Guidance Documents in URP

Board of Accountancy (BOA): 3 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Guidance Document on Accreditation of Educational Institutions		
Brief Overview In early 2022, VBOA learnt that certain foreign accounting credentials may have been accepted as college degrees in satisfaction of VBOA educational requirements. VBOA promptly communicated with the evaluation firms and posted information on its website for potential applicants to clarify this misunderstanding. VBOA has been preparing a Guidance Document in order to prevent a repeat occurrence. The Guidance Document shall formally outline accreditation requirements and will streamline the process for both education evaluation firms and for CPA applicants who graduate from foreign colleges or universities.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	VBOA anticipates that the guidance provided would streamline the process for both education evaluation firms and for CPA applicants who graduate from foreign colleges or universities.	
Expected Date	October 2022	

Title of Proposed Regulatory Action or Guidance Document Guidance Document on Use of the CPA Title		
Brief Overview Former CPAs whose licenses have lapsed are sometimes subject to enforcement action for continuing to use the CPA title. While "use of the CPA title" is defined in Virginia statute, many other states provide additional guidance to their CPAs on whether specific actions (e.g. claiming to have developed skills in accounting or finance while a CPA, but not currently holding an Active license) are permissible. This guidance would help CPAs and former CPAs avoid misunderstandings concerning the law, help protect the public from inaccurate claims, and help streamline VBOA's enforcement process.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	VBOA anticipates that the guidance provided would reduce uncertainty regarding use of the CPA title and streamline the enforcement process.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Education Handbook		
Brief Overview VBOA maintains its "Education Handbook" as a Guidance Document. This Guidance Document provides helpful information to CPA applicants. As a consequence of the previous two proposed regulatory actions, it may become necessary to update the Education Handbook in order to keep its information up-to-date.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	The changes proposed for this Chapter will bring Virginia up to date on education standards.	
Expected Date	January 2023	

Cannabis Control Authority (CCA): 1 Guidance Document

Title of Proposed Regulatory Action or Guidance Document Guidance Document Regarding Safe and Compliant Home Cultivation of Cannabis		
Brief Overview Section 4.1-604(31) of the Code of Virginia states that the Board of Directors for the Cannabis Control Authority shall have the power and duty to develop and make available on its website guidance documents regarding compliance and safe practices for persons who cultivate marijuana at home for personal use. The guidance document prepared by the CCA will address the statutory requirements for cannabis plants cultivated in the home and suggest practices to promote personal and public safety.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	x Guidance Document
Legal Authority	☐ Action required by federal statute x Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	October 2022	

Department for Aging and Rehabilitative Services (DARS): 14 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Virginia Guide to Supported Employment and Job Coach Training Services (ID: 4519)		
Brief Overview The purpose is to provide practical and specific information to supplement the Division of Rehabilitative Services (DRS) Policy and Procedure Manual for Vocational Rehabilitation. Where possible, this guide seeks to illustrate evolving best practices gleaned from case examples and data gathered in Virginia. Specifically, the Guide is intended to provide practitioners with guidance in implementing supported employment services. Revisions are needed to update the provisions for the benefits counseling section, align references to federal regulations, update service codes, and clarify the provisions for Long Term Employment Support Services.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not planned at this time.	
Expected Date	March 2023	

Title of Proposed Regulatory Action or Guidance Document Long Term Employment Support Services (LTESS) & Extended Employment Services (EES) Policy Manual (ID: 4525)		
Brief Overview Long-Term Employment Support Services (LTESS) and Extended Employment Services (EES) are provided in the Commonwealth to assist individuals with a significant disability or most significant disability with maintaining employment. The Department administers LTESS and EES funds through providers. This policy manual outlines the process for allocating those funds and the requirements providers and consumers must meet to receive them. Revisions are need to reflect changes to the Code of Virginia, benefits planning services, and to clarify the documentation requirements.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not planned at this time.	
Expected Date	March 2023	

Title of Proposed Regulatory Action or Guidance Document State Plan for Independent Living (ID: 4540)		
Brief Overview This federally- and state-required plan contains assurances of compliance with federal laws and regulations and attachments describing Virginia's plan goals and objectives, services and providers, Centers for Independent Living, Statewide Independent Living Council. The next iteration of this three-year plan (Federal Fiscal Year 2024-2026) will need to be submitted for approval to the federal Administration for Community Living in June 2023 in order to take effect October 1, 2023.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not planned at this time.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Virginia State Plan for Aging Services (ID: 5100)		
Brief Overview In accordance with the Older Americans Act of 1965, as amended and pursuant to Virginia Code § 51.5-136, the department, as the designated state unit on aging, is mandated to submit a state plan on aging services (State Plan) to the U.S. Administration on Community Living, the Governor and the General Assembly. DARS develops the State Plan in collaboration with the state's aging network, including the Commonwealth Council on Aging, the Area Agencies on Aging, the Virginia Long-Term Care Ombudsman, and other state agencies, stakeholder organizations, and the older adults DARS serves. The next iteration of this four-year plan (Federal Fiscal Year 2024-2027) will need to be submitted for approval to the federal Administration for Community Living in July 2023 in order to take effect October 1, 2023.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not planned at this time.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document AS Broadcast 5696 Revised Adult Protective Services (APS) Minimum Training Standards (ID: 5343)		
Brief Overview The APS minimum training standards guidance document has been written (1) to address additional mandatory training requirements in the first year of employment as an APS professional and (2) to include descriptions of new e-learning and webinar courses. The document has not been revised in over 10 years.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not being made to current requirements.	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document AS Auxiliary Grant Policy Manual Chapters A-L and Transmittals (ID: 5346)		
Brief Overview Changes are needed to Chapter K – Supportive Housing (SH). SH was added as an approved setting to the Auxiliary Grant (AG) program in 2016. SH is defined as a residential setting with access to supportive services for an AG recipient in which tenancy as described in §37.2-421.1 of the Code of Virginia is provided or facilitated by a provider licensed to provide mental health community support services, intensive community treatment, programs of assertive community treatment, supportive in-home services, or supervised living residential services that has entered into an agreement with the Department Behavioral Health and Developmental Services. DARS will need to update the figures and eligibility for SH to align it with regulations.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not being made to current requirements.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Work Incentives Specialist Advocate (WISA) Manual (ID: 6494)		
Brief Overview This manual provides information about and requirements for the Work Incentives Specialist Advocates (WISAs) WISA programs and billable services, DRS vocational rehabilitation counselor procedures, and samples of forms for WISA and DRS counselors. This manual will need to be revised to update SSI payment rates, student-earned income exclusion, SGA references for 2023, and the WorkWORLD reimbursement rate.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not being made to current requirements.	
Expected Date	November 2022	

Title of Proposed Regulatory Action or Guidance Document Pre-Employment Transition Services Manual (ID: 6496)		
Brief Overview This manual provides instructions regarding the provision of Pre-Employment Transition Services ("Pre-ETS") to students with disabilities. Guidance document revisions include (1) updating content to comport with a Notice of Interpretation finalized by the United States Department of Education on 3/21/22; (2) updates to obsolete terminology, including references to the Commonwealth's previous human capital management system and realigned staff positions; (3) additional guidance on the implementation of federally-authorized work experiences; and (4) various technical/grammatical changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not being made to current requirements.	
Expected Date	November 2022	

Title of Proposed Regulatory Action or Guidance Document User's Manual: Uniform Assessment Instrument (ID: 6501)		
Brief Overview This manual provides general instructions regarding the use of the Uniform Assessment Instrument (UAI). Guidance document revisions include (1) updating content to comport with changes issued by the Department of Medical Assistance Services (DMAS) and (2) correcting outdated or incorrect content.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not being made to current requirements.	
Expected Date	November 2022	

Title of Proposed Regulatory Action or Guidance Document Vocational Rehabilitation Policy and Procedure Manual (ID: 4522)		
Brief Overview The Vocational Rehabilitation Policy and Procedure Manual, also known as the Vocational Rehabilitation (VR) Policy Manual, outlines the department's requirements and practices for the implementation of the VR Program in Virginia. Providing additional detail and guidance beyond federal and state regulations, this manual defines the VR Program's eligibility, coverage and services, client rights and responsibilities, financial participation obligations, and other related topics. This manual was updated in August 2022 to comport with new guidance from the federal Rehabilitation Services Administration regarding post-employment services. It was also amended in September 2022 to address changes in staffing and pre-approval procedures for purchases over certain monetary thresholds. Generally, this manual is updated periodically throughout the year to align with federal requirements and guidance and to provide improved clarity to the department, stakeholders, and clients.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not planned at this time.	
Expected Date	August 2022, September 2022, December 2022, April 2023, and others	

Title of Proposed Regulatory Action or Guidance Document Wilson Workforce and Rehabilitation Center Governance Manual (ID: 4545)		
Brief Overview This governance manual contains policies for the administration and operation of Wilson Workforce and Rehabilitation Center (WWRC). These policies seek to maintain the organization's compliance with applicable federal, state, and/or local laws and regulations. It also advises WWRC clients on rights and responsibilities. WWRC is working to update this manual to align with and reflect current requirements, operations, and service delivery practices.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not planned at this time.	
Expected Date	December 2022 and March 2023	

Title of Proposed Regulatory Action or Guidance Document VDA National Family Caregiver Support Guidance (ID: 5158)		
Brief Overview Funding for the National Family Caregiver Support Program (NFCSP) is provided under Title III, Part E of the Older Americans Act. The guidance for the NFCSP was last updated in June, 2017. In Federal fiscal year 2022, the Administration for Community Living added several services that could be provided through the Area Agencies on Aging under the Title III-E family caregiver support funding, including respite vouchers, assistive technology and durable medical equipment, consumable supplies, and financial consultation. This guidance needs to be revised to reflect these changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	No, this will not be reducing any regulatory requirements.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document VDA Farm Market Fresh for Seniors Handbook for Farmers (ID: 5161)		
Brief Overview This Handbook applies to all Farmers authorized by DARS to participate in the Senior Farmers' Market Nutrition Program (SFMNP) in Virginia, also called the Farm Market Fresh for Seniors Program. The authorized Farmer must comply with principles and procedures outlined in this handbook to participate. This handbook is updated annually to reflect any changes to the application process, transaction requirements, monitoring, and an updated listing of participating farmers.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not planned at this time.	
Expected Date	March 2023	

