sanction Reference Manual, 11/11/2018

112-18, Discipline for Practicing With an Expired License, 5/1/2018

112-19, Performance of International Normalized Ratios by Physical Therapists in Home Health Settings, 5/1/2018

112-21, Telehealth for Physical Therapy, 1/21/2021

112-22, Procedures for Auditing Continued Competency Requirements, 11/13/2018

112-23, Processing Applications for Licensure, 1/9/2020

### BOARD OF PSYCHOLOGY

Copies of **the** following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at **the** offices of **the** Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from **the** board's webpage at <http://www.dhp.virginia.gov/psychology> or **the** Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at [psy@dhp.virginia.gov](mailto:psy@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Erin L. Barrett, Agency Regulatory Coordinator, at **the** address provided or by telephone at (804) 367-4688. Copies are free of charge.

#### Guidance Documents:

125-1, Accreditation Bodies Acceptable to **the** Board, 8/18/2022

125-2, Impact of Criminal Convictions, Impairment, and Past History on Licensure or Certification, 8/18/2022

125-3.1, Submission of Evidence of Completion of Graduate Work, 8/18/2022

125-3.8, Process for Delegating Informal Fact-Finding to an Agency Subordinate, 7/10/2018

125-3.9, Policy on **the** Use of Confidential Consent Agreements in Lieu of Disciplinary Action by **the** Board, 11/24/2022

125-5.1, Possible Disciplinary Action for Noncompliance with Continuing Education Requirements, 8/18/2022

125-5.2, Sanction Reference Manual, 9/30/2016

125-6, Bylaws, 5/12/2022

125-7, Electronic Communication and Telepsychology, 11/24/2022

125-8, Use of Assessment Titles and Signatures, 11/24/2022

125-10, Preparing for Expected and Unexpected Departures from **the** Operation of a Psychological Practice, 5/27/2021

125-11, Guidance Document on Psychologist Use of Social Media, 5/12/2022

### BOARD OF SOCIAL WORK

Copies of **the** following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at **the** offices of **the** Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from **the** board's webpage at <http://www.dhp.virginia.gov/social> or **the** Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at [socialwork@dhp.virginia.gov](mailto:socialwork@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Erin L. Barrett, Agency Regulatory Coordinator, at **the** address listed or by telephone at (804) 367-4688. Copies are free of charge.

#### Guidance Documents:

140-1, Confidential Consent Agreements, 11/24/2022

140-2, Impact of Criminal Convictions, Impairment, and Past History on Social Work Licensure in Virginia, 9/20/2019

140-3, Guidance on Technology-Assisted Therapy and **the** Use of Social Media, 12/7/2018

140-4.2, Possible Disciplinary or Alternative Actions in Response to Noncompliance with Continuing Education Requirements, 11/24/2022

140-5, Process for Delegation of Informal Fact-Finding to an Agency Subordinate, 6/15/2018

140-6, Bylaws for **the** Advisory Board on Music Therapy, 5/13/2021

140-7, Bylaws of **the** Board of Social Work, 8/4/2022

140-8, Sanction Reference Manual, 7/1/2016

140-9, Training for Supervisors, 5/14/2020

140-11, Disposition of Disciplinary Cases Involving Practicing on an Expired License, 9/20/2019

140-12, Policy on Conversion Therapy, 6/15/2019

140-13, Guidance on Emotional Support Animals, 9/16/2021

### BOARD OF VETERINARY MEDICINE

Copies of **the** following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at **the** offices of **the** Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from **the** board's webpage at <http://www.dhp.virginia.gov/vet> or **the** Virginia Regulatory

Town Hall at <http://www.townhall.virginia.gov> or requested by email at [vetbd@dhp.virginia.gov](mailto:vetbd@dhp.virginia.gov). Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Erin L. Barrett, Agency Regulatory Coordinator, at [the](#) address listed or by telephone at (804) 367-4688. Copies are free of charge.

### Guidance Documents:

150-1, Disposition of Cases Involving Applicants Practicing Veterinary Technology Prior to Licensure, 5/2/2019

150-3, Preceptorships and Externships for Veterinary Technicians, 3/11/2021

150-4, "Chip" Clinics Outside Approved Facilities, 12/23/2021

150-5, Use of Compounded Drugs in Veterinary Practices, 7/1/2018

150-7, Disposition of Cases Involving Failure of Veterinarian-in-Charge to Notify Board of Establishment Closure, 3/11/2021

150-8, Disposition of Cases Involving Practice on an Expire License or Permit, 12/8/2022

150-9, Content of a Medical Record, 12/8/2022

150-10, Allowances to Purchase, Possess, and Administer Drugs within an Animal Shelter, 12/23/2021

150-11, Continuing Education (CE) Audits and Sanctioning for Failure to Complete CE, 5/2/2019

150-12, Administration of Rabies Vaccine, 7/29/2021

150-13, Controlled Substances in Veterinary Practices, 5/13/2021

150-14, Process for Delegation of Informal Fact-Finding to an Agency Subordinate, 12/23/2021

150-15, Disposition of Routine Inspection Violations, 4/28/2022

150-16, Protocol for Loss or Theft of Drugs at a Veterinary Facility, 3/11/2021

150-17, Sanction Reference Points Instruction Manual, 6/1/2014

150-18, Bylaws of [the](#) Board of Veterinary Medicine, 9/30/2021

150-19, Delegation of Dental Polishing-Cleaning, 12/23/2021

150-2, Expanded Duties for Veterinary Technicians, 10/24/2017

150-20, Duties of Unlicensed Assistants, 12/23/2021

150-21, Frequently Asked Questions about Reporting to [the](#) Prescription Monitoring Program, 4/28/2022

150-22, Veterinarians and Wildlife Rehabilitators - Prescription Drugs, 12/23/2021

150-23, Disposal of Deceased Animals, 3/11/2021

150-24, Guidelines for Processing Applications for Licensure, 12/23/2021

150-25, Guidance for Telehealth in [the](#) Practice of Veterinary Medicine, 9/17/2020

150-26, Guidance on [the](#) Regulations for Veterinary Establishments, 5/13/2021

76-21.2:1, Inspection Report for Veterinary Establishments, 6/24/2021

### DEPARTMENT OF HISTORIC RESOURCES

Copies of these documents are available during regular work days from 8:30 a.m. until 4:30 p.m. in [the](#) main office of [the](#) Virginia Department of Historic Resources, 2801 Kensington Avenue, Richmond, VA 23221 or at any of its regional offices. Copying costs may apply for large orders or for documents that are out of print. Copies can be obtained by contacting [the](#) regional offices from staff coordinating [the](#) program covered by particular documents or from [the](#) agency archives manager, Quatro Hubbard, at [the](#) address provided, telephone (804) 482-6102, or FAX (804) 367-2391. Copies of guidance documents are also available on [the](#) Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov> and on [the](#) agency website.

Interpretation or implementation questions should be addressed to staff working in [the](#) appropriate program area. A staff listing by unit and program area can be found on [the](#) agency website at [http://www.dhr.virginia.gov/homepage\\_features/staff3.htm](http://www.dhr.virginia.gov/homepage_features/staff3.htm).

Regional office addresses and phone numbers are as follows ([the](#) Capital Regional Preservation Office is collocated at [the](#) central office address given): Agency forms, information in [the](#) documents listed, and [the](#) agency publication lists are also available on [the](#) agency website at <http://www.dhr.virginia.gov>.

Western Regional Preservation Office, Department of Historic Resources, 962 Kime Lane, Salem, VA, 24153, telephone (540) 387-5396.

Northern Regional Preservation Office, Department of Historic Resources, P.O. Box 519, 5357 Main Street, Stephens City, VA 22655 (send all mail inquiries to [the](#) P.O. Box), telephone (540) 868-7029.

### Guidance Documents:

#### Board of Historic Resources

4593, Virginia's Historical Registers: A Guide for Property Owners, 12/6/2017

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## Guidance Documents

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4594, Preliminary Information Form (PIF) for Archaeological Sites, 12/19/2022

4595, Preliminary Information Form (PIF) for Individual Properties, 12/19/2022

4596, Preliminary Information Form (PIF) for Historic Districts, 12/19/2022

4597, National Register of Historic Places Registration Form, 12/6/2017

4598, Notification and Public Participation Processes for National Register/Virginia Landmarks Register Nominations in Virginia, 12/19/2022

4599, Photographic Guidance for National Register Nominations in Virginia, 12/19/2022

4600, National Register/Virginia Landmarks Register Process as Managed by the VDHR, 12/17/2020

4601, Application to Propose Placement of New Virginia Historical Highway Marker, 12/19/2022

4636, Permit for Application for Archaeological Removal of Human Burial, 7/1/1998

7343, Historical Highway Marker Program Policies, 12/19/2022

7346, Multiple Property Documentation Proposal Form, 12/19/2022

### Department of Historic Resources

4629, Instructions to Apply For State and Federal Rehabilitation Tax Credits, 12/19/2022

4630, Historic Preservation Easement Program Policies (1 through 12), 12/19/2022

4631, DHR State Collections Management Standards, 12/11/2019

4632, Guidelines for Conducting Historic Resources Survey in Virginia, 9/1/2017

4634, Citizen Cemetery Recordation Form, 3/25/2011

4635, Eligible and Ineligible Expenses in Tax Credit Project, 4/1/2017

4637, Application for Archaeological Investigation on State Lands, 7/1/1998

4638, Cell Tower Review Submission Guidelines, 7/1/2010

4639, Guidelines for Assessing Visual Effects on Historic Properties, 6/30/2010

4640, Guidelines for Assessing Impacts of Proposed Electric Transmission Lines and Associated Facilities on Historic Resources in the Commonwealth of Virginia, 1/8/2010

4641, How to Apply for Designation as a Certified Local Government in Virginia, 12/28/2015

4642, Virginia Battlefield Preservation Fund Guidelines for Applications, Prioritization and Award of Grants, 12/21/2021

4643, Virginia Battlefield Preservation Fund Grants Application Form, 12/21/2021

5684, Easement Program Information Packet, 12/19/2022

6150, Audit Report for Rehabilitation Tax Credit program, 12/31/2016

6151, Agreed-Upon Procedures Report for Rehabilitation Tax Credit program, 12/31/2016

6152, Schedule of Rehabilitation Expenses, 12/31/2016

6153, Schedule of Construction Costs for Rehabilitation Tax Credit Program, 12/31/2016

6154, Certification Requirements for Rehabilitation Tax Credit Program, 12/31/2016

6155, Billing Statement for Rehabilitation Tax Credit program, 12/31/2016

6465, VDHR Certified Local Government Grants Manual, 12/19/2022

6466, Certified Local Government Subgrant Application Form FY2018-2019, 12/19/2022

6469, Easement Application Form, 12/19/2022

6470, Historic Preservation Easement Program Administrative Fees Billing Statement, 12/19/2022

6471, Historical African American Cemetery and Graves Fund Program Manual, 12/19/2022

6472, Historical African American Cemetery and Graves Fund Application Form, 12/19/2022

6473, Cemetery Fund Acknowledgement of Reporting Requirements, 12/21/2018

6474, Cemetery Fund Maintenance Agreement, 12/19/2022

6737, State Funds for Historic Preservation Grant Application, 12/11/2019

6738, State Funds for Historic Preservation Grant Agreement, 12/11/2019

6928, Easement Amendment Application Form, 12/19/2022

7340, Easement Reconsideration Application Form, 12/19/2022

7341, Easement Reconsideration Application Form, 12/19/2022

## DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Copies of **the** following documents may be viewed during regular workdays from 8:30 a.m. until 5 p.m. at **the** Department of Housing and Community Development, 600 East Main, Suite 300, Richmond, Virginia 23219, <http://www.dhcd.virginia.gov>. Copies may be obtained at agency cost by contacting Kyle Flanders at **the** same address or by telephone (804) 786-6761 or on **the** Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>.

Questions regarding interpretation or implementation of these documents may be directed to Kyle Flanders at **the** address or telephone number provided or by email at [kyle.flanders@dhcd.virginia.gov](mailto:kyle.flanders@dhcd.virginia.gov).

### Guidance Documents:

#### Department of Housing and Community Development

5890, Indoor Plumbing Rehabilitation Program Manual, 10/1/2018

5892, Vibrant Community Initiative, 10/1/2017

6086, Virginia Telecommunications Initiative Program Guidelines and Criteria, 6/25/2022

7037, Utility Leverage Program Unserved Certification Guidelines, 12/9/2021

7111, Virginia Small Business Resiliency Fund: Program Guidelines and Instruction Manual, 11/25/2021

7119, Virginia Broadband Availability Map Internet Service Provider Service Territory Data Submission Guidelines, 12/24/2022

#### Board of Housing and Community Development

5884, Job Creation Grant Instruction Manual, 3/5/2022

5885, Real Property Investment Grant Instruction Manual, 3/5/2022

5886, Certified Public Accountant Agreed-Upon Procedures Instruction Manual, 3/5/2022

5887, Local Zone Administrator's Management Manual, 1/25/2020

5902, Continuing Education Policy Applicable to **the** Board of Housing and Community Development Certified Code Enforcement Personnel, 10/1/2012

5903, Affordable and Special Needs Housing - Consolidated Application Program Guidelines, 1/9/2021

5906, Virginia Homeless and Special Needs Housing Funding Guidelines, 4/2/2022

## Commission on Local Government

CLG - ANNEX, Commission on Local Government: Municipal Annexation, 12/6/2017

CLG - ANNEX AGR, Commission on Local Government: Agreements Defining Annexation Rights, 12/6/2017

CLG - ANNUL, Commission on Local Government: Annulment of Town Charter, 12/6/2017

CLG - BOUND ADJ AGR, Commission on Local Government: Boundary Adjustments by Agreement, 12/6/2017

CLG - CITY REVERS, Commission on Local Government: Reversion from City to Town Status, 12/6/2017

CLG - CONSOLIDATION, Commission on Local Government: Consolidation of Two or More Units of Local Government, 12/6/2017

CLG - TOWN INC, Commission on Local Government: Town Incorporation, 12/6/2017

CLG - VSA, Commission on Local Government: Voluntary Settlement Agreements, 12/6/2017

## VIRGINIA HOUSING DEVELOPMENT AUTHORITY

Copies of **the** following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in **the** offices of **the** Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, VA 23220. Copies may be obtained free of charge by contacting Fred Bryant at **the** same address or by telephone at (804) 343-5837. All of these documents are available for no charge on **the** Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov>.

Questions regarding interpretation or implementations of these documents may be directed to Fred Bryant at **the** address or telephone number provided.

### Guidance Documents:

4368, Multi-Family Development Policy and Procedures Manual, 12/20/2016

5361, Homeownership Originations Guide, 12/1/2022

5365, Homeownership Originations Policies Manual, 12/7/2020

5629, Homebuyer Handbook, 4/30/2020

5630, Homebuyer Handbook - Spanish Version, 7/30/2020

5634, Compliance and Asset Management Operations Manual, 12/3/2018

5632, Housing Choice Voucher Program Administrative Manual, 1/3/2022

5633, Low-Income Housing **Tax** Credit Manual, 1/3/2022



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## Guidance Documents

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[5932, Mortgage Credit Certificates \(MCC\) Program Guide, 12/1/2022](#)

[7126, Virginia Homeowner Assistance Fund Plan, 3/1/2022](#)

[7127, Virginia Mortgage Relief Consolidated Term Sheet-English, 6/30/2022](#)

[7386, Virginia Homeowner Assistance Fund Plan-Spanish, 3/1/2022](#)

[7387, Virginia Mortgage Relief Consolidated Term Sheet-Spanish, 6/30/2022](#)

### DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

Copies of **the** following documents may be viewed during regular workdays from 8:30 a.m. until 4:30 p.m. in **the** Office of Health Benefits, James Monroe Building, 101 North 14th Street, 13th Floor, Richmond, VA 23219. Copies may be obtained by contacting Barbara Owens at **the** same address, or by telephone at (804) 786-4045, FAX (804) 371-0231, or by email at [barbara.owens@dhrm.virginia.gov](mailto:barbara.owens@dhrm.virginia.gov). Unless otherwise noted, copies are available at no charge. Questions regarding interpretation or implementation of these documents may be directed to Barbara Owens.

#### Guidance Documents:

[6506, COVA Care Member Handbook, 7/1/2016](#)

[6507, COVA Care Member Handbook Amendment, 7/1/2018](#)

[6508, COVA Care Member Handbook Amendment, 7/1/2017](#)

[6509, COVA HDHP Member Handbook, 7/1/2017](#)

[6510, COVA HDHP Member Handbook Amendment, 7/1/2018](#)

[6511, COVA HealthAware Member Handbook, 7/1/2016](#)

[6512, COVA HealthAware Member Handbook Amendment, 7/1/2018](#)

[6513, COVA HealthAware Member Handbook Amendment, 7/1/2017](#)

[6514, Flexible Spending Account Sourcebook, 7/1/2022](#)

[6515, Line of Duty Act \(LODA\) Plan - Current LODA Employment, 7/1/2017](#)

[6516, Line of Duty Act \(LODA\) Plan - Former LODA Employment, 7/1/2017](#)

[6518, Line of Duty Act \(LODA\) Health Benefits Plan - Medicare Primary Summary Plan Description, 7/1/2017](#)

[6519, Medicare-Coordinating Plans Member Handbook, 1/1/2020](#)

[6520, Medicare-Coordinating Plans Member Handbook Amendment, 1/1/2017](#)

[6521, Medicare-Coordinating Plans Dental/Vision Member Handbook Insert, 1/1/2021](#)

[6522, Medicare-Coordinating Plans Prescription Drug Member Handbook Insert, 1/1/2021](#)

[6523, Human Resource Policy Manual, 10/1/2014](#)

[6524, Employee Recognition Program Handbook, 2/1/2019](#)

[6525, Employee Handbook, 10/1/2014](#)

[6526, Handbook for Agency Heads, 2/1/2014](#)

[6527, FAQs - Work Hours Limitation for Wage Employees, 4/1/2013](#)

[6528, Human Resource Management Manual, 7/1/2003](#)

[6542, Mental Health Crisis Guides for \*\*the\*\* Workplace, 1/1/2015](#)

[6543, Workers' Compensation Agency Manual, 12/1/2021](#)

[6544, Grievance Procedure Manual, 7/1/2020](#)

[6545, Rules for Conducting Grievance Hearings, 7/1/2020](#)

[6546, Hearings Program Administration Policy, 7/1/2020](#)

[6547, Office of Equal Employment and Dispute Resolution Publication Policy, 1/1/2017](#)

[6548, Basic Skills for Presenting Your Case at Hearing, 7/1/2020](#)

[6549, Grievance Frequently Asked Questions, 9/1/2019](#)

[6550, Workplace Mediation Program Guidelines, 3/1/2019](#)

[6551, Agency Workplace Mediation Coordinator Roles and Duties, 3/1/2019](#)

[6552, Tips for Successful Mediation Participation, 3/1/2019](#)

[6553, Information about \*\*the\*\* Mediation Process, 7/1/2017](#)

[6554, Workplace Conflict Consultation Program Guidelines, 1/1/2016](#)

[6556, 2018 \*\*The\*\* Local Choice Key Advantage Member Handbook, 7/1/2018](#)

[7393, COVA Care Member Handbook, 7/1/2020](#)

[7394, COVA Care Member Handbook Amendment, 1/1/2021](#)

[7395, COVA Care Member Handbook Amendment, 1/1/2022](#)

[7396, COVA HDHP Member Handbook, 7/1/2020](#)

[7397, COVA HDHP Member Handbook Amendment, 1/1/2021](#)

[7398, COVA HDHP Member Handbook Amendment, 1/1/2022](#)

[7399, COVA HDHP Member Handbook Amendment, 7/1/2019](#)

- 7400, COVA HealthAware Member Handbook, 7/1/2019
- 7401, COVA HealthAware Member Handbook Amendment, 1/1/2021
- 7402, COVA HealthAware Member Handbook Amendment, 7/1/2020
- 7403, Flexible Spending Account (FSA) Sourcebook, 7/1/2021
- 7404, Flexible Spending Account (FSA) Sourcebook, 7/1/2020
- 7406, Line of Duty Act (LODA) Plan - Annual Benefit Update - Grandfathered Participants, 7/1/2018
- 7407, Line of Duty Act (LODA) Plan - Annual Benefit Update - Non-Grandfathered Participants, 7/1/2018
- 7408, Line of Duty Act (LODA) Plan - 2019 Benefits at a Glance, 7/1/2019
- 7409, Line of Duty Act (LODA) Plan - Annual Benefit Update - Grandfathered Participants, 7/1/2019
- 7410, Line of Duty Act (LODA) Plan - Annual Benefit Update - Non-Grandfathered Participants, 7/1/2019
- 7411, Line of Duty Act (LODA) Plan - 2020 Benefits at a Glance, 7/1/2020
- 7412, Line of Duty Act (LODA) Plan - Annual Benefit Update - Grandfathered Participants, 7/1/2020
- 7413, Line of Duty Act (LODA) Plan - Annual Benefit Update - Non-Grandfathered Participants, 7/1/2020
- 7414, Line of Duty Act (LODA) Plan - 2021 Benefits at a Glance, 7/1/2021
- 7415, Line of Duty Act (LODA) Plan - Annual Benefit Update - Grandfathered Participants, 7/1/2021
- 7416, Line of Duty Act (LODA) Plan - Annual Benefit Update - Non-Grandfathered Participants, 7/1/2021
- 7417, Line of Duty Act (LODA) Plan - 2022 Benefits at a Glance, 7/1/2022
- 7418, Line of Duty Act (LODA) Plan - Annual Benefit Update - Grandfathered Participants, 7/1/2022
- 7419, Line of Duty Act (LODA) Plan - Annual Benefit Update - Non-Grandfathered Participants, 7/1/2022
- 7420, Line of Duty Act (LODA) Plan - Former LODA Employment - Summary Plan Description, 7/1/2017
- 7421, Line of Duty Act (LODA) Plan - Former LODA Employment - Summary of Material Modifications, 7/1/2018
- 7422, Line of Duty Act (LODA) Plan - Current Employment - Summary Plan Description, 7/1/2017
- 7423, Line of Duty Act (LODA) Plan - Current Employment - Material Modifications, 7/1/2018
- 7424, Medicare-Coordinating Plans Member Handbook Amendment, 1/1/2016
- 7425, Medicare Prescription Plan - 2023 Evidence of Coverage - Express Scripts, 1/1/2023
- 7426, Medicare Prescription Plan - 2023 Express Scripts Formulary, 1/1/2023
- 7427, Medicare Prescription Plan - 2022 Evidence of Coverage - Express Scripts, 1/1/2022
- 7428, Medicare Prescription Plan - 2022 Express Scripts Formulary, 1/1/2022
- 7429, 2021 **The** Local Choice Key Advantage Expanded Benefits Summary Insert, 7/1/2021
- 7430, 2021 **The** Local Choice Key Advantage 250 Benefits Summary Insert, 7/1/2021
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#### **VIRGINIA INDIGENT DEFENSE COMMISSION**

Copies of the following documents may be viewed on regular work days from 8 a.m. until 5 p.m. in the office of the Virginia Indigent Defense Commission, 1604 Santa Rosa Road, Suite 200, Richmond, VA 23229. Free copies may be accessed and downloaded from the commission's website at <http://www.indigentdefense.virginia.gov>.

Questions regarding interpretation and implementation of these documents may be directed to William Efird at email [wefird@vadefenders.org](mailto:wefird@vadefenders.org).

#### **Guidance Documents:**

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#### **VIRGINIA INFORMATION TECHNOLOGIES AGENCY**

The Virginia Information Technologies Agency (VITA) produces policies, standards, and guidelines in furtherance of VITA's statutory responsibilities. VITA has no regulations. Copies of VITA guidance documents may be obtained free of charge from the Virginia Regulatory Town Hall website. Copies of other VITA documents may be obtained free of charge from VITA's website at <https://www.vita.virginia.gov/>. VITA documents may also be requested by writing to [foia@vita.virginia.gov](mailto:foia@vita.virginia.gov).

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# Guidance Documents

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## OFFICE OF STATE INSPECTOR GENERAL

Copies of [the](#) following documents may be viewed or obtained on regular work days from 8:30 a.m. until 5 p.m. at [the](#) Office of [the](#) State Inspector General, James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, VA 23219, telephone (804) 625-3255, or FAX (804) 786-2341. There are no costs associated with obtaining printed copies of [the](#) documents listed. These documents may be viewed using [the](#) links provided.

Questions regarding obtaining copies, interpretation, or implementation of these documents may be directed to Kate Hourin, Communications Director, telephone (804) 625-3276, or email [kate.hourin@osig.virginia.gov](mailto:kate.hourin@osig.virginia.gov).

### Guidance Documents:

[AuditGD2014, Oversight of State and Specific Nonstate Agencies' Internal Audit Programs, 3/16/2015](#)

[HotlineGD2021, State Fraud, Waste, and Abuse Hotline Policies and Procedures Manual, 7/1/2021](#)

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[WhistleBlowerGD2021, \[The\]\(#\) Fraud and Abuse Whistle Blower Protection Act Policies and Procedures Manual, 7/1/2021](#)

## JAMES MADISON UNIVERSITY

Copies of [the](#) following documents are available by contacting [the](#) Office of University Counsel at James Madison University during regular business hours. University Counsel can be reached at MSC 7811, 830 Madison Drive, Harrisonburg, VA 22807, telephone (540) 568-5242. All of [the](#) documents are also available at [www.jmu.edu](http://www.jmu.edu) and may be viewed using [the](#) links provided.

### Guidance Document:

[7316, James Madison University Guidance Documents 2022, 12/16/2022](#)

## JAMESTOWN-YORKTOWN FOUNDATION

[The](#) Jamestown-Yorktown Foundation Bylaws may be viewed on regular workdays between [the](#) hours of 9 a.m. and 5 p.m. at [the](#) Jamestown-Yorktown Foundation, 2110 Jamestown Road, Williamsburg, Virginia. Copies may be obtained free of charge by contacting [the](#) executive office at [the](#) same address, telephone (757) 253-4840, or email [lisa.lucas@jyf.virginia.gov](mailto:lisa.lucas@jyf.virginia.gov). Questions regarding interpretation or implementation of [the](#) document may be directed to Lisa Lucas, Executive Office Manager, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4463, or email [lisa.lucas@jyf.virginia.gov](mailto:lisa.lucas@jyf.virginia.gov).

## Guidance Documents:

Jamestown-Yorktown Foundation Bylaws: available upon request.

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## DEPARTMENT OF JUVENILE JUSTICE

Please address any questions concerning [the](#) guidance document list to Ken Davis at email [kenneth.davis@djj.virginia.gov](mailto:kenneth.davis@djj.virginia.gov).

### Certification

Copies of [the](#) following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in [the](#) Policy Division of [the](#) Department of Juvenile Justice, 600 East Main Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Kenneth E. Bailey, Certification Unit, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 516-9491 or FAX (804) 371-6490 or email [kenneth.e.bailey@djj.virginia.gov](mailto:kenneth.e.bailey@djj.virginia.gov).

Questions regarding interpretation or implementation of these documents may be directed to Kenneth E. Bailey, Certification Unit, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 516-9491 or FAX (804) 371-6490 or email [kenneth.e.bailey@djj.virginia.gov](mailto:kenneth.e.bailey@djj.virginia.gov).

### Guidance Documents:

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### Design and Construction of Juvenile Facilities

Copies of [the](#) following documents may be viewed during regular work hours from 8:30 a.m. until 5 p.m. in [the](#) Capital Outlay Office of [the](#) Department of Juvenile Justice, 600 East Main Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Andrea McMahon, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3905, or email [andrea.mcmahon@djj.virginia.gov](mailto:andrea.mcmahon@djj.virginia.gov).

Questions regarding interpretation or implementation of this document may be directed to Andrea McMahon, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3905, or email [andrea.mcmahon@djj.virginia.gov](mailto:andrea.mcmahon@djj.virginia.gov).

### Guidance Documents:

Virginia Department of Juvenile Justice Guidelines for Minimum Standards in Design and Construction of Juvenile Facilities, revised January 10, 2001, § 16.1-309.5

(NOTE: This document is also included in [the](#) Step-by-Step Procedures for Approval and Reimbursement for Local Facility Construction, Enlargement and Renovation, which may be obtained from Andrea McMahon, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3905, or email [andrea.mcmahon@djj.virginia.gov](mailto:andrea.mcmahon@djj.virginia.gov)).

### Training Standards

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### Guidance Documents:

Guidance Document Interpreting 6VAC35-170, Review and Approval of Data Requests and Research Proposals, created 2021

Confidentiality Agreement Form, revised 2021

Research Agreement, revised 2021

Research Proposal Summary Form, revised 2021

### DEPARTMENT OF LABOR AND INDUSTRY

Copies of these guidance documents may be viewed during regular workdays from 8:30 a.m. until 4:30 p.m. at [the](#) Virginia Department of Labor and Industry, Main Street Center, 600 East Main Street, Suite 207, Richmond, VA 23219, or at any of [the](#) department's regional offices.

For questions regarding guidance documents used by [the](#) Virginia Department of Labor and Industry, contact [the](#) following:

Boiler and Pressure Vessel Safety - Timothy Bagrowski, telephone (804) 786-2389, or email [timothy.bagrowski@doli.virginia.gov](mailto:timothy.bagrowski@doli.virginia.gov).

Cooperative Programs - Jennifer Rose, telephone (804) 786-7776, or email [jennifer.rose@doli.virginia.gov](mailto:jennifer.rose@doli.virginia.gov).

Labor and Employment Law - Division of Labor and Employment Law, telephone (804) 786-0574, or email [laborlaw@doli.virginia.gov](mailto:laborlaw@doli.virginia.gov).