Title of Proposed Regulatory Action or Guidance Document AS Adult Services Manual Chapters 1-9 (ID: 5349)		
Brief Overview This manual was updated in July 2022 to provide updated guidance in Chapters 1- 5, and 7-8. Changes included updates made through legislative bills and in the Code of Virginia. In November 2022, additional changes are planned to include: Chapter 1 is being revised to: (1) update record retention requirements for long-term services and supports (LTSS) records per Department of Medical Assistance Service's record retention changes effective July 1, 2022 and (2) update and correct additional sections of guidance; and Chapters 2 and 3 are being revised to correct outdated guidance.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reductions are not being made to current requirements.	
Expected Date	July 2022 and November 2022	

Department of Behavioral Health and Developmental Services (DBHDS): 9 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document IFSP Funding Guidelines (DD 07)		
Brief Overview These guidelines shall be developed annually in collaboration with the IFSP State Council (see Item 313.NN.) and published in accordance with regulation, Operation of the Individual and Family Support Program [12VAC35-230]. Previously, requirements were entirely in regulation and based on first come, first served.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document DBHDS DD Support Coordination (Case Management) Handbook (DD 05)

Brief Overview The handbook provides information and "how to" guidance regarding developmental disability ("DD") case management services across the system. General content updates are needed as regulations change (including DMAS) and user feedback is collected. Strengthening the support coordinator's/case manager's role is essential to helping ensure effective and accountable services under the Medicaid Development Disability Waivers. The purpose of this handbook is to guide support coordinators in all aspects of their work.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.	
Expected Date	November 2022	

Title of Proposed Regulatory Action or Guidance Document Certified Recovery Residences (ORS 01)	
Brief Overview This guidance will be updated to correspond with mandated changes to 12VAC35-260, per HB277 (2022). A regulatory action will be before the State Board at the December meeting. *While the regulatory action is required, the guidance is not; however, the box is checked under 'legal authority' as it is tied to the regulatory mandate.*	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.
Expected Date	March 2023

Title of Proposed Regulatory Action or Guidance Document FAC 01 Training Center Admission Process (new)		
Brief Overview This guidance would correspond with the planned action regarding Chapters 190 and 200 filed December 2022.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Guidance for Serious Incident Reporting (LIC 17)		
Brief Overview The planned updates to this guidance document will include additional clarification regarding requirements from the DOJ Settlement Agreement for providers of DD services to track specific risks that are common to individuals with developmental disabilities, as part of the provider's quarterly review of serious incidents. The guidance will clarify the expectation and provide examples. *This is not required by federal or state statute, but by agreement with the US Department of Justice in implementing the Settlement Agreement with Virginia.*		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ *Other (DOJ Settlement Agr.)*	☐ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Guidance for Risk Management (LIC 21)		
Brief Overview The planned updates to this guidance document will include additional clarification as to how providers can incorporate information from their quarterly review of serious incidents into their annual systemic risk review. Updating this document is necessary to comply with required curative actions of the DOJ Settlement Agreement. *This is not required by federal or state statute, but by agreement with the US Department of Justice in implementing the Settlement Agreement with Virginia.*		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ *Other (DOJ Settlement Agr.)*	☐ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Reporting Peer-to-Peer Aggression as Neglect (HR 02)		
Brief Overview This guidance will revise and clarify the reporting requirements for peer-on-peer aggressions that occur in licensed or funded community provider settings with the intent of reducing reporting not tied to suspected neglect. The guidance will provide previous incident reporting data, clarify the expectation, and provide examples.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.	
Expected Date	November 2022	

Title of Proposed Regulatory Action or Guidance Document Uses of Video and Audio Monitoring in a Provider Service Settings (HR 03)		
Brief Overview This guidance will clarify the right of individuals receiving services licensed, funded, or operated by DBHDS to reasonable privacy, and clarify and detail expectations regarding provider use of monitoring devices in a service setting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Guidance on Reporting Medication Errors as Potential Abuse or Neglect (HR 04)		
Brief Overview This guidance will clarify expectations for licensed and funded providers regarding when to report a medication error as potential abuse or neglect; the intent is to reduce reporting that is not tied to suspected neglect. The guidance will clarify terminology and provide examples.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	DBHDS guidance documents are not enforceable, and therefore, contain no mandates.	
Expected Date	January 2023	

Department of Criminal Justice Services (DCJS): 5 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Training Standards for School Resource Officers		
Brief Overview The Virginia Center for School and Campus Safety division of DCJS has been working with subject matter experts and facilitating a workgroup to establish training standards for School Resource Officers (SROs) who are sworn officers, employed by Sheriffs' Offices or Police Departments in the Commonwealth, and assigned to elementary, middle, high schools, and colleges in Virginia. DCJS anticipates the promulgation of this new guidance document in early 2023, after final departmental approval is given.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will enhance the safety of some of the youngest citizens of Virginia by the promulgation of a guidance document containing standards and requirements to be utilized by employing Sheriffs' Offices or Police Departments for their SROs working in/on school campuses.	
Expected Date	March 2023	

Title of Proposed Regulatory Action or Guidance Document Training Standards for School Security Officers		
Brief Overview Upon the repeal of 6 VAC 20-240, the Virginia Center for School and Campus Safety division of DCJS anticipates continuing to work with subject matter experts to establish training standards and requirements for School Security Officers (SSOs) who are civilian, non-sworn individuals employed by schools and/or colleges. DCJS anticipates the promulgation of this new guidance document in early 2023, after final departmental approval is given.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will enhance the safety of some of the youngest citizens of Virginia by the promulgation of a guidance document containing standards and requirements to be utilized by the employing schools and/or colleges.	
Expected Date	March 2023	

Title of Proposed Regulatory Action or Guidance Document Training Standards for Campus Security Officers		
Brief Overview Upon the repeal of 6 VAC 20-270, the Virginia Center for School and Campus Safety division of DCJS anticipates continuing to work with subject matter experts to establish training standards and requirements for Campus Security Officers (CSOs) who are civilian, non-sworn individuals employed by schools and/or colleges. DCJS anticipates the promulgation of this new guidance document in early 2023, after final departmental approval is given.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will enhance the safety of some of the youngest citizens of Virginia by the promulgation of a guidance document containing standards and requirements to be utilized by the employing schools and/or colleges.	
Expected Date	March 2023	

Title of Proposed Regulatory Action or Guidance Document CASA/CJA Advisory Committee Guidance Policies for Court Appointed Special Advocate Programs		
Brief Overview The guidance document currently posted to Town Hall for the CASA/CJA Advisory Committee's guidance policies for Court Appointed Special Advocate Programs (CASA) was last updated in 2017. The newest version, which contains updated language and technical amendments, was made in 2021, so this document will be replaced.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will update the current guidance document, ensuring all constituents are receiving the most up-to-date information related to CASA.	
Expected Date	September 2022	

Title of Proposed Regulatory Action or Guidance Document Local Community-Based Probation and Pretrial Services Grant Application Guide for Continuation Funding		
Brief Overview The guidance document currently posted to Town Hall for the Local Community-Based Probation and Pretrial Services Grant Application Guide has not been updated since FY16 and is no longer being utilized by constituents seeking funding, so it will be replaced with the most current version, for FY24, once it is complete in early 2023. Although the current version for FY23 is available on DCJS' website, it was never posted to Town Hall, which is an oversight on the agency's part. The updated version will contain new technical amendments and rules for those agencies seeking funding for FY24.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	This action will not reduce the regulatory requirements of the agency, but rather, will update the current guidance document, ensuring all constituents are receiving the most up-to-date information related to funding opportunities.	
Expected Date	March 2023	

Department of Conservation and Recreation (DCR): 6 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document		
Southwest VA Museum State Park Master Plan		
Brief Overview		
Subsection 10.1-200 of the Code of Virginia requires that master plans be written for existing and proposed Virginia State Parks. The plans cover the size, types, and locations of facilities as well as the site's special features and resources. Plans also cover infrastructure, such as roads, and utilities. They also outline phased development and costs for operations, maintenance and staffing.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Machicomoco State Park Master Plan		
Brief Overview Subsection 10.1-200 of the Code of Virginia requires that master plans be written for existing and proposed Virginia State Parks. The plans cover the size, types, and locations of facilities as well as the site's special features and resources. Plans also cover infrastructure, such as roads, and utilities. They also outline phased development and costs for operations, maintenance and staffing.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	February 2023	

Title of Proposed Regulatory Action or Guidance Document Mayo River State Park Master Plan		
Brief Overview Subsection 10.1-200 of the Code of Virginia requires that master plans be written for existing and proposed Virginia State Parks. The plans cover the size, types, and locations of facilities as well as the site's special features and resources. Plans also cover infrastructure, such as roads, and utilities. They also outline phased development and costs for operations, maintenance and staffing.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	April 2023	

Title of Proposed Regulatory Action or Guidance Document Lake Anna State Park Master Plan		
Brief Overview Subsection 10.1-200 of the Code of Virginia requires that master plans be written for existing and proposed Virginia State Parks. The plans cover the size, types, and locations of facilities as well as the site's special features and resources. Plans also cover infrastructure, such as roads, and utilities. They also outline phased development and costs for operations, maintenance and staffing.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	May 2023	

Title of Proposed Regulatory Action or Guidance Document Virginia Community Flood Preparedness Fund (CFPF) Grant Manual (Grant Round 4) was established to provide support for regions and localities across Virginia to reduce the impacts of flooding. The Resilient Virginia Revolving Fund (RVRF) was established to provide loans or to refinance projects for local governments or to give grants to them, and provides that the Fund may be used by local governments for loans or grants to persons of the Commonwealth eligible for projects for resilience purposes		
Brief Overview Virginia Community Flood Preparedness Fund (CFPF) was established to provide support for regions and localities across Virginia to reduce the impacts of flooding. The updated manual will include CFPF Grant Round 4, as well as the new Resilient Virginia Revolving Fund.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	April 2023	