Occupational Health - Ron Graham, telephone (804) 786-0574, or email [ron.graham@doli.virginia.gov](mailto:ron.graham@doli.virginia.gov).

Occupational Safety - Marta Fernandes, telephone (804) 786-2316, or email [marta.fernandes@doli.virginia.gov](mailto:marta.fernandes@doli.virginia.gov).

Registered Apprenticeship - Kathleen Eddington, telephone (804) 786-2382, or email [kathleen.eddington@doli.virginia.gov](mailto:kathleen.eddington@doli.virginia.gov).

Virginia Occupational Safety and Health (VOSH) Program - for copies of documents, Cristin Bernhardt, telephone (804) 786-2392, or email [cristin.bernhardt@doli.virginia.gov](mailto:cristin.bernhardt@doli.virginia.gov).

Voluntary Protection Program - Milford Stern, telephone (540) 562-3580, or email [milford.stern@doli.virginia.gov](mailto:milford.stern@doli.virginia.gov).

### Guidance Documents:

#### Apprenticeship Council

APP - 01, [Bylaws of the Virginia Apprenticeship Council](#), 3/18/2021

APP - 02, [State Apprenticeship Standards for Cosmetology, Barbering, and Nail Technology Consisting of Minimum Standards for Apprenticeship](#), 6/12/2018

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APP - 17, Apprenticeship Directive 03-09, Progressive Wage Policy, 3/20/2003

APP - 18, Commonwealth of Virginia Registered Apprenticeship Field Operation Manual, 9/30/2013

APP - 19, Minimum Standards for Apprenticeship, 7/1/2018

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APP-21, Youth Registered Apprenticeship Overview, 2/21/2019

APP-22, Virginia Esthetics and Master Esthetics Apprenticeship Standards, 6/12/2018

### Department of Labor and Industry

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LEL - 02, Division of Labor and Employment Law Field Operations Manual - Chapter 2 Use of Polygraphs in Certain Employment Situations, 10/30/2007

LEL - 03, Division of Labor and Employment Law Field Operations Manual - Chapter 3 Equal Pay, 1/20/2000

LEL - 04, Division of Labor and Employment Law Field Operations Manual - Chapter 4 Prevention of Employment, 1/30/2000

LEL - 05, Division of Labor and Employment Law Field Operations Manual - Chapter 5 Payment of Medical Exams as a Condition of Employment, 1/30/2000

LEL - 06, Division of Labor and Employment Law Field Operations Manual - Chapter 6 Right to Work, 3/1/2010

LEL - 07, Division of Labor and Employment Law Field Operations Manual - Chapter 7 Garnishment, 7/30/2009

LEL - 09, Division of Labor and Employment Law Field Operations Manual - Chapter 9 Child Labor, 8/9/2017

LEL - 10, Division of Labor and Employment Law Field Operations Manual - Chapter 10 Payment of Wage, 5/12/2022

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LEL - 12, Administrative Subpoenas Issued in Accordance with Virginia Code, 4/30/2015

LEL - 13, Requesting Employment Records in Wage Claim Investigations, 5/2/2016

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01-004SR, Responsibilities of the Central and Regional Office Directors and Managers, 5/1/2000

01-008, Statewide Settlement Agreements, 3/1/1996

01-009A, Citation Policy for Paperwork and Written Program Requirement Violations, 10/15/2007

01-010, Local Emphasis Programs: Development and Approval of Special Targeting Activities, 2/15/2014

01-015A, State Plan Policies and Procedures Manual (Through CH-5), 3/1/1996

01-017, Expedited Informal Settlement Agreement (EISA) Program, 3/1/2005

01-019, State Emphasis Programs: Development, Approval, Adoption, and Evaluation, 6/15/2018

01-020, Occupational Safety and Health Administration (OSHA) Support of National Institute for Occupational Safety and Health (NIOSH) Fatality Assessment and Control Evaluation (FACE) Program, 3/1/2005

02-003W, Virginia Occupational Safety and Health (VOSH) Procedures to Comply with OSHA Enforcement Exemptions and Limitations under the Federal Appropriations Act, OSHA Instruction Compliance Directives (CPL) 02-00-051 (formerly CPL 2-0.51J); Appendix, 9/15/2022

02-004A, Collection of OSHA-300 Log Data, 2/15/2004

02-006B, Abatement Verification Regulation, § 307 of the VOSH Administrative Regulations Manual (ARM) - Enforcement Policies and Procedures, 1/1/2010

- 02-009B, Prison Inmate Form Letter, 1/15/2014
- 02-010, Information to be Included in Closing Conferences, 8/15/1993
- 02-011, Temporary Help Supply Services Used by Employers, 10/1/1993
- 02-013, Compliance Policy for Emergency Action Plans and Fire Prevention Plans, 4/1/2003
- 02-016, Safety and Health Information Bulletins, 2/15/2004
- 02-020, VOSH Response to Significant Events of Potentially Catastrophic Consequence, 1/15/1994
- 02-021, Interpretative Rule Addressing OSHA's Policy on Employee Rescue Efforts, 29 CFR 1903.14, 8/15/1995
- 02-022A, 29 CFR 1913.10, Rules of Agency Practice and Procedure Concerning OSHA Access to Employee Medical Records, 11/1/2009
- 02-023, Citation and Information Management Information Systems (IMIS) Guidance for the Administrative Regulations Manual (ARM), 8/15/2009
- 02-024A, Severe Violator Enforcement Program (SVEP), 9/1/2013
- 02-026, Misclassification of Employees in VOSH Cases, 7/1/2017
- 02-028A, State and Local Government Penalties, 9/19/2019
- 02-032, Guidelines for Implementing the Field Sanitation Standard, § 1928.110, 4/15/1993
- 02-050A, General Schedule Inspection Errors: Guidance for Inspection of Establishments, 12/15/2013
- 02-053C, Procedures for Photographs, Audio and Video Recordings Taken During VOSH Inspections or Investigations, 8/15/2011
- 02-054A, Process Safety Management of Highly Hazardous Chemicals, 1910.119 – Inspection Procedures and Interpretive Guidance, 8/1/1999
- 02-060B, Inspection Procedures for the Hazard Communication Standard, 1910.1200, 1915.99, 1917.28, 1918.90, 1926.59 and 1928.21, 2/1/2016
- 02-061, Citation Policy Regarding 29 CFR 1926.20, 29 CFR 1926.21, and Related General Safety and Health Provisions, 4/4/1988
- 02-062A, Application of the Permit-Required Confined Spaces (PRCS) Standards, § 1910.146, 4/1/2003
- 02-064A, Procedure for Handling Issuance of Citations to VDOT, 12/15/2007
- 02-065C, Virginia Construction and Telecommunications Industries Confined Space Standard Procedures and Interpretations Manual, CNSP 146 and 1910.268 (t), 6/1/2018
- 02-067D, Overhead High Voltage Line Safety Inspection Procedures and Interpretations, 5/1/2018
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- 02-105A, Inspection Scheduling for Construction, 1/15/2014
- 02-106, Nursing and Residential Care Facilities, Inspection Procedures, 6/1/2013
- 02-110, VOSH Enforcement Policy for New Reporting Requirements under Virginia Code § 40.1-51.1 D and 16VAC25-85-1904, 7/1/2017
- 02-206A, Inspection of Grain Handling Facilities, § 1910.272, 11/15/1998
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VOSH VPP - 1, Virginia Voluntary Protection Program (VPP) Policy and Procedures Manual, 4/1/2005

VOSH VPP- 2, Temporary Policy Revisions to VOSH's Voluntary Protection Programs (VPP) During the COVID-19 Pandemic, 10/7/2020

### BOARD OF LOCAL AND REGIONAL JAILS

Copies of guidance documents may be viewed at Virginia Department of Corrections Headquarters during normal business hours (8 am to 5 pm, Monday through Friday). The office is located at 6900 Atmore Drive, Richmond, VA 23225.

Copies of guidance documents may be obtained, at a cost of \$.10 per page, by contacting Colleen Maxwell, Department of Corrections, Regulatory Coordinator at the address provided, telephone (804) 887-8445, or email [colleen.maxwell@vadoc.virginia.gov](mailto:colleen.maxwell@vadoc.virginia.gov). Interpretive or implementation questions may be obtained from the same contact.

Guidance documents may also be viewed and printed, at no cost, at the Virginia Regulatory Town Hall at <https://www.townhall.gov>.

#### Guidance Documents:

BOC Policy 10-1, Board of Local and Regional Jails Policy Process, 6/1/2013

BOC Policy 10-2, Board of Local and Regional Jails Regulations, 6/1/2013

BOC Policy 20-13, Offender Co-Payment Program for Health Care Services, 1/1/2012

BOC Policy 20-14, Offender Health Records, 1/1/2012

BOC Policy 30-1, Local Correctional Facility Standards, 6/1/2013

BOC Policy 30-2, Furlough, Work, Educational and Rehabilitative Releases from Local Correctional Facilities, 6/1/2013

BOC Policy 30-3, Review of Death of Inmates in Local Correctional Facilities, 10/1/2017

BOC Policy 30-6, Cost of Maintenance of Jails, 6/1/2013

Compliance Jail 2015, Compliance Documentation for Jails effective 1/1/15 audits, 11/10/2014

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### MARINE RESOURCES COMMISSION

Documents are available on the Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov>. Attached is the guidance document list from the Marine Resources Commission. Please address any questions concerning the attached list to Jennifer Farmer, [jennifer.farmer@mrc.virginia.gov](mailto:jennifer.farmer@mrc.virginia.gov).

Questions regarding interpretation or implementation of habitat documents may be directed to Randy Owen, Chief, Habitat Division, Marine Resources Commission, Fort Monroe, VA 23651, telephone (757) 247-2251, or FAX (757) 247-8062.

Questions regarding interpretation or implementation of law-enforcement documents may be directed to Colonel Matthew Rogers, Chief, Law Enforcement Division, Marine Resources Commission, Fort Monroe, VA 23651, telephone (757) 247-2278, or FAX (757) 247-2020.

#### Guidance Documents:

4582, Rent and Royalty Guidelines, 12/1/2005

4583, Resolution by the VMRC Citizen Board Interpreting Code § 28.2-1203 a 5 (iv) and Delegating Authority to make the Determination Called for by Code § 28.2-1203 a 5 (iv), 12/6/2011

4584, Coastal Primary Sand Dune/Beaches Guidelines, 10/1/1990

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4586, Subaqueous Guidelines, 10/1/2005

4587, Wetlands Guidelines, 5/1/2021

4588, Guidelines on Repeat Offenders - Appendix A, 8/22/2017

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6943, Submerged Aquatic Vegetation (SAV) Guidance, 7/22/2017

7101, Oyster Planting Ground Lease Renewal Guidance Document, 4/1/2021

Revocation Orders, Guidelines on the Scope of License and Privilege Revocation Orders Issued Under Virginia Code § 28.2-232, 7/27/2016

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

To obtain copies of the 2022 agency guidance document list, contact Meredith Lee, Policy, Regulations, and Manuals Supervisor, Division of Policy, Regulation, and Member Engagement, Department of Medical Assistance Services, 600 East Broad Street, Richmond, VA 23219, email [meredith.lee@dmass.virginia.gov](mailto:meredith.lee@dmass.virginia.gov), telephone (804) 371-0552.

Agency guidance documents are available on the Virginia Regulatory Town Hall at no charge at <https://www.townhall.virginia.gov>. The documents are also available electronically, for no cost on the DMAS website. Go to the following website <https://vamedicaid.dmass.virginia.gov/> and click on "Providers". Then select "Memos/Bulletins Library", under the Provider Menu on the left. The Memos and Bulletins are listed by year, on the right, or use the "Search Terms" bar to find specific Memos or Bulletins. Also from website <https://vamedicaid.dmass.virginia.gov/> click on "Providers". Then select "Manual Library", under the Provider Menu on the left. The Provider Manuals are listed in alphabetical order.

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5765, Alzheimer's Assisted Living Waiver Manual, 6/22/2015

5766, Baby Care Manual, 6/22/2015

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5768, Community Mental Health-Rehab Services Manual, 6/22/2015

5769, Dental Manual, 6/22/2015

5770, Durable Medical Equipment and Supplies Manual, 6/22/2015

5771, Elderly or Disabled with Consumer Directed Services, 6/22/2015

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5773, Early Periodic Screening Diagnosis and Treatment (EPSDT) Manual, 6/22/2015

5774, GAP Manual, 6/22/2015

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5784, Prosthetic Devices Manual, 6/22/2015

5785, Pre-Admission Screening Manual, 6/22/2015

5787, Pharmacy Manual, 6/22/2015

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5795, Transportation Manual, 6/22/2015

5796, Vision Services Manual, 6/22/2015

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6274, Medicaid Memos 2017, 12/4/2017

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- 6726, Authorization of Personal Assistance Services in the Developmental Disability Waiver, 9/4/2019
- 6729, VA Smiles for Children - ORM Updates Effective January 1, 2020, 1/1/2020
- 6861, Virginia Informed Choice Form, 8/20/2020
- 6862, Community Housing Guide: Housing Road Map, 8/20/2020
- 6863, Community Housing Guide: Tenant Screening Form, 8/20/2020
- 6865, Changes to the Service Delivery Hour Requirements for Addiction and Recovery Treatment Services (ARTS) Intensive Outpatient Services (IOPs): Effective March 5, 2020, 7/23/2020
- 6866, Availability of Physician Training for Medicaid Long Term Services and Supports Screening, 5/14/2020
- 6867, Substance Use-Disorder Prevention That Promotes Opioid Recovery and Treatment for Patients and Communities (SUPPORT) Act Established Medicare Part B Benefit for Opioid Use Disorder Treatment Services by Opioid Treatment Programs Effective January 1, 2020-REVISED, 4/30/2020
- 6868, SUPPORT Act Established Medicare Part B Benefit for Opioid Use Disorder Treatment Services by Opioid Treatment Programs, Effective January 1, 2020, 3/5/2020
- 6869, Revisions to Commonwealth Coordinated Care (CCC) Plus Service Authorization Requirements, 1/23/2020
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- 6871, 2019 Update Regarding DMAS Coverage of Telemedicine and Telehealth, 10/3/2019
- 6872, DMAS Recognition of Certified Substance Abuse Counselor Supervisees, 9/18/2019
- 6873, Authorization of Personal Assistance Services in the Developmental Disability Waiver, 9/18/2019
- 6877, Retroactive Billing for Addiction and Recovery Treatment Services (ARTS) Effective July 1, 2020, 9/3/2020
- 6901, Patient Driven Payment Model (PDPM) Data Collection Effective 10/17/2020, 11/12/2020
- 6953, Information Regarding Contract Requirements for Medicaid Managed Care Organizations, 1/21/2021
- 6954, Information Regarding DMAS Client Appeals (State Fair Hearing), 1/21/2021
- 6987, Allowance of Preferred Office-Based Opioid Treatment (OBOT) Services Delivery via Mobile Units, 4/29/2021
- 6988, Information Regarding Department of Medical Assistance Services (DMAS) Client Appeals (State Fair Hearing), 4/29/2021
- 6989, ARTS Guidance for Hospitals, 2/18/2021
- 7003, Draft: Dental Coverage for Medicaid Enrolled Adults (21 years of age and older) Effective July 1, 2021, 6/10/2021
- 7010, Draft Memo: Durable Medical Equipment and Supplies Rate Floor, 6/24/2021
- 7011, Employment and Community Transportation (ECT), 4/29/2021
- 7024, Practice Guidelines for Behavior Support Plans, 6/24/2021
- 7025, Draft: Funding for Psychiatric Residential Treatment Facilities (PRTF) Placements, 7/8/2021
- 7026, DMAS-600 Form, 7/8/2021
- 7027, Transfer of CSA Jurisdiction for Medicaid, 7/8/2021
- 7059, Allowance of Licensed School Psychologists as Outpatient Psychiatric Services Providers, 8/19/2021
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- 7117, Draft: One-time COVID-19 Support Payment for Attendant/Aides, 12/9/2021
- 7118, Coverage of Additional COVID Vaccine Dose for Certain Immunocompromised Individuals, 10/14/2021
- 7124, Medicaid Memos/Bulletins and Provider Manuals 2021, 12/23/2021
- 7162, Developmental Disability (DD) Waivers - Grid of Compatible and Incompatible Services, 2/3/2022
- 7163, DD Waiver - Customized Rate - Provider Guidelines, 1/6/2022
- 7165, Medicaid Memos/Bulletins and Provider Manuals 2021, 3/2/2022
- 7212, Draft: Virginia Medicaid Preferred Drug List / Common Core Formulary Changes, 90 Day Supply List Changes, and Drug Utilization Review Board Approved Drug Service Authorizations, 6/23/2022
- 7272, The HCBS Modifications Process, 5/12/2022
- 7294, Draft: Increased Reimbursement of Medications for the Treatment of Opioid Use Disorder, 12/8/2022
- 7378, Medicaid Memos/Bulletins and Provider Manuals 2022, 12/27/2022