Title of Proposed Regulatory Action or Guidance Document Virginia Flood Risk Management Standards		
Brief Overview Executive Order 45 (2019) established Floodplain management requirements and planning standards for state agencies, institutions, and property. In order to remain in compliance with the National Flood Insurance Program (NFIP), Virginia is required to formally adopt development standards for state agency buildings and facilities in flood prone areas. Participation in the NFIP provides Virginia's citizens with lower-cost flood insurance.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute (EO45)	☐ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Department of Environmental Quality (DEQ): 51 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Guidance Memo: Nonpoint Source Nutrient Trading Credit Certification: Delivery Factors for Stream Restoration Projects		
Brief Overview This guidance document will set forth how DEQ calculates delivery factors for stream restoration projects used to generate nonpoint source nutrient credits as directed by Virginia Code § 62.1- 44.19:20. Nutrient credits are measured as pounds of nitrogen, phosphorus, or sediment delivered to the Chesapeake Bay, and delivery factors are used to account for the attenuation that occurs between the credit-generating project and tidal waters. This guidance will reduce uncertainty in the nonpoint source nutrient trading program by establishing credit calculation procedures for stream restoration projects. Prior to this guidance, delivery factors have been calculated on a case-by-case basis.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Guidance Memo: Accelerated Nonpoint Source Nutrient Credit Release for Stream Restoration Projects		
Brief Overview The 2022 General Assembly passed SB 187 authorizing the Department of Environmental Quality (DEQ) to accelerate the release of nutrient credits from stream restoration projects notwithstanding release schedules set out in regulation. This guidance seeks to clarify the changes made to § 62.1-44.19:20 of the Code of Virginia and necessary conditions for requesting the accelerated release.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	This guidance will streamline the application process and credit release schedule for applicable stream restoration projects in the nonpoint source nutrient trading program. This guidance will allow for a full credit release to be achieved a year sooner than under the previous standards.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Concrete Products Facilities 9VAC25-193	
Brief Overview VPDES permits are required for these discharges and rather than DEQ issuing individual permits, the board is reissuing this general permit regulation to more efficiently cover the entire sector, saving money for both the permittee and the Commonwealth. If the existing general permit is not reissued prior to expiration (12/31/2023), no coverage can be extended to newly proposed dischargers. Any new dischargers would be required to wait for reissuance of the general permit or obtain an individual permit. The existing guidance (GM18-2009 Implementation Guidance for Reissuance of the VPDES General Permit for Concrete Products Facilities VAG11) will be revised.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☒ Proposed Rule ☒ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☒ Expedited Rule ☒ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	Reissuance of this general permit provides dischargers under this sector with a streamlined permitting process, greatly reducing the costs and time necessary to obtain permit coverage as well as reducing the administrative costs to the Commonwealth.
Expected Date	November 2022 for AGO review January 2023 for proposed rule publication June 2023 for final rule publication August 2023 for guidance publication

Title of Proposed Regulatory Action or Guidance Document Amendment and Reissuance of: Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Noncontact Cooling Water Discharges of 50,000 Gallons Per Day or Less [9VAC25-196]	
Brief Overview This general permit regulation governs point source discharges of noncontact cooling water of 50,000 gallons per day or less to surface waters and will expire March 1, 2023.VPDES permits are required for these discharges and rather than DEQ issuing individual permits, the board is re-issuing this general permit regulation to more efficiently cover the entire sector, saving money for both the permittee and the Commonwealth. If the existing general permit is not reissued prior to expiration, no coverage can be extended to newly proposed dischargers. Any new dischargers would be required to wait for reissuance of the general permit or obtain an individual permit. An implementation guidance document will also be developed for the general permit reissuance.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☒ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☒ Expedited Rule ☒ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	Reissuance of this general permit provides dischargers under this sector with a streamlined permitting process, greatly reducing the costs and time necessary to obtain permit coverage as well as reducing the administrative costs to the Commonwealth.
Expected Date	AGO Submission: November 2022 Proposed Stage Town Hall publication: December 2022 Guidance Town Hall publication: February 2023

Title of Proposed Regulatory Action or Guidance Document Reissuance of Virginia Pollutant Discharge Elimination System General Permit for Potable Water Treatment Plants 9VAC25-860	
Brief Overview VPDES permits are required for these discharges and rather than DEQ issuing individual permits, the board is re-issuing this general permit regulation to more efficiently cover the entire sector, saving money for both the permittee and the Commonwealth. If the existing general permit is not reissued prior to expiration (06/30/2023), no coverage can be extended to newly proposed dischargers. Any new dischargers would be required to wait for reissuance of the general permit or obtain an individual permit. The existing guidance (GM18-2003 Implementation Guidance for Reissuance of the General VPDES Permit for Potable Water Treatment Plants VAG64) will be revised.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Emergency Rule ☐ Proposed Rule ☐ Fast-Track Rule ☒ Final Rule
Additional Description	☒ Expedited Rule ☒ Guidance Document ☒ Exempt Rule
Legal Authority	☒ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	Reissuance of this general permit provides dischargers under this sector with a streamlined permitting process, greatly reducing the costs and time necessary to obtain permit coverage as well as reducing the administrative costs to the Commonwealth.
Expected Date	November 2022 for AGO review January 2023 for final rule publication March 2023 for guidance publication

Title of Proposed Regulatory Action or Guidance Document Reissuance of General VPDES Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (9 VAC 25 - 890)	
Brief Overview New guidance on MS4 program implementation will be developed and the purpose of this guidance is to identify changes that have been made in the reissued general permit, to provide DEQ staff and permittees with guidance on implementation of these changes, and to provide guidance on aspects of the permit that have raised questions.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☒ Proposed Rule ☒ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☒ Expedited Rule ☒ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	Reissuance of this general permit provides dischargers under this sector with a streamlined permitting process, greatly reducing the costs and time necessary to obtain permit coverage as well as reducing the administrative costs to the Commonwealth. The proposed general permit clarifies differences between traditional local government permittees and nontraditional government entity permittees with conditions tailored to both permittee types eliminating the need to develop separate MS4 general permits for traditional and nontraditional permittees thereby reducing administrative costs to the Commonwealth. The proposed general permit pauses the standard decennial expansion of government entities automatically designated as requiring MS4 permit coverage thereby preventing many currently nonregulated entities from incurring the expense of obtaining permit coverage and complying with permit conditions. The pause on automatic designation eliminates Commonwealth administrative costs of MS4 designation and program development assistance for new permittees. Lastly, the proposed permit eliminates conditions requiring permittees to maintain an electronic database of all known permittee owned and privately owned stormwater management facilities. These requirements are duplicative of the BMP Warehouse Reporting requirements in Part III and eliminating these requirements reduces administrative costs to the permittee.
Expected Date	Proposed regulation- November 2022 Final regulation- March 2023 Guidance document- June 2023

Title of Proposed Regulatory Action or Guidance Document Virginia Pollutant Discharge Elimination System (VPDES) Permit Manual		
Brief Overview This guidance manual outlines the procedural steps for issuing, reissuing, modifying and terminating VPDES individual permits. It also contains templates for permit limits, special conditions, fact sheets, industrial stormwater requirements, transmittal letters and forms. Providing steps for permit writers to follow is necessary to reduce staff time and resources to draft and issue individual permits. It also provides assurance that the permits will be issued legally and with consistent requirements and rationales.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	March 2023	

Title of Proposed Regulatory Action or Guidance Document Implementation Guidance for the Reissuance of the General VPDES Permit Regulation for Discharges From Groundwater Remediation of Contaminated Sites, Dewatering Activities of Contaminated Sites, and Hydrostatic Tests General Permit		
Brief Overview Update the Implementation Guidance for the Reissuance of the General VPDES Permit Regulation for Discharges From Petroleum Contaminated Sites, Groundwater Remediation and Hydrostatic Tests, 9VAC25-120 (2013) to reflect the 2023 final general permit.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This guidance will replaced the prior guidance document and reflect current requirements and information.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Implementation Guidance for the existing regulatory requirements applicable to cooling water intake structures (9VAC25-31-165).		
Brief Overview Issue implementation guidance addressing cooling water intake structures. Guidance would address implementation issues associated with current new facility regulations (9VAC25-31-165 B) and the implementation of requirements developed on case by-case, best professional judgment (BPJ) basis (9VAC25-31-165 C).		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This guidance will reflect current requirements and information, and would promote consistency and efficiency.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document GUIDANCE MEMORANDUM No. 02-2010, Amendment No. 4 Water Compliance Auditing Manual Revisions – Section I.H (Assessment of Unauthorized Discharges, Overflows, and Bypasses of Sanitary Wastewater) and Appendix 1 (Point Assessment Criteria)		
Brief Overview The purpose of this guidance is to revise compliance auditing procedures for unauthorized discharges, overflows and bypasses from facilities covered by a VPDES or VPA permit. Additionally, compliance assessment of overflows from satellite sewage collection systems and unauthorized dry weather discharges from combined sewer systems are included in this guidance. Assessed points are based upon the significance criteria set forth in this guidance. This guidance supersedes Section I.H and Appendix 1 of the Compliance Auditing Manual (GM#02-2010 and its amendments) and will be incorporated into the Compliance Auditing Manual, Guidance Memorandum No. 02-2010.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document		
Guidance Memo No. 22-2011 - Streamlined Plan Review for Construction Stormwater Plans and Erosion and Sediment Control Plans submitted by a Professional Engineer and reviewed by a Dual Combined Administrator for Erosion and Sediment Control and Stormwater Management		
Brief Overview This guidance document provides for: 1) a streamlined stormwater management (SWM) plan review process in instances where DEQ is the Virginia Stormwater Management Program (VSMP) authority and 2) a streamlined erosion and sediment control (ESC) plan review process where DEQ is the Virginia Erosion and Sediment Control Program (VESCP) authority when the following conditions are met: • The SWM and/or ESC plan is prepared by a professional engineer licensed to engage in practice in the Commonwealth under Chapter 4 of Title 54.1 of the Code of Virginia, • The SWM and/or ESC Plan is pre-reviewed and signed by a person who holds an active certificate as a Dual Combined Administrator for ESC and SWM, and • A completed Plan Submission Checklist is submitted with the SWM and/or ESC Plan on the cover sheet.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This guidance document will streamline DEQ's process for reviewing stormwater management and erosion and sediment control plans. This will create additional clarity and time savings for those seeking plan approval.	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Guidance Memo No. 22-2012 - Stormwater Management and Erosion & Sediment Control Design Guide		
Brief Overview This guidance document has been developed to assist the public and the development community in determining the policies and procedures that apply to land development in the Commonwealth of Virginia where DEQ serves as the Virginia Stormwater Management Program (VSMP) authority and/or the Virginia Erosion & Sediment Control Program (VESCP) authority. It contains information primarily concerned with the design guidelines for Erosion & Sediment Control Plans and Stormwater Management Plans. This guidance document provides greater clarity to the public and development community on which policies and procedures apply to land development. This will help save time by providing a guide to what DEQ expects in the design of erosion and sediment control and stormwater management plans.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document 2023 Virginia Stormwater Management Handbook	
Brief Overview This guidance will consolidate and update DEQ's existing manuals, technical bulletins, design standards & specifications, and guidance documents related to post-construction stormwater management and erosion & sediment control.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	This guidance will create additional clarity, consistency, and time savings for design professionals preparing post-construction stormwater management and/or erosion & sediment control plans by ensuring all programmatic requirements are in a single document. This guidance will also streamline DEQ's process for reviewing stormwater management and/or erosion & sediment control.
Expected Date	June 2023

Title of Proposed Regulatory Action or Guidance Document Amend Virginia Stormwater Management Program Regulation to update the Virginia Runoff Reduction Method and the associated post-construction total phosphorus water quality design standard.		
Brief Overview This action will amend provisions of the Virginia Stormwater Management Program Regulation (9VAC25-870) to incorporate revisions to the Virginia Runoff Reduction Method (VRRM). The VRRM requires updated loading rate calculations to ensure consistency with the Chesapeake Bay Total Maximum Daily Load (TMDL), to accommodate revisions to the Chesapeake Assessment Scenario Tool, and to improve the Commonwealth's climate resiliency by reflecting changes to rainfall amounts and event mean concentration due to climate change. In addition, the VRRM's three land covers do not comprehensively reflect post-construction site conditions. Additionally, the post-construction total phosphorus water quality design standard will be updated, if necessary, in accordance with the 2022-2023 Chesapeake Bay Programmatic Milestones for the Phase III Watershed Implementation Plan. An update would be necessary if the existing water quality design standard does not continue to ensure "nutrient neutral'' for future development under the Chesapeake Bay TMDL.		
Regulatory Stage (check one box)	☒ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document CH880- 2024 Amendment and Reissuance of the VPDES Stormwater Construction General Permit Regulation		
Brief Overview This regulatory action is proposed to amend and reissue the existing stormwater construction general permit regulation, which expires on June 30, 2024. This general permit regulation authorizes the discharge of stormwater from construction activities equal to or greater than 1 acre of land disturbance or less than 1 acre of land disturbance within a larger common plan of development or sale. This regulatory action is needed to ensure existing and new construction activities are covered under this general permit regulation. If the existing general permit is not reissued prior to expiration, no coverage can be extended to newly proposed dischargers. Any new dischargers would be required to wait for reissuance of the general permit or obtain an individual permit. In addition to reissuance of the general permit, this action may also require the publication of guidance documents to further assist dischargers in understanding any new permit requirements and assist local government partners in implementation of the new permit.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☒ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☒ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Reissuance of this general permit provides dischargers under this sector with a streamlined permitting process, greatly reducing the costs and time necessary to obtain permit coverage as well as reducing the administrative costs to the Commonwealth.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Groundwater Withdrawal Permit Manual		
Brief Overview The purpose of this manual is to provide DEQ water withdrawal permitting staff a framework for processing requests for new, expanded, or modified groundwater withdrawals and is intended to provide the overall process for reviewing and issuing individual groundwater withdrawal permits. This revised manual contains updates and clarifications to the permit processing framework, and supersedes previous manuals for drafting groundwater withdrawal permits.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document PCB Pollution Minimization Plan Guidance		
Brief Overview This guidance document is to establish procedures to develop Pollutant Minimization Plans (PMPs) for implementing Polychlorinated biphenyls (PCB) TMDL Waste Load Allocations. The guidance will include guidelines for DEQ staff to request, review and approve a PMP, as well as track plan implementation and compliance, to measure progress in attaining PCB reductions. The guidance will also assist applicable VPDES permitted facilities listed as PCB sources in a TMDL with preparing a complete and approvable PMP.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Public Participation Procedures Guidance (Guidance memo 14-2016)		
Brief Overview This is a revision to the existing guidance document 14-2016 that sets forth the process to provide the public and stakeholders with an adequate opportunity to participate in the development and implementation of TMDLs, TMDL modifications, 305(b)/303(d) Integrated Reports, and non-TMDL waste load allocations. The revisions will update and provide clarifications to procedures, and establishes public notice templates to use for public and advisory group meetings.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Chesapeake Bay Preservation Act Guidance: Implementing Coastal Resiliency Provisions (9VAC25-830-155)		
Brief Overview This Guidance document is to provide additional information and assistance to localities implementing the recent regulatory changes related to climate resiliency and adaptation measures (9 VAC 25-830-155). It provides additional clarity and examples for localities to use.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Compliance Evaluation and Review Process and Elements (9VAC25-830)	
Brief Overview This Guidance will update existing Guidance and provide additional information on the conducting of locality compliance program reviews for the Chesapeake Bay Preservation Act.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	
Expected Date	January 2023

Title of Proposed Regulatory Action or Guidance Document Chesapeake Bay Preservation Act Guidance: Riparian Buffer Manual (9VAC25-830)		
Brief Overview This Guidance document is to provide significant technical assistance and information to localities on the implementation of the requirements and in particular requirements and provisions related to buffer modifications, alterations, and plantings. It also includes updates related to regulatory changes for the planting of trees and preservation of mature trees which were based upon a statutory change.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	March 2023	

Title of Proposed Regulatory Action or Guidance Document Chesapeake Bay Preservation Act Guidance- Implementing Website Publication Requirements		
Brief Overview This Guidance document is to provide additional information and assistance to localities implementing the recent statutory (Chapter 207 of the 2022 Acts of Assembly) and regulatory changes related to the requirement to post certain program elements to a public website. The regulatory changes were in light of statutory changes requiring the posting by localities of this information. The Guidance is intended to provide clarity on complying with this requirement.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Fish Kill Investigation Guidance Manual (Guidance memo 02-2002) 62.1-44.15 (11)		
Brief Overview This is a revision to the existing guidance document 02-2002 that establishes the procedures that DEQ staff should follow when investigating fish kills to meet the requirements set forth in State Water Control Law § 62.1-44.15 (11). The revisions will contain updates and clarifications to existing procedures and out dated language related to safety, communications, establishing the cause of the fish kill, determining the number of fish killed, and presenting the data for enforcement action and cost recovery.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	April 2023	

Title of Proposed Regulatory Action or Guidance Document 2024 Water Quality Assessment Guidance Manual (update to Guidance Memo 21-2002) (62.1.44.19:5C)		
Brief Overview This is a revision to existing guidance document (21-2002) that establishes the procedures that DEQ staff will follow for conducting water quality assessments to generate the Virginia's 2024 §305(b)/ §303(d) Water Quality Assessment Integrated Report. Section 62.1-44.19:5 C of the Code of Virginia requires DEQ to develop and publish the procedures used for defining and determining impaired waters and provide for public comment on the procedures. The revisions will contain updates to water quality assessment procedures to account for revisions to water quality standards or to incorporate assessment process improvements.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Water Division Guidance Memorandum No. 22-2013 – Nutrient Management Plans for Irrigation Reuse of Reclaimed Water and Land Treatment of Wastewater	
Brief Overview DEQ is the primary promulgating agency for the guidance identified above. The guidance is associated with the Water Reclamation and Reuse Regulation (9VAC25-740) and the Virginia Pollution Abatement Permit Regulation (9VAC25-32). This guidance is to provide information and instructions to DEQ water permitting staff on existing nutrient management plan (NMP) requirements for irrigation reuse of reclaimed water and land treatment of wastewater authorized by VPDES or VPA permits. The guidance further clarifies the requirements and processes to review and, as applicable, approve such NMPs, which may additionally involve Nutrient Management Program staff in the Department of Conservation and Recreation, Division of Soil and Water Conservation.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	This guidance does not remove or impose any new regulatory requirements, but clarifies existing DEQ procedures and coordination with another agency (DCR) to expedite the review and, as applicable, approval of NMPs required for irrigation reuse of reclaimed water and land treatment of wastewater.
Expected Date	December 2022

Title of Proposed Regulatory Action or Guidance Document Water Division Guidance Memorandum No. 22-2014 – Virginia Pollution Abatement (VPA) Permit Manual	
Brief Overview DEQ is the primary promulgating agency for the guidance identified above. The guidance is specifically associated with the Virginia Pollution Abatement Permit Regulation, 9VAC25-32. This regulatory activity involves updating and consolidating existing agency guidance in the VPA Permit Manual related to (i) the processing of all types of VPA permit actions, including permit issuances, reissuances, modifications, revocations and reissuances, and termination; and (ii) technical issues affecting the processing of VPA permits. This activity is necessary to: • Make changes to the Manual that are consistent with recent amendments to State Water Control Law and subsequently to the VPA Permit Regulation in accordance with SB 657 (2022); • Streamline VPA permit processing by providing the bulk of the technical and procedural information for permit actions in one document; and • Ensure more consistent VPA permit content, and uniform and efficient processing by DEQ water permitting staff among all regions of the agency.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	This guidance does not remove or impose any new regulatory requirements, but updates and consolidates existing agency procedures that are consistent and in conformance with the VPA Permit Regulation (9VAC25-32), the Sewage Collection and Treatment Regulations (9VAC25-790), and the Water Reclamation and Reuse Regulation (9VAC25-740).
Expected Date	June 2023