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# Guidance Documents

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## DEPARTMENT OF MILITARY AFFAIRS

Copies of [the](#) following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. through [the](#) Virginia Department of Military Affairs, Office of [the](#) Chief Operations Officer, MTC Fort Pickett, Building 316, Blackstone, VA 23824. Copies may be obtained free of charge by contacting Walt Mercer at [the](#) same address, telephone (804) 236-7890, or email [walter.l.mercer.nfg@army.mil](mailto:walter.l.mercer.nfg@army.mil), or Russell Woodlief at [russell.w.woodlief.civ@army.mil](mailto:russell.w.woodlief.civ@army.mil) or telephone (804) 236-7898.

Questions regarding interpretation or implementation of these documents may be directed to Walt Mercer at [the](#) address provided.

### Guidance Documents:

[7250, Command Policy 22-023 Virginia National Guard State Tuition Assistance Program \(VANGSTAP\), 9/15/2022](#)

[7251, Virginia Army National Guard Readiness Center Control Board, 7/1/2014](#)

[7252, Virginia National Guard Regulation 56-3 \(Special Virginia National Guard License Plates\), 12/1/2003](#)

[7253, Virginia National Guard Regulation 56-5 \(National Guard License Plates for retired NG members\), 5/1/2000](#)

## MOTOR VEHICLE DEALER BOARD

Copies of [the](#) following documents may be viewed on regular work days between [the](#) hours of 8:30 a.m. and 4:30 p.m. in [the](#) office of [the](#) Motor Vehicle Dealer Board, 2201 West Broad Street, Suite 104, Richmond, VA 23220. Copies may be obtained free of charge by contacting Alice Weedon at [the](#) same address, telephone (804) 367-1100 ext. 3001, FAX (804) 367-1053, or email [alice.weedon@mvdv.virginia.gov](mailto:alice.weedon@mvdv.virginia.gov). [The](#) documents are also available using [the](#) links provided on [the](#) document list and on [the](#) Virginia Regulatory Town Hall at <http://townhall.virginia.gov>.

Questions regarding interpretation or implementation of these documents may be directed to William Childress, Executive Director, Motor Vehicle Dealer Board, 2201 West Broad Street, Suite 104, telephone (804) 367-1100; ext. 3002, FAX (804) 367-1053, or email [william.childress@mvdv.virginia.gov](mailto:william.childress@mvdv.virginia.gov). Alternate contact, Ann Majors, Motor Vehicle Dealer Board, telephone (804) 367-1100; ext. 3016, or email [ann.majors@mvdv.virginia.gov](mailto:ann.majors@mvdv.virginia.gov).

### Guidance Documents:

[7205, Dealer Tag Liability Insurance Requirement, 7/9/2020](#)

[AD010-99, Process for Determining Sanctions, 12/29/2016](#)

[AD020-95, Public Comment Policy, 12/27/2016](#)

[AD030-16, Meeting Documentation Policy, 9/15/2002](#)

[AD050-10, Meeting Dates and Times Policy, 12/28/2016](#)

[AD060-17, Motor Vehicle Dealer Board Meeting Cancellation/Inclement Weather Policy, 2/15/2017](#)

[AD100-16, Internet Privacy Policy, 12/28/2016](#)

[AD111-16, Freedom of Information Act Compliance, 12/27/2016](#)

[AD130-96, Adjudicated Cases Policy, 12/27/2016](#)

[AV010-16, Advertising Policy: Deviations from Standard Practices, 12/22/2016](#)

[AV020-09, Advertising Display or Show versus Display for Sale, 12/27/2016](#)

[AV030-15, Rebate Advertising Guidelines, 12/27/2016](#)

[AV040-17, Advertising - Vehicle Location, 1/8/2018](#)

[AV050-17, Charges for Freight, Shipping, Delivery, or Destination, 1/8/2018](#)

[AV060-17, Transfer Fees, 1/8/2018](#)

[AV070-17, Advertising - Removal of Vehicles from Website, 1/8/2018](#)

[LI010-98, Guidelines for Review of Applicants Who Have a Criminal History, 12/27/2016](#)

[LI020-18, Salespersons Must Be Employees, 8/21/2018](#)

[LI030-16, Salesperson and Dealer-Operator Test, 12/27/2016](#)

[PR010-16, Variance for Hours of Operation, 12/22/2016](#)

[PR021-16, Guidelines for Maintaining Records and Storing Records Off-Site, 12/22/2016](#)

[PR030-16, Temporary Supplemental License for Off-Site Sales, 12/28/2016](#)

[PR035-00, Bonding Requirements, 12/27/2016](#)

[PR040-05, Resolution on Educational and Warning Letters, 12/27/2016](#)

[PR045-12, TrueCar, Dealix and Insurance, 12/27/2016](#)

[PR050-97, Wholesale Sales Agreement Policy, 12/26/2016](#)

[PR060-16, Motor Vehicle Dealer Board Guidance Memorandum for Virginia Dealers Having Internet Connection and Email Address, 12/27/2016](#)

[PR070-18, Maintaining Business Hours, 3/1/2018](#)

[PRO80-20, Dealer Tag Liability Insurance Requirement, 5/8/2020](#)

## DEPARTMENT OF MOTOR VEHICLES

Copies of [the](#) following documents may be viewed during regular business hours, Monday through Friday, 8:30 a.m. until 5 p.m. at [the](#) Department of Motor Vehicles (DMV), 2300 West Broad Street, Legislative Services, Room 724,

Richmond, VA 23220. Many of these documents are available on [the](https://www.dmv.virginia.gov/forms/) DMV website at <https://www.dmv.virginia.gov/forms/>. Copies totaling under 10 pages may be obtained for no charge. Copies totaling 10 pages or more may be obtained at a cost of \$0.10 a page. Requests for copies of these documents may be made by contacting Adrienne Tetreault at [the](mailto:adrienne.tetreault@dmv.virginia.gov) same address, telephone (804) 367-6926, FAX (804) 367-4336 or email [adrienne.tetreault@dmv.virginia.gov](mailto:adrienne.tetreault@dmv.virginia.gov).

### Guidance Documents:

- [6582, DMV Seizure or Blackout Policy, 8/10/2015](#)
- [6583, DMV Substance Abuse Policy, 7/28/2015](#)
- [6584, DMV Cognitive Impairment Policy, 7/30/2016](#)
- [6585, DMV Policy for Drivers with Uncontrolled Diabetes, 9/19/2018](#)
- [6586, DMV Pain Management Policy, 7/28/2015](#)
- [6587, DMV Visual Field Policy, 8/2/2016](#)
- [6588 , DMV Policy for Drivers with Heart-Assist Devices, 7/30/2016](#)
- [6589, DMV Policy for Drivers with Respiratory Conditions Requiring Supplemental Oxygen or Sleep Disorders, 7/30/2018](#)
- [6590 , DMV Transient Ischemic Attack or Cerebral Vascular Accident Policy, 7/28/2015](#)
- [6591, DMV Vaso-Vagal Syncope Policy, 7/28/2015](#)
- [6592, DMV Policy for Drivers with Psychiatric Disorders, 7/28/2015](#)
- [6624, Personalized License Plate Guidelines and Restrictions, 12/31/2018](#)
- [6633, Sample Virginia Addendum, 5/6/2019](#)
- [6636, Virginia Medical Waiver Guidance, 10/23/2018](#)
- [6734, Driver's Manual Course Curriculum, 10/1/2015](#)
- [6735, Driver Training School Manual, 7/26/2010](#)
- [6788, DMV Policy for Drivers Experiencing a Crash Due to a Pedal Application Error, 2/6/2020](#)
- [6789 , DMV Policy for Adaptive Equipment and Certified Driving Rehabilitation Specialist \(CDRS\) Referrals, 2/6/2020](#)
- [6829, DMV Social Media Rules of Engagement, 4/16/2020](#)
- [6967, Virginia DMV Title VI Program Compliance Plan, 3/4/2021](#)
- [6969, Disability Accommodations Process and Guidelines, 3/4/2021](#)
- [6998 , Manufacturer and Distributor Licensing Letter, 5/13/2021](#)
- [7142, Road Test Tablet letter, 12/23/2021](#)
- [7247 , Class A Driver Training School Background Check Policy, 9/15/2022](#)
- [7248 , Class B Driver Training School Background Check Policy, 9/15/2022](#)
- [DI 15 , Driver Improvement Clinic License Application, 8/10/2012](#)
- [DMV 115 , Moving Violations and Point Assessments, \[the\]\(#\) Virginia Driver Improvement Program, 7/1/2020](#)
- [DMV 115S , Infracciones de la Circulación y Cálculo de Puntos, Programa de mejoramiento para conductores de Virginia, 8/19/2020](#)
- [DMV 141 , Obtaining a Virginia Driver's License or Identification \(ID\) Card, 12/3/2018](#)
- [DMV 141S , Obtención de una licencia de conducción de Virginia o una tarjeta de identificación \(ID\), 12/31/2018](#)
- [DMV 143, Reestablishing your Virginia Residency or Qualifying for a Virginia Address Requirement Exception, 12/28/2010](#)
- [DMV 172 , Virginia's Secure Children's Identification Cards, 9/5/2018](#)
- [DMV 172, SP, Las Tarjetas de Identificación para los niños de Virginia de alta seguridad, 9/5/2018](#)
- [DMV 177, Acceptable Documents for an Individual Titling a Vehicle in Virginia, 11/9/2018](#)
- [DMV 177S , Documentos aceptables Para obtener el título de un vehículo en Virginia, 11/9/2018](#)
- [DMV 206, Military Guide, 7/1/2019](#)
- [DMV 226 , Virginia Motorcycle Rider Training Program, Virginia Rider Training Program Policy and Procedures, 1/24/2014](#)
- [DMV 230 , Reason For Driver Improvement Courses, 12/31/2018](#)
- [DMV 248, Virginia Motor Carrier Manual, 10/15/2020](#)
- [DMV 252A, Veterans Indicator, 7/1/2018](#)
- [DMV 255, Virginia Troops to Trucks, 7/1/2019](#)
- [DMV 269, Vital Records at DMV, 9/21/2015](#)
- [DMV 270, Red Flags of Medically At-Risk Drivers, 7/29/2014](#)
- [DMV 299, REAL ID - You have a REAL Choice, 12/23/2021](#)
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- [DMV 303, Get on Board with REAL ID, 12/23/2021](#)



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DMV 309 , Obtaining a Virginia Driver Privilege Card, 12/24/2020

DMV 309S , Obtención de una Tarjeta de Privilegio de Conductor en Virginia, 12/24/2020

DMV 72 , Automobile Liability Insurance Reporting Business Guide, 1/1/2018

DTS 30 , Commercial Driver Training School Curriculum Requirements, 7/1/2019

DTS 30A , Class A Third Party Tester Driving School Curriculum Requirements, 11/28/2019

DTS 31, Class A Driver Training School Contract Requirements, 11/28/2019

DTS 32E, Online Driver's Manual Course Requirements, 8/8/2019

HP 405, Virginia Escort Vehicle Driver's Manual, 1/1/2014

HS 3, Home-Schooled In-Car Driver Education Information Sheet, 7/1/2018

HS 4 , Home-Schooled Reexamination Requirements Information Sheet, 4/25/2014

MED 4, Customer Vision Report, 2/10/2018

MED 80, Medical Fitness for Safe Driving, 7/1/2017

MED 80A, Medical Fitness Frequently Asked Questions, 11/20/2018

OA 448 , Sample Tariff for Common Carriers over Irregular Routes, 11/1/2003

OA 449 , Sample Tariff and Time Schedule for Common Carriers over Regular Routes, 11/1/2003

OA 450 , Sample Tariff for Household Goods Carriers, 2/16/2005

TPT499, Agreement and Designation for Use of RoadTest Tablets, 12/23/2021

TPT 555, Third-Party Tester Agreement, 2/17/2017

TPT 556 , Surety Bond Affidavit and Acknowledgment of Surety, 7/1/2015

TSS 96, Virginia Rider Training Program Training Site License Application, 2/18/2021

US 532C, DMV Information-Use Criteria, 3/25/2020

### NORFOLK STATE UNIVERSITY

Copies of **the** following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in **the** Harrison B. Wilson Archives, Norfolk State University, 700 Park Avenue, Norfolk, VA 23504. Copies may be obtained free of charge by contacting Tanya S. White, telephone (757) 823-8670, FAX

(757) 823-2342, or email [tswwhite@nsu.edu](mailto:tswwhite@nsu.edu). **The** documents are also available online at <http://www.nsu.edu>.

Academic Guidance Documents. Questions regarding **the** interpretation and enforcement of **the** Teaching Faculty Handbook and **the** Graduate and Undergraduate Catalogs should be directed to **the** Office of **the** Provost at (757) 823-8408 or email <http://www.provost@nsu.edu>.