Title of Proposed Regulatory Action or Guidance Document Guidance for Implementation of VPA Regulation and General Permit for Poultry Waste Management Amendments, VPG2 (9VAC25-630)	
Brief Overview The State Water Control Board is initiating the development of a new guidance document to identify significant changes that have been made to the VPA Regulation and General Permit for Poultry Waste Management (9VAC25-630-10 et seq.) during the most recent regulatory action. It will also provide DEQ staff with guidelines on the implementation of the changes and clarify certain aspects of the permit process.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	This guidance document will allow for the elimination of two outdated guidance documents.
Expected Date	December 2022

Title of Proposed Regulatory Action or Guidance Document Risk Based Inspection Strategy (RBIS) For Underground Storage Tanks #LPR-SRR-2018-2A		
Brief Overview This guidance document explains the Risk Based Inspection Strategy (RBIS) for Underground Storage Tanks (USTs). This strategy is intended to evaluate alternative targeting methods for establishing annual inspection schedules.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The agency will be revising the existing guidance document this year to adjust the criteria used to establish facility risk levels which determine inspection frequency. The expected impact of the changes will be to decrease inspection frequency for some UST facilities.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Storage Tank Technical Manual – Volume 2: Release Reporting Requirements		
Brief Overview This guidance manual is currently being updated from the 2011 version. The updated version will eliminate obsolete links and processes as well as provide better procedural clarification for staff and stakeholders regarding when and how to report releases to DEQ. This document is an internal job aid for tank remediation staff that provides a standard framework for handling release reporting consistently administratively statewide. The document will also expand on language from the 2011 document to provide clarity to all stakeholders.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Storage Tank Technical Manual – Volume 4: Site Work and Pre-Approval and Verification Process		
Brief Overview This guidance manual is currently being updated from the 2011 version. The updated version will eliminate obsolete links and processes as well as provide better procedural clarification for staff and stakeholders. This includes how to manage scope of work and facilitate the reimbursement of site costs through pre-approval and verification of site work where applicable. This document is an internal job aid for tank remediation staff that introduces electronic documentation as well as administrative troubleshooting. The guidance will be streamlined from the current version for procedural clarity.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The guidance will be streamlined from the current version for procedural clarity.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Storage Tank Technical Manual – Volume 5: Release Investigation and Corrective Action		
Brief Overview This guidance manual is currently being updated from the 2011 version to incorporate subsequent additional guidances such as Alternate Water Supply and Case Closure of Sites with Free Product. The updated version will eliminate obsolete links and processes as well as provide better procedural clarification for staff. This document is an internal job aid for tank remediation staff that provides a standard framework for handling release investigation and corrective action measures more consistently administratively statewide. Several independent guidances and policies issued after 2011 will be incorporated into a single volume. The document will also expand provide clarity to all stakeholders which should assist both staff and consultants in site cleanup activities.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	As part of the revision to this guidance document, several independent guidances and policies issued after 2011 will be incorporated into a single guidance document, which will reduce the number of guidance documents.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Aboveground Storage Tank: Risk-Based Inspections (RBIS)		
Brief Overview This guidance in new and will assist DEQ tank inspection staff with prioritizing inspections for Petroleum AST facilities that have a higher risk of impacting receptors and/or have a history of noncompliance, making them more at risk for petroleum leaks. Due to the size of tanks regulated, releases tend to be large and have the potential for a catastrophic impact to communities and waterways. This guidance document will be loosely modeled after the RBIS for UST compliance, using facility risk levels for determining inspection frequency.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Hazardous Waste Permit Manual		
Brief Overview This guidance document was created to be used by hazardous waste permit writers at DEQ in order to guide them through the permitting process, and to house all the EPA and DEQ guidance on permit writing in one location. This document is an internal job aid for hazardous waste permit writers.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Updated Hazardous Waste Inspector Handbook		
Brief Overview This guidance document was created to be used by hazardous waste inspectors at DEQ in order to guide them through the inspection process, and to house all the guidance on inspections in one location. This guidance is already on Town Hall but is being updated to incorporate additional issues that have occurred as a result of new regulations that impact HW generators being promulgated. Inspection checklists, provided in Appendix A to the Manual, are also being revised. This document is an internal job aid for hazardous waste inspectors.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Guidance on the Use of Portable Incinerators and Sequestration Devices for Pharmaceuticals and Other Hazardous Wastes by Law Enforcement Officials and Healthcare Facilities	
Brief Overview We have received numerous inquiries from both law enforcement and hospitals regarding the ability to burn confiscated illicit drugs on site, or to render hazardous waste pharmaceuticals and controlled substances irretrievable through chemical digestion on site. The Hazardous Waste Pharms rule that established the need for this guidance document was already adopted by DEQ. This document will make it easier for the public to understand how to comply.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	
Expected Date	February 2023

Title of Proposed Regulatory Action or Guidance Document State-Wide Variance Guidance Memo No. LPR-SW-04-2012 Management and Reuse of Contaminated Media Update	
Brief Overview Update to the 2012 Management and Reuse of Contaminated Media to address issues for use and implementation of the state-wide self-implemented variance for facilities.	
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	The updated guidance document will allow for greater flexibility and updated applicable risk numbers by conforming our guidance to be consistent with EPA's regional screening levels and removing the requirement to implement land use restrictions.
Expected Date	May 2023

Title of Proposed Regulatory Action or Guidance Document Submission Instructions No. 30: Guidelines for Landfill Topographic Survey Submissions		
Brief Overview This guidance will provide landfill permittees instruction on submission of annual/biennial landfill topographic surveys. Guidance corresponds with regulatory changes proposed with Amend 9 of 9VAC20-81 (Solid Waste Management Regulations). This is a guidance document that will be used by DEQ staff and permitted landfills to assist with submission of the annual/biennial landfill topographic survey.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Solid Waste Permit Manual		
Brief Overview The Virginia Waste Management Act requires all solid waste management facilities (SWMFs) to obtain a permit from the Department. This permit manual describes the procedures for processing solid waste management facility permits and other regulatory submittals to ensure the requirements of the Virginia Waste Management Act and the Virginia Solid Waste Management Regulations are being met. An outdated version of this guidance is on Town Hall, but an updated version is being finalized to address regulatory and procedural updates. This document is an internal job aid for solid waste permit writers.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Solid Waste Compliance Program Inspection Manual (Revision 6)		
Brief Overview The Virginia DEQ Solid Waste Compliance Program conducts periodic inspections of waste management facilities subject to the Virginia Waste Management Act and its associated waste regulations. This manual provides procedural guidance on how to conduct a legally defensible inspection and is designed to promote uniformity and consistency among DEQ Regional Offices. Procedures include pre-inspection preparation, on-site inspection protocols, and post-inspection procedures for report preparation and responding to observations of compliance and noncompliance. This manual is an existing guidance document (LPR-SW-02-2010) on Virginia Regulatory Town Hall and is being updated for consistency with Amendment 9 to the Virginia Solid Waste Management Regulations (9VAC20-81). This document is an internal job aid for solid waste inspectors and provides a standard framework for agency staff to evaluate compliance with waste-related regulations in order to maintain consistency around the state.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Clarification of Landfill Gas Regulatory Requirements		
Brief Overview This guidance document was developed to clarify regulatory requirements applicable to landfill gas monitoring and remediation under the Virginia Solid Waste Management Regulations (9VAC20-81). This is an existing guidance document (LPR-SW 2017-01) on Virginia Regulatory Town Hall and is being updated for consistency with Amendment 9 to the Solid Waste Regulations (9VAC20-81). This document provides risk based strategies that landfills can utilize to maintain compliance with the applicable landfill gas monitoring and remediation requirements as well as provides a standard framework for agency staff to evaluate compliance with the landfill gas requirements of the solid waste regulations in order to maintain consistency around the state.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Submission Instruction 13 - Landfill Gas Management, Remediation, and Odor Plans for Solid Waste Disposal Facilities		
Brief Overview This Submission Instruction provides guidance for solid waste disposal facilities to submit a Landfill Gas Management Plan, Landfill Gas Remediation Plan, and Odor Management Plan in compliance with the Virginia Solid Waste Management Regulations (9VAC20-81). This is an existing guidance document (LPR-SW-SI-13) on Virginia Regulatory Town Hall and is being updated for consistency with Amendment 9 to the Solid Waste Regulations. This document provides a template for permit applicants and permit holders to submit information required by the solid waste regulations in order to streamline review by agency staff.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Regulated Medical Waste Management Regulations Crosswalk of 9VAC20-120 v. 9VAC20-121		
Brief Overview This guidance provides the regulated community and internal staff with a crosswalk of the Virginia Regulated Medical Waste Management Regulations (9VAC20-121), to clarify the new location of each part and section compared to the previous chapter (9VAC20-120) corresponding with Amend 3.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 2022	

Title of Proposed Regulatory Action or Guidance Document Solid Waste Management Plan 5-year Update Guidance		
Brief Overview This guidance document was developed to clarify regulatory requirements applicable to solid waste planning units under the Virginia Solid Waste Planning and Recycling Regulations (9VAC20-130). This is an existing guidance document (Guidance Memo # 04-2009) on Virginia Regulatory Town Hall and is being updated for consistency with the 2019 amendment to the solid waste planning regulations.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Revisions to Public Comment guidance document		
Brief Overview These guidance documents establish public participation procedures for regulatory actions and certain case decisions and set out the times for the public to provide appropriate comment to DEQ's citizen boards for their consideration. Revisions are needed to incorporate changes mandated by CH356 of the 2022 Acts of Assembly.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	October 2022	

Title of Proposed Regulatory Action or Guidance Document Revisions to Regulatory Guidance Development guidance document		
Brief Overview This guidance document was issued in 2006 and establishes guidance on issuing regulations and implementation guidance at the same time. The guidance is outdated and needs to be revised to be consistent with the current regulatory development and guidance development process.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document The Procedure Manual – Environmental Impact Review of Major State Facilities		
Brief Overview The Procedure Manual – Environmental Impact Review of Major State Facilities was prepared according to the requirements of VA Code §10.1-1191, which directs the Virginia Department of Environmental Quality (DEQ) to develop procedures governing the preparation and evaluation of required environmental impact reports for state projects.VA Code §10.1-1188 requires state agencies to prepare and submit an environmental impact report (EIR) for each major state project. Changes are anticipated to address changes to § 10.1-1183 of the Code of Virginia to address climate change and environmental justice and the Virginia Environmental Justice Act requiring all state agencies to address environmental justice. This action replaces an outdated manual with an updated manual.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	This action replaces an outdated manual with an updated manual.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Guidance Document 4967 dated 6/9/2011		
Brief Overview This guidance document supports the implementation of 1 VAC 30, Chapter 45 (Certification for Noncommercial Environmental Laboratories), and 1 VAC 30, Chapter 46 (Accreditation for Commercial Environmental Laboratories). The guidance document will be converted to staff instructions.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	Second quarter 2023	

Title of Proposed Regulatory Action or Guidance Document ASOP-13		
Brief Overview This update will supersede ASOP-13 (11/22/2004) and ASOP-13 Amendment (1/23/2009). It includes changes to the tax statute (§58.1-3660). The changes to the statute allows political subdivisions to self-certify pollution control equipment to the Department of Taxation.		
Regulatory Stage (check one box)	☐ NOIRA/Periodic Review ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	By the end of the first quarter 2023	

Title of Proposed Regulatory Action or Guidance Document	
• Document ID 4012: Division of Enforcement Case Referrals • Document ID CEM-08: Civil Enforcement Manual - Chapter 5 - Incentives for Identifying and Resolving Violations - Revision 2 Cover Memorandum • Document ID CEM-12-EGMNo.1-2011- Civil Enforcement Manual - Chapter 8 - Access to Private Property for Inspections and Investigations, Denial of Access, and Obtaining Administrative Inspection Warrants • Document ID CEM-07A: Civil Enforcement Manual - Chapter 4 Addendum - Renewable Energy Program Civil Charge Guidance	
Brief Overview These current guidance documents are being proposed to be removed for the following reasons: • Document ID 4012: This document includes the procedure for DEQ staff to refer an enforcement action to an administrative proceeding. These procedures have been incorporated into other procedure documents. • Document ID CEM-08: This document is a cover memo that accompanied a guidance document that is no longer on Town Hall. • Document ID CEM-12-EGMNo.1-2011: This document includes the procedures for DEQ staff when accessing private property to conduct environmental investigations and inspections. • Document ID CEM-07A: This document includes the procedure for DEQ staff for calculating a civil charge when violations involve the renewable energy program. These procedures have been incorporated into other procedure documents.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency Rule ☐ Proposed Rule ☐ Fast-Track Rule ☐ Final Rule
Additional Description	☐ Expedited Rule ☒ Guidance Document ☐ Exempt Rule
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☐ Action required by state statute
Deregulatory Component	All of these documents listed are to be removed from Town Hall and will no longer be classified as guidance documents.
Expected Date	January 2023

Title of Proposed Regulatory Action or Guidance Document Guidance 5094 (Citizen Nominations for Monitoring to be Included in the Annual Monitoring Plan)		
Brief Overview This guidance document provides detailed guidance on implementation of § 62.1-44.19:5.F of the Code of Virginia, the section of the Water Quality Monitoring, Information and Restoration Act that provides for requests from the public regarding specific segments that should be included in the Virginia Department of Environmental Quality's (DEQ) annual Water Quality Monitoring Plan.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The guidance document can be removed because it is out of date.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Instructional Guide on Disclosure Statements (DEQ Forms DISC-01, DISC-02, and DISC-03)		
Brief Overview This new guidance document will provide solid waste management facilities and DEQ staff with instructions on submission of Disclosure Statements required by the Virginia Solid Waste Management Regulations, 9 VAC 20-81.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This new guidance document will clarify that permit applicants who have previously conducted waste operations in Virginia are subject to less comprehensive disclosure requirements than permit applicants who have not previously conducted waste operations in Virginia.	
Expected Date	March 2023	

Department of General Services (DGS): 1 Guidance Document

Title of Proposed Regulatory Action or Guidance Document DGS Total Cost of Ownership (TCO) Calculator- Guidance Document		
Brief Overview SB575, Chapter 789 of the 2022 Acts of Assembly requires DGS to identify a publicly available TCO calculator to be used by state agencies to assess and compare total cost to purchase, own, lease, and operate light-duty internal combustible-engine vehicles versus comparable electric vehicles. The bill requires DGS to develop guidance documents regarding the procedure for requesting exemptions from the requirements of this section and the criteria for evaluating such exemption requests.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	October 2022	

Department of Housing and Community Development (DHCD): 7 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Virginia Telecommunication Initiative (VATI) Program Guidelines.		
Brief Overview The Budget Language enabling the VATI program (Item 115 L 2, 2022 Special Session I Budget) requires the Department to create program guidelines. Through a significant public engagement process, the Department updates program guidelines on a yearly basis to ensure efficient use of state resources and to ensure all new legislative objectives are being achieved.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Update to include stakeholder input and comply with most recent legislation.	
Expected Date	April 2023	

Title of Proposed Regulatory Action or Guidance Document Virginia Broadband Availability Map Internet Service Provider Service Territory Data Submission Guidelines		
Brief Overview Section P of Item 115 (2022) of the Budget Bill, directs the Department of Housing and Community Development (DHCD) to develop a statewide broadband availability map indicating broadband coverage, including maximum broadband speeds available in service territories in the Commonwealth. As directed in the Budget Bill, all broadband service providers shall be required to submit updated service territory data to the Department annually, containing the locations to which they provide broadband service. This guidance document specifies internet service provider service territory data submission guidelines in order to create the statewide availability map.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Update to include stakeholder input and comply with most recent legislation.	
Expected Date	October 2023	

Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone – Job Creation Grant Instruction Manual		
Brief Overview This manual provides instructions for qualifying for the Enterprise Zones (EZ) Job Creation Grant (JCG), which is part of the Enterprise Zone Grant Program (13VAC5-112). It has been compiled for the applicant (the business firm) and addresses the applicant's responsibilities in completing the application materials. The Board of Housing and Community Development adopts regulations regarding the Enterprise Zone Grant Program.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Yearly update to improve program administration.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone – Real Property Improvement Grant Instruction Manual		
Brief Overview This manual provides instructions for qualifying for the Enterprise Zone (EZ) Real Property Improvement Grant (JCG) which is part of the Enterprise Zone Grant Program (13VAC5-112). It has been compiled for the applicant (the business firm) and addresses the applicant's responsibilities in completing the application materials. The Board of Housing and Community Development adopts regulations regarding the Enterprise Zone Grant Program.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Yearly update to improve program administration.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone – CPA Agreed Upon Procedures Manual		
Brief Overview This document provides instructions for CPAs performing the Agreed-Upon Procedures outlined by the Department of Housing and Community Development. These procedures test and report on the assertion of a business or qualified zone investor as to their qualification to receive Job Creation Grants (JCGs) or Real Property Investment Grants (RPIGs) related to the Enterprise Zone Grant Program (13VAC5-112). The findings from these procedures are reported in the CPA Attestation Report. This report is a required application component for both the Job Creation Grant and Real Property Investment Grant.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Yearly update to improve program administration.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Virginia Enterprise Zone – Local Zone Administrators Manual		
Brief Overview While the Department of Housing and Community Development (DHCD) administers the statewide Enterprise Zone program, the day-to-day administration of a designated zone is the responsibility of the participating jurisdiction. Each locality is required to designate a Local Zone Administrator who is responsible for administering, managing, and marketing the locality's Enterprise Zone. This document is a program manual for local zone administrators.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Yearly update to improve program administration.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Utility Leverage Program – Unserved Certification Guidelines		
Brief Overview Pursuant to"§ 56-585.1:9" of the Code of Virginia, petitioners may submit proposed project areas to the Department of Housing and Community Development (DHCD) to be designated as unserved by broadband.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Update to align the definition of Broadband in the Unserved Certification Guidelines with the definition utilized in the Virginia Telecommunications Initiative (VATI) program.	
Expected Date	January 2023	

Department of Health Professions (DHP): 100 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 30-10: Disposition of disciplinary cases for practicing on an expired license		
Brief Overview Standard four year review. May update terminology and formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 18 or TBD 2023	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 30-3: Use of Confidential Consent Agreements		
Brief Overview Standard four year review. May update terminology and formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 18 or TBD 2023	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 30-5: Equivalent accrediting body for audiology educational programs		
Brief Overview Standard four year review. May update terminology and formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 18 or TBD 2023	

Title of Proposed Regulatory Action or Guidance Document Deletion of existing Guidance Document 115-5: Conduct of an Informal Conference by an Agency Subordinate		
Brief Overview Deletion of a guidance document that is repetitive of a general agency guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletes a guidance document	
Expected Date	November 4, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 115-9: Board-recognized entity for licensure by endorsement		
Brief Overview Standard four year review. May update terminology and formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 4, 2022 or 2023 TBD	

Title of Proposed Regulatory Action or Guidance Document Existing Guidance Document 60-15: Standards of professional conduct in the practice of dentistry		
Brief Overview Deletion of this guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletion of a guidance document	
Expected Date	December 2, 2022	

Title of Proposed Regulatory Action or Guidance Document Clinical competency requirements for reactivation and reinstatement of licenses as dentist or dental hygienist, or registration as a dental assistant II		
Brief Overview The Board intends to create a guidance document regarding types of competency courses accepted by the Board for reinstatement or renewal of license for a dentist or dental hygienist, or registration as a dental assistant II.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 2, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 65-1: Time credit for continuing education courses		
Brief Overview Standard four year review of guidance document. Revisions and formatting changes may be made.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 21, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 65-17: Disciplinary actions against funeral homes for failing to initiate corrective action		
Brief Overview Standard four year review of guidance document. Revisions and formatting changes may be made.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 21, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 65-2: Disposition of cases for practicing on an expired license		
Brief Overview Standard four year review of guidance document. Revisions and formatting changes may be made.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 21, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance Document 65-18: Guidance on surface transportation and removal services in Virginia		
Brief Overview Standard four year review of guidance document. Revisions and formatting changes may be made.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	April 13, 2023	