### Guidance Documents:

7276, Board of Visitors Bylaws, 12/2/2022

7277, University Policy Library, 12/2/2022

7278, Safety and Campus Security, 12/2/2022

7279, Teaching Faculty Handbook, 12/2/2022

7280, Administrative and Professional Faculty Handbook, 12/2/2022

7281, Norfolk State University (NSU) Graduate Catalog, 12/2/2022

7282, NSU Undergraduate Catalog, 12/2/2022

### OLD DOMINION UNIVERSITY

Copies of **the** following documents may be viewed on regular work days from 8 a.m. until 5 p.m. in **the** office of **the** University Policy Manager and Executive Secretary to **the** Board of Visitors, Koch Hall, Room 2010 E, Norfolk, VA 23529. Copies may be obtained, free of charge, by contacting Donna Meeks at **the** same address, telephone (757) 683-3072, or email [dmeeks@odu.edu](mailto:dmeeks@odu.edu). **The** documents are also available using **the** links provided. Questions regarding interpretation or implementation of these guidance documents should also be directed to Donna Meeks.

### Guidance Documents:

Board of Visitors Bylaws

Board of Visitors Policies

University Policies and Procedures

Teaching and Research Faculty Handbook

Adjunct Faculty Handbook

Administrative and Professional Faculty Guidebook

Classified Employee Handbook

Wage Employee Guidebook

Undergraduate Catalog

Graduate Catalog

Gun and Weapon Regulation

Parking Rules and Regulations

**VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES**

The documents may be viewed on regular work days from 8:30 a.m. until 4 p.m. in the office of the Virginia Board for People with Disabilities (VBPD), Washington Building, 1100 Bank Street, 7th Floor, Richmond, VA 23219. Copies may be obtained, free of charge, by contacting Jason Withers, Grants, Contracts and Program Information Manager, by email at [jason.withers@vbpd.virginia.gov](mailto:jason.withers@vbpd.virginia.gov) or by telephone at (804) 786-9375, or for TTY/Voice at (804) 846-4464. Alternate formats are available upon request. The documents are available online at <http://www.vaboard.org/grants.htm> or via clicking on the links provided.

Questions regarding implementation of these documents may be directed to Jason Withers, Grants, Contracts, and Program Information Manager, by email at [jason.withers@vbpd.virginia.gov](mailto:jason.withers@vbpd.virginia.gov) or by telephone at (804) 786-9375, or for TTY/Voice at (804) 846-4464.

**Guidance Documents:**

[Grants Manual, Revised October 2022](#)

[Letters of Interest \(LOI\) and Proposal Submission Tips, Revised June 2019](#)

[Event Support Procedures, Revised July 2019](#)

[Best Practices in Survey Design, Revised June 2022](#)

[Demographic Data Collection, Revised June 2022](#)

[Accessible Survey Design, Revised June 2022](#)

**VIRGINIA PORT AUTHORITY**

Copies of the following documents may be obtained by contacting Brianna Barnes, Director, Compliance and Contracts, Virginia Port Authority, telephone (757) 683-2158, or email [bbarnes@portofvirginia.com](mailto:bbarnes@portofvirginia.com). A fee may apply. For all Freedom of Information Act (FOIA) requests, contact Joe Harris, Virginia Port Authority FOIA Officer, telephone (757) 683-2137, or email [jharris@portofvirginia.com](mailto:jharris@portofvirginia.com).

Questions regarding interpretation or implementation of these documents may be directed to Sarah McCoy, Counsel to the Virginia Port Authority, telephone (757) 683-2119, or email [smccoy@portofvirginia.com](mailto:smccoy@portofvirginia.com).

**Guidance Documents:**

[7149, Procurement and Capital Outlay Manual, Revised 9/2020, 9/1/2020](#)

[7150, Virginia Port Authority Travel Policy, Supplement Revised 1/1/2009, 1/1/2009](#)

[7151, State Travel Policy Revised 10/1/2014, 10/1/2014](#)

[7152, Virginia Port Authority Aid to Local Ports Policy, Revised 11/18/14, 11/18/2014](#)

[7153, Virginia Waterway Maintenance Fund, approved 7/30/2018, 7/30/2018](#)

[7154, Virginia Port Authority Real Estate Procedures Manual, 11/15/2016](#)

[7365, Policy on Use of Port Opportunity Fund, 9/12/2022](#)

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

Copies of the following documents may be viewed during regular workdays from 8:15 a.m. to 5 p.m. at the Customer Service Desk of the Department of Professional and Occupational Regulation, Perimeter Center, 9960 Mayland Drive, Richmond, VA 23233. Copies may be obtained by contacting Public Records at the same address, telephone (804) 367-8583, FAX (866) 254-0312 or email [publicrecords@dpor.virginia.gov](mailto:publicrecords@dpor.virginia.gov). Documents are available at no charge on the Virginia Regulatory Town Hall at <http://townhall.virginia.gov>. Questions regarding interpretation or implementation of these documents may be directed to Stephen Kirschner, Deputy Director of Licensing and Regulatory Programs, Department of Professional and Occupational Regulation, Perimeter Center, 9960 Mayland Drive, Suite 400, Richmond, VA 23233, telephone (804) 367-8500, or email [steve.kirschner@dpor.virginia.gov](mailto:steve.kirschner@dpor.virginia.gov).

**Guidance Documents (applicable to all boards and department):**

[5534, Restricted Participation in Examination Development and Review, 6/3/2014](#)

[6036, Board for Professional and Occupational Regulation Guidelines for Evaluation of Petitions for Regulation, 9/22/2016](#)

[5816, 2021-22 New Board Member Manual, 7/1/2021](#)

[Policy 100-01, Establishing, Revising, and Repealing Department Policy, 5/22/2017](#)

[Policy 100-02, Americans with Disabilities Act Compliance, 5/22/2017](#)

[Policy 100-03, Employee Use of Social Media, 5/22/2017](#)

[Policy 100-04, Release of Information, 6/5/2017](#)

[Policy 100-05, License Suspensions, 5/22/2017](#)

[Policy 100-06, Subpoenas/Service of Process/Notices, 6/8/2017](#)

[Policy 100-09, Gifts and Honoraria, 6/5/2017](#)

[Policy 100-11, Internet Website, 6/8/2017](#)

[Policy 100-14, Public Service Hours, 9/24/2009](#)

[Policy 100-17, Posting Information in Public Access Areas, 6/8/2017](#)

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## Guidance Documents

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[Policy 100-18, Alternative Dispute Resolution, 9/25/2009](#)

[Policy 100-19, Ethics, 11/1/2012](#)

[Policy 200-18, Equal Employment Opportunity, 3/17/2010](#)

[Policy 300-01, Regulant Name and Address Change, 6/13/2017](#)

[Policy 300-02, Application and Application Fee Expiration, 7/1/2018](#)

[Policy 300-03, Expedited Licensing of Military Spouses, 10/7/2016](#)

[Policy 500-01, Purchasing, 7/1/2018](#)

[Policy 500-02, Contract and Purchase Order Modifications, 7/1/2018](#)

[Policy 600-01, Examination Fees, 10/17/2018](#)

[Policy 600-02, Examination Site Conduct, 12/1/2019](#)

[Policy 600-03, Restricted Participation in Examination Development and Review, 6/3/2014](#)

[Policy 700-03, Accounts Receivable and Debt Collection, 7/1/2018](#)

[Policy 700-04, Revenue Refunds, 7/1/2018](#)

[Policy 800-01, Criminal History Information and Online Public Records Information, 6/13/2011](#)

[Policy 800-02, Complaints against Regulants, 3/5/2010](#)

### **Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects**

[4426, Requirements for the Use of Topographic Surveys, Orthographic Maps or other Geospatial Data in Virginia, 9/15/2015](#)

[4919, Onsite Sewage Systems Designed by Professional Engineers and Onsite Soil Evaluators, 6/13/2016](#)

[4987, Comity Applicant Criteria of the APELSCIDLA Board's Current Regulations, 6/18/2012](#)

[6038, Land Surveyor/Land Surveyor B Scope of Practice, 9/24/2016](#)

[6903, Property Lines Along Public Roads without Recorded Fee Simple Right of Way, 12/1/2020](#)

### **Virginia Board for Asbestos, Lead, and Home Inspectors**

[4498, Asbestos Regulation Interpretation, 8/23/2011](#)

[4499, Lead Regulation Interpretation, 8/23/2011](#)

[5499, Lead-Based Paint Activities Regulations Interpretations and Policies, 2/6/2014](#)

[5584, Review of ALHI Applications with Criminal Convictions, 8/16/2018](#)

[5707, Identity Requirements for Asbestos and Lead Licensing and Home Inspector Certification, 2/5/2015](#)

[5747, Requirements for Individuals who Analyze Phase Contrast Microscopy \(PCM\) Air Samples Onsite, 5/14/2015](#)

[5834, Lead Inspector Training Variance, 2/6/2014](#)

[5969, Employee Definition Clarification, 2/11/2016](#)

[6018, Clarification of Acceptable Degree Programs for Asbestos and Lead Licensing, 5/17/2016](#)

[6247, Home Inspector Applicant's Experience Verification of Inspections Completed, 8/17/2017](#)

[6248, New Residential Structure \(NRS\) Specialty for Inspections Conducted by a Home Inspector on Homes under Construction, 8/17/2017](#)

[6266, Home Inspector Regulations; Meaning of Describe, 11/9/2017](#)

[6374, Renewing Asbestos Workers License with Asbestos Supervisor Refresher Training, 5/17/2018](#)

[6630, Requirement to Take the Virginia Lead Law Examination, 4/4/2019](#)

[6663, Guidance Document regarding Inspections of Specific Components of a Residential Building, 7/11/2019](#)

[6709, Guidance Document Regarding CPE for Home Inspectors with the NRS Specialty, 10/17/2019](#)

[6833, Meaning of "Direct Supervision" in 18VAC15-40-32 of the Home Inspector Licensing Regulations, 4/16/2020](#)

[6834, Clarification Regarding Asbestos Abatement Projects that Require a Project Monitor, 4/16/2020](#)

[7090, Inspections without a Written Evaluation Conducted by a Home Inspector, 10/28/2021](#)

[7208, Verification of Course Completion Certificates Awarded to Training Program Managers and Principal Instructors, 7/7/2022](#)

[7209, Electronic Delivery of Asbestos and Lead Refresher Courses, 7/7/2022](#)

### **Auctioneers Board**

See guidance documents applicable to all boards and the department.

### **Board for Barbers and Cosmetology**

[5238, Assessment of a Student's Competence in Esthetics, 2/11/2013](#)

5503, Guidance Document - Substantial Equivalence, 12/8/2022

5593, Endorsement Candidate from State Offering Only One Licensing Exam, 11/17/2014

5594, Cosmetology Examiners, 11/17/2014

6057, School Locations, 11/14/2016

6176, License Required for Certain Procedures, 5/7/2018

6215, Esthetics - Cleaning Multi-Use Items that Cannot Be Immersed, 5/8/2017

6373, Barber/Cosmetology Application Review Matrix, 6/9/2022

6638, Approved Health Education Certifying Agencies, 9/1/2022

6639, Cosmetology Instructors May Teach Nail or Wax Instructor Programs, 4/15/2019

6640, Master Barber Applicants who have Already Completed Training Equivalent to the Master Barber Curriculum, 4/15/2019

6664, Board for Barbers and Cosmetology Guidance Regarding Interpretation of 18VAC41-20-30 - License by Endorsement, 7/25/2019

6880, Definition of Clock Hours, 9/17/2020

7329, Frequency of Providing School Rosters, 12/8/2022

5318, Non-Traditional Classroom Instruction, 9/17/2020

Policy #800-03, Random Inspections of Board for Barbers and Cosmetology Licensees, 7/10/2009

### **Board for Branch Pilots**

5008, Branch Pilot Renewal Requirements, 8/1/2012

### **Cemetery Board**

3730, Sample General Price List, 10/23/2008

5752, Financial Report and Report Prepared by Independent Certified Public Accountant, 6/16/2015

7116, Cemetery Board Criminal History Review Matrix, 12/8/2021

### **Common Interest Community Board**

4190, Evidence of Proper Fidelity Bond or Dishonesty Insurance and Sufficient Coverage Obtained by CIC Manager Applicant, 3/2/2010

4382, Definition of Employee in Section 54.1-2347(A), 12/2/2010

5048, Applicability of the Common Interest Community Ombudsman Regulations on Solely Commercial Condominiums, 12/10/2020

5049, CIC Manager Requirement to Obtain and Maintain a Separate Fidelity Bond or Insurance Policy to Comply with § 54.1-2346 D of the Code of Virginia and 18VAC48-50-30 E of the Board's Regulations, 12/10/2020

5308, Letters of Credit in Lieu of Bonds, 12/10/2020

5311, Maximum Fees for Disclosure Packets and Resale Certificates Preparation, 12/10/2020

5331, Common Interest Community (CIC) Waiver of Filing Fee for Final Adverse Decision, 12/10/2020

5603, Required Documentation to Accompany Disclosure of Personal Adverse Financial History, 12/3/2014

5897, Best Practices for Property Owners Association (POA) Declarations, 12/10/2015

6256, Summary of Board Interpretations, Policies, and Guidance Documents, 8/18/2022

6390, Determining Value of Blanket Surety Bonds Filed by Developers in Lieu of Escrow Deposits, 12/10/2020

6391, Distribution of Time-Share Public Offering Statements and Purchaser Opportunity to Review Public Offering Statement Prior to Execution of a Contract, 4/29/2021

6885, Guidelines for the Development of Reserve Studies for Capital Components, 9/5/2019

6886, Bulletin: Maximum Allowable Preparation Fees - Disclosure Packets for Professionally Managed Property Owners' Associations, 10/1/2019

6887, Bulletin: Maximum Allowable Preparation Fees - Disclosure Packets for Non-Professionally Managed Property Owners' Associations, 7/1/2019

6888, Bulletin: Maximum Allowable Preparation Fees - Condominium Resale Certificates for Condominium Unit Owners' Associations, 7/1/2019

6889, Form: Property Owners' Association Disclosure Packet Notice, 7/1/2020

6890, Form: Condominium Unit Owners' Association Resale Certificate Notice, 10/1/2019

6891, Form: Disclosure Form for Special Meeting to Extend Declarant Control Period, 10/1/2019

6911, Guidance Document: Procedure for Determination of Compliance with § 55.1-2220 and § 55.1-2234, 12/10/2020

7092, Common Interest Community Association Registration – Interpretive Guidance for 18VAC48-60-60, 11/25/2021



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## Guidance Documents

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7192, Procedure for Consideration of Claims for Recovery from **the** Common Interest Community Management Recovery Fund, 4/28/2022

### Board for Contractors

2959, Board for Contractors Policies and Interpretations, 12/24/2020

5271, Waiver Exemption of Entry Requirements for Residential Building Energy Analysts, 6/24/2013