Title of Proposed Regulatory Action or Guidance Document Creation of guidance document regarding the administrator-in-training program		
Brief Overview The Board will consider creation of a guidance document which will answer the most common questions received by Board staff regarding administrator-in-training programs.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 9, 2022 or TBD 2023.	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-1: Bylaws of the Board of Medicine		
Brief Overview Standard four year review. May update procedures and edit formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-13: Guidelines on performing procedures on the newly deceased for training purposes		
Brief Overview Standard four year review. May update procedures and edit formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-19: Practitioner information system – glossary of terms		
Brief Overview Deletion of document. Information is found on website, not a guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletion of guidance document	
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-15: Guidelines concerning the ethical practice of surgery and invasive procedures		
Brief Overview Standard four year review. May update procedures and edit formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-16: Questions and answers on continuing competency requirements		
Brief Overview Standard four year review. May update procedures and edit formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 85-2: Assistant attorney general opinion on who can do a school physical examination		
Brief Overview Standard four year review. Reaffirmation only.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 85-20: AG opinion on employment of surgeon by nonprofit corporation		
Brief Overview Standard four year review. Reaffirmation only.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 85-21: AG opinion on employment of physician by for-profit corporation		
Brief Overview Standard four year review. Reaffirmation only.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-23: Policy on use of CCAs		
Brief Overview Standard four year review. May update procedures and edit formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-4: Acceptance of continuing education in chiropractic		
Brief Overview Standard four year review. May update procedures and edit formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-6: Competency assessment for three paid claims		
Brief Overview Standard four year review. May update procedures and edit formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 90-56: Practice agreement requirements for licensed nurse practitioners (advanced practice registered nurses)		
Brief Overview Minor edits to existing document requested by Board staff to account for changed statutory language.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 15, 2022 Board of Nursing; December 2, 2022 Board of Medicine	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-10: Disclosures by licensed midwives for high-risk pregnancies		
Brief Overview Board intends to update based on additional complications licensed midwives have seen in the past several years.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	February 2023	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-26: Compliance with law for licensed midwives		
Brief Overview Standard four year review. May update procedures and edit formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	February 2023	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-27: Role of licensed midwives in newborn hearing screening		
Brief Overview Standard four year review. May update procedures and edit formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	February 2023	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 85-28: Authority of licensed midwives to order tests		
Brief Overview Standard four year review. May update procedures and edit formatting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	February 2023	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 90-1: Registered or licensed practical nurses as first assistant in surgery		
Brief Overview Standard four year review of guidance documents. May edit due to changed procedures or to correct grammar/formatting issues.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 15, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 90-22: Requests for accommodations for nurse, nurse aide, and medication aide testing		
Brief Overview Minor edits to existing document requested by Board staff to clarify guidance.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 15, 2022	

Title of Proposed Regulatory Action or Guidance Document Deletion of existing Guidance Document 90-54: Process to delegation of informal fact-finding to an Agency Subordinate		
Brief Overview Deletion of a guidance document that is repetitive of a general agency guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletes a guidance document	
Expected Date	November 15, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 90-56: Practice agreement requirements for licensed nurse practitioners (advanced practice registered nurses)		
Brief Overview Minor edits to existing document requested by Board staff to account for changed statutory language.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 15, 2022 Board of Nursing; December 2, 2022 Board of Medicine	

Title of Proposed Regulatory Action or Guidance Document Review of all existing guidance documents; reduction or combination of any able to be reduced or combined.		
Brief Overview A regulatory committee of the Board will review all guidance documents to determine if any can be combined or eliminated. The Board will review all 45 guidance documents. It will likely have some changes, although cannot predict which documents will be affected in advance of the review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Reduction or deletion of guidance documents	
Expected Date	2023 TBD	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 105-12: Continuing education audits and sanctions		
Brief Overview Standard four year review of guidance document. May have edits, formatting changes, and/or citation changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	2023 TBD	

Title of Proposed Regulatory Action or Guidance Document Deletion of existing guidance document 105-26: Delegation of informal fact-finding to an Agency Subordinate		
Brief Overview Deletion of a guidance document that is repetitive of a general agency guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletes a guidance document	
Expected Date	TBD 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing guidance document 105-28: Sanction reference points		
Brief Overview The Board will update its sanction reference points used for informal fact finding conferences upon completion of data review of disciplinary matters from 2011 to the present.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	TBD 2023	

Title of Proposed Regulatory Action or Guidance Document Amendment to existing Guidance Document 110-33: Pharmacy Interns as Pharmacy Technicians; Pharmacy Technician Ratio		
Brief Overview The Board amended Guidance Document 110-33 based on questions received by practitioners to clarify what actions a pharmacy technician trainee may perform.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	The Board took action on September 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Amendment to existing Guidance Document 110-20: Criminal background checks of material owners for pharmaceutical processor or cannabis dispensing facility permits		
Brief Overview The Board amended Guidance Document 110-20 based on questions received by a pharmaceutical processor regarding which individuals of a publicly traded company must undergo criminal background checks.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	The Board took action on September 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Amendment to existing Guidance Document 110-35: Guidance on Virginia prescription requirements		
Brief Overview The Board amended Guidance Document 110-35 based on issues raised by prescribers providing expedited partner therapy under Virginia Code § 54.1-3303.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	The Board took action on September 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Amendment to existing Guidance Document 110-25: Life of a prescription or written certification when the practitioner is no longer in practice		
Brief Overview The Board amended Guidance Document 110-25 to include written certifications for cannabis products.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	The Board took action on September 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Amendment to existing Guidance Document 110-6: Guidance for pharmacies within opioid treatment programs		
Brief Overview The Board amended Guidance Document 110-6 to account for statutory changes from the 2022 General Assembly.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	The Board took action on September 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Creation of Guidance Document to list acceptable solvents for use in hydrocarbon processing of cannabis products		
Brief Overview Pursuant to its pharmaceutical processor regulations, the Board will adopt a guidance document which lists chemicals that may be used in processing and production of cannabis products.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 110-10: Dispensing drugs from mobile van		
Brief Overview Standard four year review of guidance documents. Will include editing and formatting changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 110-11: Proof of identity for Schedule II drugs		
Brief Overview Standard four year review of guidance documents. Will include editing and formatting changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 110-24: Guidance for setting NAPLEX passing score		
Brief Overview Standard four year review of guidance documents. Will include editing and formatting changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 110-28: Guidance for free clinic pharmacy permits		
Brief Overview Standard four year review of guidance documents. Will include editing and formatting changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 110-43: Dispensing with an authorized generic		
Brief Overview Standard four year review of guidance documents. Will include editing and formatting changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Edits to existing guidance document 110-47: Provision of counseling and information by pharmacists on proper drug disposal		
Brief Overview Standard four year review of guidance documents. Will include editing and formatting changes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Deletion of existing Guidance Document 110-37: Guidance for conducting informal fact-finding by an Agency Subordinate		
Brief Overview Deletion of a guidance document that is repetitive of a general agency guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletes a guidance document	
Expected Date	December 6, 2022	

Title of Proposed Regulatory Action or Guidance Document General review and revision of all guidance documents for reduction purposes		
Brief Overview Review and revision of all guidance documents for reduction purposes. The Board of Pharmacy has 48 guidance documents covering various topics. Several can likely be reduced or deleted. However, the Board needs to review these documents in their entirety to see what actions can be taken for reduction. This entry is created for that general action rather than individually listing all 48 documents that will be subject to this review and possible action.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Likely deletion and consolidation of guidance documents	
Expected Date	December 6, 2022; March 2023	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 112-4: guidance on requirement for licensure for instructors in a physical therapy program		
Brief Overview The Board will amend existing guidance document 112-4 to update information. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 112-7: guidance on physical therapists and Individualized Education Plans in public schools		
Brief Overview The Board will amend existing guidance document 112-7 to update information.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 112-12: physical therapy services in home health		
Brief Overview The Board will amend existing guidance document 112-12 to update information and combine information previously in separate guidance documents. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 112-14: Electromyography (EMG) and sharp debridement in practice of physical therapy		
Brief Overview The Board will amend existing guidance document 112-14 to update information. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 112-15: supervision of unlicensed support personnel in any setting		
Brief Overview The Board will amend existing guidance document 112-15 to update information. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 112-18: disposition of disciplinary cases for practicing on expired licenses		
Brief Overview The Board will amend existing guidance document 112-18 to update information. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 112-21: guidance on telehealth		
Brief Overview The Board will amend existing guidance document 112-21 to update information and combine information from other guidance documents.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing guidance document 112-22: procedures for auditing continued competency requirements		
Brief Overview The Board will amend existing guidance document 112-22 to update information. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Repeal existing guidance document 112-11: Board guidance on functional capacity evaluations		
Brief Overview The Board will repeal existing guidance document 112-11.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Repeal of guidance document	
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Repeal existing guidance document 112-16: guidance on the use of your professional degree in conjunction with your licensure designation		
Brief Overview The Board will repeal existing guidance document 112-16.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Repeal of guidance document	
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Repeal existing guidance document 112-19: physical therapists performance of the prothrombin time and international normalized ratio (INR) tests in home health settings		
Brief Overview The Board will repeal existing guidance document 112-19.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Repeal of guidance document	
Expected Date	November 1, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing Guidance Document 125-3.9: Policy on the use of confidential consent agreements in lieu of disciplinary action by the Board		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	September 27, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing Guidance Document 125-7: Electronic communication and telepsychology		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	September 27, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing Guidance Document 125-8: Use of assessment titles and signatures		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	September 27, 2022	

Title of Proposed Regulatory Action or Guidance Document Deletion of Guidance Document 125-9: Guidance Document on the Practice of Conversion Therapy	
Brief Overview Deletion of a guidance document that is now obsolete given statutory ban on the practice of conversion therapy on minors.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	Deletes a guidance document that is redundant due to statute.
Expected Date	September 27, 2022