5718, Contractors Criminal History Review Matrix, 7/31/2015

5719, Contractors Financial Review Matrix, 10/1/2013

5724, PSI Examination Equivalency, 4/15/2015

6241, Sewage Disposal System Qualified Individual Licensing Requirements, 8/8/2017

6790, Contractor License Requirement for Onsite Sewage System Maintenance, 12/26/2019

7260, Contractor License Specialty Requirement for Well Abandonments, 1/19/2023

### Fair Housing Board

6045, Reasonable Accommodation Requests for Assistance Animals, 3/1/2017

6978, Housing Discrimination on **the** Basis of Source of Funds, 4/16/2021

### Board for Hearing Aid Specialists and Opticians

5727, Interpretation of Board Approved Opticianry Programs, 4/15/2015

5728, Optician Test Date Requirements, 4/15/2015

6652, Opticians Approved Related Technical Instruction, 12/8/2022

### Department of Professional and Occupational Regulation

5720, Polygraph Examiner Criminal History Review Matrix, 1/1/2015

### Real Estate Appraiser Board

2022, Real Estate Appraisers Experience Hours, 11/18/2003

2920, Signing Any Appraisal Report, 2/21/2006

3931, Real Estate Appraiser - Submitting Assignments Electronically, 3/5/2009

5968, Customary and Reasonable Compensation for Fee Appraisers, 2/23/2016

6670, Real Estate Appraiser Board Proposed Guidance Document regarding Hybrid Appraisals, 6/27/2019

7122, Real Estate Appraiser Board Application Review Matrix, 6/4/2021

### Real Estate Board

2021, Real Estate Advisory **Council's** Report Regarding Post-Licensure Education, 7/12/2012

3178, Proof of Financial Responsibility for Board-Approved Education Providers, 7/19/2007

3648, Real Estate Pre-License Instructor Guidance Document, 3/24/2008

3665, Continuing and Post License Education Course Reporting Requirements, 5/19/2008

3666, Instructor Qualifications, 5/19/2008

3964, Real Estate Distance Education Notarized Affidavit Requirement, 5/19/2009

4058, Broker Price Opinion Guidance Document, 12/4/2009

4160, Online Course Time Requirement, 12/17/2009

5039, Necessity for Brokerage Agreements, 9/6/2012

5529, Real Estate Continuing Education Elective Courses, 5/22/2014

6045, Reasonable Accommodation Requests for Assistance Animals, 3/1/2017

6978, Housing Discrimination on **the** Basis of Source of Funds, 4/16/2021

7123, Real Estate Board Application Review Matrix, 2/8/2021

### Board for Professional Soil Scientists, Wetland Professionals, and Geologists

6029, Wetland Professionals' Scope of Practice, 9/1/2016

### Board for Waste Management Facility Operators

5721, Waste Management Facility Operators Criminal History Review Matrix, 5/23/2013

### Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals

4919, Onsite Sewage Systems Designed by Professional Engineers and Onsite Soil Evaluators, 6/13/2016

6171, Pumping of Alternative Onsite Sewage Systems, 4/20/2017

6204, Effective Date of Utility Management CPE for Class 1 and 2 Waterworks and Wastewater Works Operators, 4/20/2017

6205, Onsite Sewage System Installers Installation of Nondischarging Onsite Sewage Systems, 10/26/2017

6206, Onsite Sewage System Inspections and Evaluations for Property Transfers, 4/12/2011

6214, Onsite Sewage System Professionals Master and Journeyman License Requirements, 4/20/2017

6241, Sewage Disposal System Qualified Individual Licensing Requirements, 8/8/2017

6258, Acceptable Utility Management CPE Topics, 10/26/2017

6369, Qualifying for Operator and Installer Licensure Using Certain Degree Programs, 4/19/2018

6790, Contractor License Requirement for Onsite Sewage System Maintenance, 12/26/2019

7020, Guidance Regarding WWOOSSP Licensees Earning CPE Credit for Attending WWOOSSP Board Meetings, 6/24/2021

7178, License Requirements for Operators of Alternative Systems Exceeding 10,000 Gallons per Day, 12/23/2021

7210, License Requirements for Operators of Small Wastewater Treatment Facilities, 7/7/2022

### VIRGINIA RACING COMMISSION

Copies of [the](#) following documents may be viewed during regular work days from 8:00 a.m. until 4:30 p.m. in [the](#) office of [the](#) Virginia Racing Commission, 5707 Huntsman Road, Suite 201-B, Richmond, VA 23250. Copies may also be obtained free of charge by contacting Kimberly Mackey at [the](#) same address, telephone (804) 966-7406, or [kimberly.mackey@vrc.virginia.gov](mailto:kimberly.mackey@vrc.virginia.gov). Questions regarding interpretation of [the](#) document may be directed to David Lermond, Executive Secretary, Virginia Racing Commission, 5707 Huntsman Road, Suite 201-B, Richmond, VA 23250, telephone (804) 966-7404, or email [david.lermond@vrc.virginia.gov](mailto:david.lermond@vrc.virginia.gov).

#### Guidance Documents:

VRC-001, Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances, 2/13/2018

VRC-002, Association of Racing Commissioners International Multiple Violations Penalty System, 12/9/2016

### RADFORD UNIVERSITY

Copies of [the](#) following documents may be viewed on regular work days between [the](#) hours of 8 a.m. and 5 p.m. in [the](#) Office of [the](#) President, Third Floor, Martin Hall, Radford University, Radford, VA 24142. Copies may be obtained free of charge by contacting [the](#) Secretary to [the](#) Board of Visitors, P.O. Box

6890, Radford University, Radford, VA 24142, telephone (540) 831-5426, or email [kcasteel@radford.edu](mailto:kcasteel@radford.edu).

Questions regarding interpretation or implementation of these documents may be directed to Karen Castelee, Secretary to [the](#) Board of Visitors, P.O. Box 6890, Radford, VA 24142, telephone (540) 831-5426, or email [kcasteel@radford.edu](mailto:kcasteel@radford.edu).

Copies of [the](#) following documents may also be viewed at [www.radford.edu](http://www.radford.edu) and by clicking [the](#) links provided.

#### Guidance Document:

7363, Radford University Guidance Documents, 12/20/2022

### DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION

Copies of [the](#) following documents may be viewed during regular work days from 8:30 a.m. to 5 p.m. at [the](#) Department of Rail and Public Transportation, 600 East Main Street, Suite 2102, Richmond, VA 23219.

Copies may be obtained by contacting Andrew Wright at [the](#) same address, telephone (804) 241-0301, or email [andrew.wright@drpt.virginia.gov](mailto:andrew.wright@drpt.virginia.gov).

Documents are available at no charge on [the](#) Virginia Regulatory Town Hall at [www.townhall.virginia.gov](http://www.townhall.virginia.gov).

#### Guidance Documents:

7041, Transit Ridership Incentive Program Guidelines, 8/7/2021

7065, Freight Rail Enhancement to Increase Goods and Highway Throughput Guidelines and Procedures, 11/11/2021

7087, Rail Preservation Program Guidance and Procedures, 12/1/2021

7088, Rail Industrial Access Program Guidelines and Procedures, 12/1/2021

7089, Transit and Commuter Assistance Grant Application Manual, 12/1/2021

7112, DRPT Transit Development Plan Guidelines, 9/29/2022

7113, DRPT Strategic Plan Guidelines, 9/29/2022

7114, DRPT Multimodal System Design Guidelines, 12/8/2021

7120, Grant Application Guidance and Grant Management Procedures for Federal Transit Administration Section 5310: Enhanced Mobility of Seniors and Individuals with Disabilities Programs, 12/1/2022

7166, Commuter Assistance Program Strategic Plan Requirements and Guidance, 3/3/2022

7213, Grant Administration Guidance for Public Transportation and Commuter Services for Fiscal Year 2023, 7/21/2022

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# Guidance Documents

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7259, [State Management Plan](#), 11/21/2022

## VIRGINIA RESOURCES AUTHORITY

Copies of [the](#) following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in [the](#) offices of [the](#) Virginia Resources Authority, 1111 East Main Street, Suite 1920, Richmond, VA 23219. Copies may be obtained free of charge by contacting Stephanie Jones at [the](#) same address or by telephone at (804) 644-3100. All of these documents are available for no charge on [the](#) Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov>.

[Revenue Credit Guidelines](#), 3/12/2013

[Regional Authorities Guidelines](#), 3/12/2013

[Lease Transactions Guidelines](#), 3/12/2013

[Parity Bonds Guidelines](#), 12/14/2010

[Restructuring Guidelines](#), 3/12/2013

[Regional Jail Guidelines](#), 3/12/2013

[Subordinate Debt Guidelines](#), 3/10/2009

[Tax Supported Debt Evaluation Guidelines](#), 3/12/2013

[Appropriation-Only-Back Transaction Guidelines](#), 3/25/2014

## VIRGINIA RETIREMENT SYSTEM

Copies of [the](#) following documents may be viewed during regular workdays from 8 a.m. until 4:30 p.m. in [the](#) office of [the](#) Virginia Retirement System, 1200 East Main Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Wendy Jenkins, at [the](#) same address, telephone (804) 775-3499, or email [wejenkins@varetire.org](mailto:wejenkins@varetire.org). [The](#) documents may be downloaded from [the](#) Virginia Retirement System website at [www.varetire.org](http://www.varetire.org) and [www.varetire.org/hybrid](http://www.varetire.org/hybrid).

Questions regarding interpretation of benefit plan provisions or implementation of procedures outlined in these documents may be directed to Cynthia Wilkinson, Director of Policy, Planning and Compliance, Virginia Retirement System, 1200 East Main Street, Richmond, VA 23219, telephone (888) 827-3847, FAX (804) 786-1541, or email [cwilkinson@varetire.org](mailto:cwilkinson@varetire.org).

### Guidance Documents:

[2022 Legislative Summary](#), published June 2022, Code of Virginia, Title 51.1, Chapters 1-7

[Hybrid Contributions Illustration](#), published July 2022, Code of Virginia, Title 51.1, Chapter 1

[Hybrid Plan New Hire Checklist](#), revised May 2022, Code of Virginia, Title 51.1, Chapters 1-7

[JRS Plan 1, JRS Plan 2, and \[the\]\(#\) JRS Hybrid Retirement Plan](#), revised July 2022, Code of Virginia, Title 51.1, Chapters 1,3

[Required Minimum Distributions \(RMD\) Checklist VRS Defined Contribution Plans](#), revised December 2021, Code of Virginia, Title 51.1, Chapters 1, 6, 6.1

[VRS Defined Contribution Plans](#) VRS Defined Contribution Plans semiannually, June, December, Code of Virginia, Title 51.1, Chapters 1-7

[VRS Defined Benefit Plans](#) VRS Plan Comparison Guide, revised April 2020, Code of Virginia, Title 51.1, Chapters 1-7

[VRS Defined Contribution Plans](#), published March 2021, Code of Virginia, Title 51.1, Chapters 1, 6, 6.1

[VRS Members](#), revised January 2022, Code of Virginia, Title 51.1, Chapters 1-7

[VSDP Long-Term Care Plan Brochure](#), revised January 2022, Code of Virginia, Title 51.1, Chapter 1

[Workforce Transition Act Retirement Checklist for Employers](#), revised September 2022, Code of Virginia, Title 2.2, Chapter 32

## DEPARTMENT OF SOCIAL SERVICES

Printed copies of guidance documents or interpretive or implementation questions about [the](#) guidance documents are available from Karin Clark, Legislative and Regulatory Affairs, Department of Social Services, 801 East Main Street, Richmond, VA 23141, email [karin.clark@dss.virginia.gov](mailto:karin.clark@dss.virginia.gov), telephone (804) 726-7017. All guidance documents are available at no charge on [the](#) Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov>. Costs associated with obtaining printed copies vary depending on [the](#) document.

### Guidance Documents:

#### State Board of Social Services

[7046, Child and Families Services Manual, Chapter C, Child Protective Services](#), 7/22/2021

[7047, Child and Family Services Manual, Chapter I, Title IV-E Foster Care](#), 7/22/2021

[7048, Temporary Assistance for Needy Families Manual](#), 7/22/2021

[7049, Supplemental Nutrition Assistance Program Volume I](#), 7/22/2021

[7050, Child and Family Services Manual, Chapter E, Foster Care](#), 7/22/2021

[7099, Temporary Assistance for Needy Families Manual Update](#), 11/11/2021

[7100, Supplemental Nutrition Assistance Program Manual-Volume V Updates](#), 11/11/2021

[7173, Child and Family Services Manual, Chapter F, Adoption](#), 2/3/2022

- 7174, Child and Family Services Manual, Chapter E, Foster Care, 2/3/2022
- 7215, Child and Family Services Manual Chapter F, Adoption, 7/21/2022
- 7216, Child and Family Services Manual Chapter D, Local Department Resource, Foster, and Adoptive Home Approval, 7/21/2022
- 7217, Child and Family Services Manual Chapter E, Foster Care, 7/21/2022
- 7218, Temporary Assistance for Needy Families Manual Updates July 2022, 7/21/2022
- 7231, Child and Family Services Manual Chapter C, Child Protective Services, 9/1/2022
- 7236, Child and Family Services Manual Chapter C, Child Protective Services, 9/29/2022
- 7254, Supplemental Nutrition Assistance Program Manual, 10/27/2022
- 7255, Temporary Assistance for Needy Families Manual Updates, 10/27/2022
- APP1, Administrative Disqualification Hearings, 1/1/2010
- APP2, Child Protective Services Appeals, 4/1/2011
- APP3, Child Support Enforcement Appeals, 12/16/2010
- APP4, Benefits and Services Appeals, 12/16/2010
- APP5, Child Protective Services Appeals Handbook, 12/3/2007
- APP6, Electronic Benefits Transfer (EBT) Appeals, 7/8/2003
- APP7, SNAP Appeals Process, 1/1/2012
- APP8, Appeals and Fair Hearings Procedure Manual, 11/30/2011
- BP1, Volume IX - Energy Assistance Policy Manual, 10/17/2016
- BP2, Volume V - Supplemental Nutrition Asst. Program Certification Manual, 10/1/2012
- BP3, Supplemental Nutrition Assistance Program Quick Reference Guide, 12/16/2016
- BP4, Virginia Electronic Benefits Transfer (EBT) Policies and Procedures Guide, 11/1/2012
- BP5, Volume II - GR Policy - Part IV, 1/1/2007
- BP6, Temporary Assistance for Needy Families (TANF) Policy Manual, 8/6/2020
- BP7, Fraud Manual and Procedures, 12/16/2016
- BP8, Virginia Electronic Bank Transfer (EBT) Guidance Manual 2019, 8/22/2019
- BP9, Supplemental Nutrition Assistance Program Manual-Volume V, 8/6/2020
- CDC2, Child Care Subsidy Program Guidance, 1/6/2022
- CS1, Virginia State Plan for Child Support Enforcement, 7/1/2015
- CVS1, Neighborhood Assistance Program Donor Fact Sheet, 5/30/2019
- FA1, FACT's Framework for Building and Maintaining a Trauma-Informed Community Network, 12/12/2019
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### VIRGINIA STATE BAR

Copies of the following document may be viewed during regular work days from 8:15 a.m. until 4:45 p.m. in the office of the Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, VA 23219. Copies may be obtained free of charge by contacting Cynthia Williams at the same address, telephone (804) 775-0530, or email [williams@vsb.org](mailto:williams@vsb.org).