Title of Proposed Regulatory Action or Guidance Document Deletion of Guidance Document 125-3.8: Process for delegating informal fact-finding to an Agency Subordinate		
Brief Overview Deletion of a guidance document that is repetitive of a general agency guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletes a guidance document that is redundant of agency guidance document.	
Expected Date	December 6, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing Guidance Document 140-1: Confidential consent agreements		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	September 23, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing Guidance Document 140-4.2: Possible disciplinary actions in response to non-compliance with continuing education requirements		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	September 23, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing Guidance Document 140-3: Guidance on technology-assisted therapy and use of social media		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	December 9, 2022	

Title of Proposed Regulatory Action or Guidance Document Existing Guidance Document 140-12: Policy on conversion therapy		
Brief Overview Repeal of guidance document that is duplicative of statutory language and unnecessary.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletion of guidance document that is redundant of statute.	
Expected Date	December 9, 2022	

Title of Proposed Regulatory Action or Guidance Document Deletion of Guidance Document 140-5: Process for delegation of informal fact-finding to an Agency Subordinate		
Brief Overview Deletion of a guidance document that is repetitive of a general agency guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletes a guidance document that is redundant of agency guidance document.	
Expected Date	December 9, 2022	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 150-8: Disposition of cases involving practice on an expired license or permit		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 13, 2022	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 150-9: Content of a medical record		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 13, 2022	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 150-2: Guidance on Expanded Duties for a Licensed Veterinary Technicians		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is in response to a constituent request.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 13, 2022	

Title of Proposed Regulatory Action or Guidance Document Repeal of Guidance Document 150-4: “chip” clinics outside approved facilities		
Brief Overview Revision to update terminology to be consistent with regulations.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	October 13, 2022 or March 28, 2023	

Title of Proposed Regulatory Action or Guidance Document Repeal of Guidance Document 150-14: Process for delegation of informal fact-finding to an Agency Subordinate		
Brief Overview Repeal of a guidance document that is repetitive of a general agency guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletes a guidance document	
Expected Date	March 28, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 150-1: Disposition of cases involving applicants practicing veterinary technology prior to licensure		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	March 28, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 150-11: Continuing education audits and sanctioning for failure to complete CE		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	March 28, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 150-5: Use of compounded drugs in veterinary practices		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	March 28, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing guidance document 150-5: Use of compounded drugs in veterinary practices		
Brief Overview Revision to combine information from a separate guidance document regarding controlled substances that belongs in this guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Combining documents	
Expected Date	March 28, 2023	

Title of Proposed Regulatory Action or Guidance Document Deletion of existing guidance document 150-13: Controlled substances in veterinary practices		
Brief Overview Deletion of guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Deletion of guidance document.	
Expected Date	March 28, 2023	

Title of Proposed Regulatory Action or Guidance Document Addition of guidance document related to veterinarian-in-charge responsibilities		
Brief Overview Addition of guidance document related to veterinarian-in-charge responsibilities.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	March 28, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of guidance document 76-21.2.1		
Brief Overview Revision of existing guidance document based on input from veterinary establishment inspectors and board staff to be consistent with regulations and to provide guidance as needed regarding inspections.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	March 28, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-10.02: Providing sanction reference point worksheets		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-10.03: Subpoenas for disciplinary hearings		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-10.05: Reports to the Data Bank		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-10.06: Disciplinary process for cases involving non-compliance with § 54.1-2400.6		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-10.12: Participation of adjudication specialists in closed session		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-10.17: Publication of notices and orders on Department websites		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-10.24: Summary suspensions and restrictions		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-20.04: Disclosure of information to the Health Practitioners Monitoring Program		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Review of existing Guidance Documents 76-30.2: Procurement of professional services		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review. This document may be deleted as a guidance document because it appears to be policy only, not the interpretation of statute or regulation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Possible deletion as a guidance document. If deleted, this will remain available to the public as an agency policy document.	
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-39: Guidelines for *pro hac vice* practice		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-40.01: Receipt and investigation of allegations of misconduct		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-40.02: Unlicensed activity		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-80.12: Extension of time for active duty service members or spouses		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of existing Guidance Document 76-90.05: Principles/Establishments of fees		
Brief Overview Review and editing of existing guidance document, including formatting changes. This is part of the standard four year review.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	January 15, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 60-3 to remove incorrect legal language and clarify exceptions to inspections and to add information from Guidance Document 60-27.		
Brief Overview The current version of Guidance Document 60-3 improperly states that certain facilities are exempted from Board of Dentistry inspections when using sedation. The language in the Guidance Document is contrary to law and must be amended. In addition, the information in Guidance Document 60-27 should be added to 60-3.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Will allow the Board to eliminate Guidance Document 60-27.	
Expected Date	March 3, 2023	

Title of Proposed Regulatory Action or Guidance Document Repeal of Guidance Document 60-27		
Brief Overview The Board intends to move the information in Guidance Document 60-27 to Guidance Document 60-3. The Board can therefore repeal this Guidance Document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Repeal of Guidance Document	
Expected Date	March 3, 2023	

Title of Proposed Regulatory Action or Guidance Document Revision of Guidance Document 110-44 to amend naloxone protocol at the request of the Virginia Department of Health.		
Brief Overview The Virginia Department of Health intends to amend the Commissioner's standing order for naloxone to include new drug products. The Board must amend its naloxone protocol before that can happen.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	None.	
Expected Date	March 30, 2023	

Department of Historic Resources (DHR): 21 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Deletion of document date		
Brief Overview In 2016, the Department of Historic Resources promulgated regulations resulting in the authorization of 17VAC10-30 pertaining to its Historic Rehabilitation Tax Credit (HRTC) Program established pursuant to the Code of Virginia § 10.1-2202 and § 58.1-339.2 in order to make clarifying changes, revise the fee structure, provide audit reporting and review procedures, and update the eligibility for credits to only those costs incurred after January 1, 2003. It has recently been discovered that two documents incorporated by reference (DIBR) included a date. This date should not have been included as no documents with this date exist and because it means that the documents cannot be updated or revised without promulgating regulations to make the change. As accounting and business practices are constantly evolving, DHR must be able to respond as needed by updating guidance and template documents.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	N/A	
Expected Date	October 2022	

Title of Proposed Regulatory Action or Guidance Document Permit for Application for Archaeological Removal of Human Burial		
Brief Overview Application for permit to allow the lawful recovery of buried human remains by professionally qualified archaeologists Change: Update application form 17 VAC 5-20 et seq		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Will provide a streamlined application edited for length and clarity	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Historical African American Cemetery and Graves Fund Program Manual		
Brief Overview Guidance document to assist applicants for cemetery funding Change: 2022 updates §10.1-2211.2		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Historical African American Cemetery and Graves Fund Application Form		
Brief Overview Application for cemetery funding Change: 2022 updates §10.1-2211.2		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Cemetery Fund Acknowledgement of Reporting Requirements		
Brief Overview Attachment to application for cemetery funding Change: 2022 updates §10.1-2211.2		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Cemetery Fund Maintenance Agreement		
Brief Overview Attachment to application for cemetery funding Change: 2022 updates §10.1-2211.2		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Application to Propose Placement of a New Virginia Historical Highway Marker		
Brief Overview Applicants must complete this form for their proposal to be considered. It provides a detailed description of the program's purpose, objectives, and procedures. Change: update to reflect the new application approval procedures approved by the Board in December 2021. Also updates to reflect the increase in marker costs. §10.1-2202, 2204, 2209		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Historic Preservation Easement Program Administration Fees		
Brief Overview A summary billing statement of possible fees assessed during the donation process Change: update of fees/fee description Chapter 10.1 Virginia Conservation Easement Act		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Instruction to Apply for State and Federal Tax Credits		
Brief Overview Written guidance intended for applicants pursuing rehabilitation tax credits. Includes a billing statement. Change: minor edits for clarity of text VAC30 Historic Rehabilitation Tax Credit		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Streamlined information	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Easement Information Packet		
Brief Overview Overview program information on historic preservation easements and DHR's program staff Change: minor edits for clarification and audience comprehension 10.1 Virginia Conservation Easement Act		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Streamlined information	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Historic Preservation Easement Policies		
Brief Overview Document of all Board-approved policies that guide DHR's Easement Program Change: updates to Project Review policy and Criteria for the Acceptance of Easements 10.1 Virginia Conservation Easement Act		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Streamlined information	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Easement Application Form		
Brief Overview Detailed document guiding donors who intend to donate an easement to the Virginia Board of Historic Resources. Required to initiate the donation process. Change: minor edits for clarification and audience comprehension 10.1 Virginia Conservation Easement Act		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Streamlined information	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Easement Amendment Application Form		
Brief Overview Application for property owners seeking to amend an existing easement Change: new form to facilitate an existing process 10.1 Virginia Conservation Easement Act		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Time saved by organizing information into a single form	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Easement Reconsideration Application Form		
Brief Overview Application for donors whose easement offer acceptance has expired and requires renewal prior to recordation Change: new form to facilitate an existing process 10.1 Virginia Conservation Easement Act		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Time saved by organizing information into a single form	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Certified Local Government Handbook		
Brief Overview The materials will educate new staff, review board members, community leaders about the CLG program, its responsibilities, etc. Change: this is a new document		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Notification and public participation processes		
Brief Overview Explains the process to notify local officials, property owners, and adjacent owners about pending nominations. Also explain the process for people to support or to object to a nominations. Includes detailed information about how property owners are identified and how their votes are counted. Change: repaired several broken weblinks VAC30		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Register photo guidance and policy		
Brief Overview Provides detailed guidance on how to take photographs to accompany Register nominations and how to submit them Change: removed the requirement to submit digital images as TIFFs and removed the requirement to provide photo prints to accompany nominations. §10.1-2206.1		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Simplifies photo requirements for nominations	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Multiple Property Documentation Form (MPD) Proposal Form		
Brief Overview Used to propose a new MPD for nominating properties to the Virginia Landmarks Register and National Register of