Questions regarding interpretation of the document may be directed to Emily Hedrick, Ethics Counsel, Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, VA 23219, telephone (804) 775-0587, or email [hedrick@vsb.org](mailto:hedrick@vsb.org).

### Guidance Document:

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### DEPARTMENT OF STATE POLICE

Guidance documents maintained by the Virginia State Police may be viewed during regular work days at Virginia State Police Headquarters, 7700 Midlothian Turnpike, Richmond, VA 23235.

The documents are available online for no charge from the Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov> or the Virginia State Police website at <http://www.vsp.virginia.gov>.

To obtain printed copies of a guidance document, please use the contact information provided with the listed document and be prepared to provide the name of the document. Please address any questions concerning the attached list to Tricia Powers, [tricia.powers@vsp.virginia.gov](mailto:tricia.powers@vsp.virginia.gov).

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Guidance documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the Office of Customer Services, Department of Taxation, 1957 Westmoreland Street, Richmond, VA 23230. Questions regarding interpretation or implementation of these forms may be directed to Office of

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### DEPARTMENT OF TRANSPORTATION

The list of guidance documents submitted by the Virginia Department of Transportation (VDOT) is subdivided by the program that issued or has custody of the document. VDOT documents that are available online have links included.

Because many of VDOT's guidance documents have unique viewing locations and contact information for copies and questions, this information is provided on each document.

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### DEPARTMENT OF **THE** TREASURY

Copies of documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in **the** office of **the** Department of **the** Treasury, James Monroe Building, 101 North 14th Street, 3rd Floor, Richmond, VA 23219. Copies may be obtained free of charge.

Many agency documents and forms may be found on Treasury's website at <https://trs.virginia.gov/About-Us/Forms>.

General questions regarding these documents may be directed to William Watt, telephone (804) 836-8523, FAX (804) 225-3187, or email [william.watt@trs.virginia.gov](mailto:william.watt@trs.virginia.gov).

Questions regarding specific Treasury divisions should be directed to:

**Debt Management:** Brad Jones, telephone (804) 225-4929, FAX (804) 225-3187, or email [bradley.jones@trs.virginia.gov](mailto:bradley.jones@trs.virginia.gov). Division documents and forms can be found at <https://trs.virginia.gov/Bond-Finance>.

**Cash Management and Investments:** Judy Milliron, telephone (804) 225-3167, FAX (804) 225-3478, or email [judy.milliron@trs.virginia.gov](mailto:judy.milliron@trs.virginia.gov). Division documents and forms related to **the** Local Government Investment Pool can be found at <https://trs.virginia.gov/Cash-Management-Investments/LGIP> and for State Non-Arbitrage Program at <https://www.vasnap.com/>.

**Operations:** Kristin Reiter, telephone (804) 225-3240, FAX (804) 225-3187, or email [kristin.reiter@trs.virginia.gov](mailto:kristin.reiter@trs.virginia.gov). Division documents and forms can be found at <https://trs.virginia.gov/Operations/>.

**Risk Management:** Brian Parker, telephone (804) 225-4620, FAX (804) 371-8400, or email [brian.parker@trs.virginia.gov](mailto:brian.parker@trs.virginia.gov). Division documents and forms can be found at <https://trs.virginia.gov/Risk-Management>.

**Unclaimed Property:** Bradley Earl, telephone (804) 807-0073, FAX (804) 786-4653, or email [bradley.earl@trs.virginia.gov](mailto:bradley.earl@trs.virginia.gov). Division documents and forms can be found at <https://www.vamoneysearch.org/Report/Forms>.

### Guidance Documents:

6325, Debt Calendar, 7/1/2022

6326, Tobacco Indemnification and Community Revitalization Endowment Investment Guidelines: Taxable, 7/1/2011

6327, Tobacco Indemnification and Community Revitalization Endowment Investment Guidelines: **Tax**-Exempt, 7/1/2011

6329, Debt Capacity Advisory Committee Reports 2002 to present, 12/19/2022

6763, Local Government Investment Pool (LGIP) Documentation, 6/30/2022

6926, Security for Public Deposits Act (SPDA), 12/15/2022

7315, General Account Investment Guidelines, 7/1/2022

### DEPARTMENT OF VETERANS SERVICES

Copies of **the** following document may be viewed during regular work days from 8 a.m. until 5 p.m. in **the** office of **the**

Virginia Department of Veterans Services, 101 North 14th Street, 17th Floor, Richmond, VA 23219. Questions regarding interpretation or implementation of **the** document, or to obtain copies free of charge, please contact Claudia Flores, Virginia Department of Veterans Services, 101 North 14th Street, 17th Floor, Richmond, VA 23219, telephone (804) 225-4716, or email [claudia.flores@dvs.virginia.gov](mailto:claudia.flores@dvs.virginia.gov).

### Guidance Document:

7176, Policy and Guidelines for Commissioners of **the** Revenue and other Assessing Officials, 3/16/2022

### UNIVERSITY OF VIRGINIA

For general questions about **the** University of Virginia's guidance documents, contact Penny Cabaniss at [pqc2f@virginia.edu](mailto:pqc2f@virginia.edu) or telephone (434) 982-2674. Contact information is provided for each document for copies or questions regarding **the** interpretation or implementation of **the** respective guidance document. If available, links are provided for electronic copies of guidance documents and are available for no charge.

### Guidance Documents:

UVA-01, University of Virginia Policy Directory, 11/29/2012

UVA-02, Higher Education Capital Outlay Manual, 5/17/2011

UVA-03, University of Virginia Health Policy Directory, 12/1/2011

UVA-04, Health Sciences Library Policies, 12/21/2011

### VIRGINIA COMMONWEALTH UNIVERSITY

Copies of **the** Faculty Handbook, Student Conduct Policies are all available free of charge from **the** Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov>. Copies of these documents are also available from **the** university's website at respectively: <https://vcu.public.doctract.com>.

**The** Faculty Handbook may be viewed Monday through Friday from 8 a.m. until 4 p.m. in **the** Office of **the** Vice Provost for Academic and Faculty Affairs, 901 West Franklin Street, Richmond VA 23219. Questions concerning interpretation or implementation of **the** Faculty Handbook may be directed to Dr. Mangala Subramaniam, Senior Vice Provost for Faculty Affairs, P.O. Box 842527, Richmond VA 23284, (804) 828-6162.

Copies of **the** Student Handbook and Resource Guide may be viewed Monday through Friday from 8 a.m. until 4:30 p.m. in **the** Office of **the** Associate Vice Provost and Dean of Student Affairs, 901 Floyd Avenue, Richmond, VA 23219. Questions concerning interpretation or implementation of **the** Student Handbook and Resource Guide may be directed to Dr. Reuban Rodriguez at (804) 828-8940. Additional questions may be directed to Dr. Jason Block in **the** Integrity and Compliance Office at 804-828-2336.

### Guidance Documents:

7093, Code of Conduct, 11/30/2021

7094, Board of Visitor Bylaws, 12/13/2019

7095, Virginia Commonwealth University Board of Visitors Ethical Leadership Policy, 12/13/2013

7096, Interim Student Code of Conduct, 4/10/2022

7097, Student Honor System and Standards of Academic Conduct, 12/11/2020

7098, Faculty Handbook, 8/2/2021

### VIRGINIA MILITARY INSTITUTE

Copies of **the** following documents may be viewed on regular work days between **the** hours of 8 a.m. and 4:30 p.m. in **the** office of **the** Chief of Staff, 201 Smith Hall, Lexington, VA 24450. Copies may be obtained free of charge by contacting Katrina Butner at **the** same address, telephone (540) 464-7104, FAX (540) 464-7660, or email [butnerkk@vmi.edu](mailto:butnerkk@vmi.edu).

Questions regarding interpretation or implementation of these documents may be directed to Lt. Colonel John Young, VMI Chief of Staff, 201 Smith Hall, Lexington, VA 24450, telephone (540) 464-7104, and FAX (540) 464-7660.

### Guidance Documents:

VMI2023-1, Board of Visitors Bylaws, 6/30/2020

VMI2023-2, General Orders, 12/12/2022

VMI2023-3, Overarching Institute Regulations, 5/1/2015

VMI2023-4, Institute Regulations Part I, 6/1/2020

VMI2023-5, Institute Regulations Part II, 11/1/2014

VMI2023-6, Academic Regulations, 9/30/2022

VMI2023-7, Athletic Regulations, 7/31/2016

VMI2023-8, Teaching Faculty Handbook, 9/30/2022

VMI2023-9, Administrative and Professional Faculty Handbook, 9/30/2018

VMI2023-10, Classified Employee Handbook, 7/31/2017

VMI2023-11, 2022-2023 Academic Catalogue, 8/31/2022

VMI2023 - 12, 2022 Annual Security and Fire Safety Report, 10/1/2022

### VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY

Copies of **the** following documents may be viewed during **the** regular work days from 8 a.m. to 5 p.m. in **the** Office of **the** Vice President for Policy and Governance, c/o Senior Manager of Governance Administration, 319 Burruss Hall, Virginia Tech, Blacksburg, VA 24061. Copies may be obtained free of



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## Guidance Documents

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charge by contacting Lori Buchanan, Office of the Vice President for Policy and Governance, 319 Burruss Hall, Virginia Tech, Blacksburg VA 24061, by telephone (540) 231-9512, or email [lorib90@vt.edu](mailto:lorib90@vt.edu). The documents may be downloaded from the Virginia Tech website at <http://www.vt.edu>.

Questions regarding interpretation or implementation of these guidance documents may be directed to Lori Buchanan, Senior Manager of Governance Administration, Office of the Vice President for Policy and Governance, Virginia Tech, Blacksburg, VA 24061, telephone (540) 231-9512, or email [lorib90@vt.edu](mailto:lorib90@vt.edu).

### Guidance Document:

[Board of Visitors Bylaws](#), amended June 7, 2022

Faculty Handbook, <https://faculty.vt.edu/faculty-handbook.html>, November 14, 2022

Virginia Department of Human Resource Management Policies for Staff, <http://www.dhrm.virginia.gov/hrpolicies#probper>

Undergraduate Catalog and Academic Policies, 2022-23, <https://www.undergradcatalog.registrar.vt.edu/>

Graduate Catalog, Policies, Procedures, Academic Programs, 2022-23, [https://secure.graduateschool.vt.edu/graduate\\_catalog/programs.htm](https://secure.graduateschool.vt.edu/graduate_catalog/programs.htm)

Student Code of Conduct, revised 2021, <https://codeofconduct.vt.edu/>

[2021 Jeanne Clery Disclosure Report](#)

[Parking and Traffic Operational Manual, 2022-23](#)

### VIRGINIA WORKERS' COMPENSATION COMMISSION

Documents are available using the links provided or at no charge on the Virginia Regulatory Town Hall at <https://www.townhall.virginia.gov>. Please address any questions concerning the guidance documents to Evelyn V. McGill, email [evelyn.mcgill@workcomp.virginia.gov](mailto:evelyn.mcgill@workcomp.virginia.gov).

### Guidance Documents:

[5200, Out of State Lawyers](#), 1/3/2013

[6330, 2018 Workers' Compensation Medical Fee Schedules](#), 11/14/2017

[6331, 2018 Medical Fee Schedule Ground Rules](#), 11/14/2017

[6566, Electronic Billing and Payment Companion Guide](#), 1/29/2019

[6766, Employer's Guide](#), 12/9/2019

[6767, 2020 Medical Fee Schedule Ground Rules](#), 1/1/2020

[6768, 2020 Workers' Compensation Medical Fee Schedules](#), 1/1/2020

[7130, Injured Worker's Guide](#), 3/22/2019

[7133, Virginia Workers' Compensation 2022 Medical Fee Schedules](#), 1/1/2022

[7134, 2022 Medical Fee Schedule Ground Rules](#), 1/1/2022

[7135, Electronic Data Interchange Implementation Guide Version 5.0.9](#), 1/24/2022

[7232, Requirements for Individual Self-Insurance under the Virginia Workers' Compensation Act](#), 12/7/2022

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# GENERAL NOTICES

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## DEPARTMENT OF ENVIRONMENTAL QUALITY

### Proposed Consent Order for Craft Machine Works Inc.

An enforcement action has been proposed for Craft Machine Works Inc. for the Craft Facility in Hampton, Virginia. Department of Environmental Quality (DEQ) proposes to issue a consent order to Craft Machine Works Inc. to address noncompliance with State Water Control Law. A description of the proposed action is available at the DEQ office listed or online at [www.deq.virginia.gov](http://www.deq.virginia.gov) from April 10, 2023, to May 10, 2023.

Contact Information: Thomas Jackson, Enforcement Specialist, Department of Environmental Quality, 5636 Southern Boulevard, Virginia Beach, VA 23462, FAX (804) 698-4178, or email [thomas.jackson@deq.virginia.gov](mailto:thomas.jackson@deq.virginia.gov).

### Proposed Consent Order for Holding Tree Ventures II LLC

An enforcement action has been proposed for Holding Tree Ventures II LLC for alleged violations in Fluvanna County, Virginia. Department of Environmental Quality (DEQ) proposes to issue a consent order with penalty to Holding Tree Ventures II LLC to address noncompliance with State Water Control Law. A description of the proposed action is available at the DEQ office listed or online at [www.deq.virginia.gov](http://www.deq.virginia.gov). Francesca Wright will accept comments from April 10, 2023, through May 9, 2023.

Contact Information: Francesca Wright, Enforcement Specialist, Department of Environmental Quality, 4411 Early Road, Harrisonburg, VA 22801, FAX (804) 698-4178, or email [francesca.wright@deq.virginia.gov](mailto:francesca.wright@deq.virginia.gov).

### Proposed Consent Special Order for Morgan Lumber Company Inc.

An enforcement action has been proposed for Morgan Lumber Company Inc. for violations in Red Oak, Virginia. The Department of Environmental Quality (DEQ) proposes to issue a special order by consent to Morgan Lumber Company Inc. to address noncompliance with the State Water Control Law and regulations. A description of the proposed action is available at the DEQ office listed or online at [www.deq.virginia.gov](http://www.deq.virginia.gov). The staff contact person will accept comments by email or postal mail from April 10, 2023, through May 9, 2023.

Contact Information: Tim Fletcher, Department of Environmental Quality, 901 Russell Drive, Salem, VA 24153, or email [timothy.fletcher@deq.virginia.gov](mailto:timothy.fletcher@deq.virginia.gov).

## Proposed Consent Special Order for Radford Army Ammunition Plant

An enforcement action has been proposed for the Radford Army Ammunition Plant for violations in Radford, Virginia. The Department of Environmental Quality (DEQ) proposes to issue a special order by consent to the United States Army (owner) and BAE Systems Ordnance Systems Inc. (operator) to address noncompliance with the State Water Control Law and regulations. A description of the proposed action is available at the DEQ office listed or online at [www.deq.virginia.gov](http://www.deq.virginia.gov). The staff contact will accept comments by email or postal mail from April 10, 2023, through May 9, 2023.

Contact Information: Tim Fletcher, Department of Environmental Quality, 901 Russell Drive, Salem, VA 24153, or email [timothy.fletcher@deq.virginia.gov](mailto:timothy.fletcher@deq.virginia.gov).

## STATE BOARD OF HEALTH

### Public Comment Opportunity for New Scoring Sheet for the Drinking Water State Revolving Fund

The Virginia Department of Health (VDH) Office of Drinking Water (ODW) is pleased to accept comments on the new application scorecards for both traditional construction applications and the Lead Elimination Assistance Program (LEAP) applications.

With the passage of the Bipartisan Infrastructure Law (BIL) and the renewed emphasis on infrastructure at drinking water systems, new score sheets are necessary. The Financial Construction Assistance Program (FCAP) last revised scoresheets in April 2019. The 2019 construction scoresheet did not address many of the infrastructure issues that BIL implements. The revised project scoresheet includes additional points for the replacement of lead jointed cast iron pipe, the replacement of asbestos cement pipe, and the installation of emergency electric power generators, among other changes.

The LEAP scorecard was updated to expand eligibility criteria for vulnerable populations by adding the poverty indicator and pre-K enrollment indicator from the VDH Youth Well-Being Index. The LEAP scorecard expands eligibility criteria for young children who are most vulnerable to exposure from lead in drinking water; adding a "Readiness to Proceed" section to prioritize projects that are ready to move forward now; and adding bonus points for lead service line (LSL) replacement projects to separate them from the LSL inventory projects. Removal of LSLs reduces risks to public health.

Both the construction and LEAP scorecards are available at <https://www.vdh.virginia.gov/drinking-water/fcap/drinking-water-funding-program/> or by contacting the agency contact, Kelly Ward. Comments on the scorecards are due by April 17, 2023. All comments submitted should include the name,

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## General Notices

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address, and telephone number of the person providing the comments.

**Contact Information:** Kelly Ward, Financial Construction Assistance Program Director, Office of Drinking Water, Virginia Department of Health, 109 Governor Street, 6th Floor, Richmond, VA 23219, telephone (804) 864-7500, or email [kelly.ward@vdh.virginia.gov](mailto:kelly.ward@vdh.virginia.gov).

### **Public Comment Opportunity – Draft Amendments for Hospital Emergency Departments (12VAC5-410) pursuant to Chapter 417 of the 2023 Acts of Assembly**

Introduction: The first enactment clause of Chapter 417 of 2023 Acts of Assembly requires the State Board of Health to amend its hospital regulations to require hospitals with emergency departments "to establish a security plan...using standards established by the International Association for Healthcare Security and Safety or other industry standard" that is "based on the results of a security risk assessment of each emergency department location of the hospital." This security plan must "include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment." Chapter 417 further enumerates what identified risks hospitals must consider when developing security plans and training requirements for security personnel and authorizes the State Health Commissioner to "provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment."

The second enactment clause of Chapter 417 exempts the regulatory action from the Administrative Process Act (§ 2.2-4000 *et seq.* of the Code of Virginia), provided that the State Board of Health gives an opportunity for public comment prior to adoption. This notice serves as public comment opportunity.

In drafting the proposed regulatory text, the Virginia Department of Health (VDH) sought to address (i) development of security plans using standards other than those established by the International Association for Healthcare Security and Safety; (ii) the minimum information needed to evaluate requests for waivers of the requirement of "one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times"; (iii) updates to security plans and duration of waivers; and (iv) protection of sensitive security and operational information about hospitals that VDH has in its possession as part of the waiver process.

VDH also took into consideration that currently all general hospitals in Virginia are certified by the Centers of Medicare

and Medicaid Services (CMS) as hospitals or critical access hospitals and that some may seek CMS certification as rural emergency hospitals. CMS requires all of these providers to develop and maintain emergency preparedness plans that include facility-based and community-based risk assessments, which are required to be updated at least every two years (42 CFR §§ 482.15(a), 485.542(a), and 485.625(a)). To reduce the administrative burden on hospitals while ensuring that security plans required by Chapter 417 are kept current, VDH proposes to have security plans be updated at the same interval as the emergency preparedness since both plans have similar components.

Public comment period: April 10, 2023, to May 10, 2023.

How to comment: Submit comments through the Public Comment Forum feature of the Virginia Regulatory Town Hall website at <https://townhall.virginia.gov>. Members of the public may also submit comments by mail, email, or fax to Rebekah E. Allen, Senior Policy Analyst, 9960 Mayland Drive, Suite 401, Henrico, Virginia 23233, telephone (804) 367-2102, FAX (804) 527-4502, or email [regulatorycomment@vdh.virginia.gov](mailto:regulatorycomment@vdh.virginia.gov).

All comments must be received during the comment period. Commenters are strongly encouraged to provide name, organization represented (if any), mailing address or email address, and telephone number.

Draft regulatory text: The draft exempt regulation is available for review as follows. Stricken text indicates existing text that is proposed to be repealed. Underlined text indicates new text that is proposed to be promulgated.

#### **12VAC5-410-280. Emergency service.**

A. Hospitals with an emergency department/service shall have 24-hour staff coverage and shall have at least one physician on call at all times. Hospitals without emergency service shall have written policies governing the handling of emergencies.

B. No less than one registered nurse shall be assigned to the emergency service on each shift. Such assignment need not be exclusive of other duties, but must have priority over all other assignments.

C. Those hospitals that provide ambulance services shall comply with Article 2.1 (§ 32.1-111.1 *et seq.*) of Chapter 4 of Title 32.1 of the Code of Virginia and 12VAC5-31.

D. The hospital shall provide equipment, drugs, supplies, and ancillary services commensurate with the scope of anticipated needs, including radiology and laboratory services and facilities for handling and administering of blood and blood products. Emergency drugs and equipment shall remain accessible in the emergency department at all times.

E. Current roster of medical staff members on emergency call, including alternates and medical specialists or consultants shall be posted in the emergency department.

F. Hospitals shall make special training available, as required, for emergency department personnel.

G. Toxicology reference material and poison antidote information shall be available along with telephone numbers of the nearest poison control centers.

H. Each emergency department shall post notice of the existence of a human trafficking hotline to alert possible witnesses or victims of human trafficking to the availability of a means to gain assistance or report crimes. This notice shall be in a place readily visible and accessible to the public, such as the patient admitting area or public or patient restrooms. The notice shall meet the requirements of § 40.1-11.3 C of the Code of Virginia.

I. Every hospital with an emergency department shall establish ~~protocols to ensure that security personnel of the emergency department receive training appropriate to the populations served by the emergency department. This training may include training based on a trauma-informed approach in identifying and safely addressing situations involving patients or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. a security plan for each emergency department that:~~

1. Is developed using standards established in the Healthcare Security Industry Guidelines, 13th Edition (International Association for Healthcare Security and Safety), except as provided in subdivision J 2 of this section;

2. Is based on:

a. The results of a security risk assessment of each emergency department location of the hospital; and

b. Risks for the emergency department identified in consultation with the emergency department medical director and nurse director, including:

(1) Trauma level designation;

(2) Overall patient volume;

(3) Volume of psychiatric and forensic patients;

(4) Incidents of violence against staff;

(5) Level of injuries sustained from such violence; and

(6) Prevalence of crime in the community;

3. Includes the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment, except as provided in subsection K of this section; and

4. Outlines training requirements for security personnel in:

a. The potential use of and response to weapons;

b. Defensive tactics;

c. De-escalation techniques;

d. Appropriate physical restraint and seclusion techniques;

e. Crisis intervention;

f. Trauma-informed approaches; and

g. Safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis.

J. The hospital may:

1. Accept from its security personnel the satisfactory completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731 of the Code of Virginia in lieu of the training prescribed by subdivision I 4 of this section; and

2. Request to use industry standards other than those specified in subdivision I 1 of this section by submitting a written request for alternative industry standards to the OLC that:

a. Specifies the title, edition, and author of the alternative industry standards; and

b. Provides an explanation of how the alternative industry standards are substantially similar to those specified in subdivision I 1 of this section.

K. Every hospital with an emergency department shall update its security plan, including its security risk assessment, for each emergency department location of the hospital as often as necessary but not to exceed 2 years.

L. The commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment.

1. A hospital shall submit a written request for a waiver pursuant to this subsection and shall:

a. Specify the location of the emergency department for which the waiver is requested;

b. Provide a dated copy of the security risk assessment performed for the specified emergency department that has been reviewed and approved by the governing body or its designee; and

c. Indicate the requested duration of the waiver.

2. If the commissioner grants a waiver pursuant to this subsection, he shall specify:

a. The location of the emergency department for which the waiver is granted;

b. The level of security to be provided at the specified emergency department location;



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## General Notices

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- c. The effective date of the waiver; and
- d. The duration of the waiver, which may not exceed two years from the date of issuance.

3. A hospital granted a waiver pursuant to this subsection shall:

- a. Notify the commissioner in writing no less than 30 calendar days after its security risk assessment changes and if such change impacts when and how many off-duty law-enforcement officers or trained security personnel should be present at the emergency department for which a waiver was granted;
- b. Provide a dated copy of the changed security risk assessment performed for the specified emergency department that has been reviewed and approved by the governing body or its designee; and
- c. Indicate whether the hospital is:
  - (1) Requesting a modification to its existing waiver; or
  - (2) Surrendering its existing waiver.

4. The commissioner may request additional information from the hospital in evaluating the requested waiver.

5. The commissioner may modify or rescind a waiver granted pursuant to this subsection if:

- a. The security risk assessment changes;
- b. Additional information becomes known which alters the basis for the original decision; or
- c. Results of the waiver jeopardize the health or safety of patients, employees, contractors, or the public.

6. Pursuant to the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia), the Department of Health:

- a. May not release to the public information that a hospital discloses pursuant to this subsection, the waiver request, and the response to the waiver to the extent those records are exempt from disclosure; and
- b. Shall notify the Secretary of Public Safety and Homeland Security of any request for records specified in subdivision L 6 a of this section, the person making such request, and the Department of Health's response to the request.

✚ M. Each hospital with an emergency department shall establish a protocol for treatment of individuals experiencing a substance use-related emergency to include the completion of appropriate assessments or screenings to identify medical interventions necessary for the treatment of the individual in the emergency department. The protocol may also include a process for patients who are discharged directly from the emergency department for the recommendation of follow-up care following discharge for any identified substance use disorder, depression, or mental health disorder, as appropriate, that may include:

- 1. Instructions for distribution of naloxone;

- 2. Referrals to peer recovery specialists and community-based providers of behavioral health services; or
- 3. Referrals for pharmacotherapy for treatment of drug or alcohol dependence or mental health diagnoses.

Documents Incorporated by Reference (12VAC5-410)

Guidelines for Design and Construction of Hospitals, 2018 Edition, Facility Guidelines Institute, Washington D.C., <http://www.fgiguideines.org>

Guidelines for Design and Construction of Outpatient Facilities, 2018 Edition, Facility Guidelines Institute, Washington, D.C., <https://fgiguideines.org>

Healthcare Security Industry Guidelines, International Association for Healthcare Security and Safety, 13th Edition, <https://www.iahss.org/>

Contact Information: Michael Capps, Senior Policy Analyst, Virginia Department of Health, James Madison Building, 109 Governor Street, Richmond, VA 23219, telephone (804) 864-7190, FAX (804) 864-7022.

### DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

#### **Intent to Amend the Virginia State Plan for Medical Assistance Pursuant to § 1902(a)(13) of the Social Security Act (USC § 1396a(a)(13)) - Update Average Commercial Rate Calculation of Supplemental Payments for Physicians Affiliated with Type One Hospitals**

The Virginia Department of Medical Assistance Services (DMAS) hereby affords the public notice of its intention to amend the Virginia State Plan for Medical Assistance to provide for changes to the Methods and Standards for Establishing Payment Rates; Other Types of Care (12VAC30-80).

This notice is intended to satisfy the requirements of 42 CFR 447.205 and § 1902(a)(13) of the Social Security Act, 42 USC § 1396a(a)(13). A copy of this notice is available for public review from the contact listed at the end of this notice.

DMAS is specifically soliciting input from stakeholders, providers, and beneficiaries on the potential impact of the proposed changes discussed in this notice. Comments or inquiries may be submitted in writing within 30 days of this notice publication to Meredith Lee and such comments are available for review at the same address. Comments may also be submitted, in writing, on the Virginia Regulatory Town Hall public comment at <https://townhall.virginia.gov/L/generalnotice.cfm>.

Methods and Standards for Establishing Payment Rates-Other Types of Care (12VAC30-80).

In accordance with the 2022 Appropriations Act, Item 304 B(4), the state plan is being amended to update the average commercial rate calculation of supplemental payments for physicians affiliated with Type One Hospitals in Virginia effective April 1, 2023. The updated average commercial rate percentage of Medicare will be 238% (combined).

The anticipated expenditures are \$2,953,150 in state general funds and \$3,523,056 in federal funds in federal fiscal year 2023.

**Contact Information:** Meredith Lee, Policy, Regulations, and Manuals Supervisory, Policy, Regulation, and Member Engagement Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, 23219, telephone (804) 371-0552, FAX (804) 786-1680, TDD (800) 343-0634, or email [meredith.lee@dmass.virginia.gov](mailto:meredith.lee@dmass.virginia.gov).

### VIRGINIA CODE COMMISSION

#### Notice to State Agencies

**Contact Information:** *Mailing Address:* Virginia Code Commission, Pocahontas Building, 900 East Main Street, 8th Floor, Richmond, VA 23219; *Telephone:* (804) 698-1810; *Email:* [varegs@dls.virginia.gov](mailto:varegs@dls.virginia.gov).

**Meeting Notices:** Section 2.2-3707 C of the Code of Virginia requires state agencies to post meeting notices on their websites and on the Commonwealth Calendar at <https://commonwealthcalendar.virginia.gov>.

**Cumulative Table of Virginia Administrative Code Sections Adopted, Amended, or Repealed:** A table listing regulation sections that have been amended, added, or repealed in the *Virginia Register of Regulations* since the regulations were originally published or last supplemented in the print version of the Virginia Administrative Code is available at <http://register.dls.virginia.gov/documents/cumultab.pdf>.

**Filing Material for Publication in the Virginia Register of Regulations:** Agencies use the Regulation Information System (RIS) to file regulations and related items for publication in the *Virginia Register of Regulations*. The Registrar's office works closely with the Department of Planning and Budget (DPB) to coordinate the system with the Virginia Regulatory Town Hall. RIS and Town Hall complement and enhance one another by sharing pertinent regulatory information.

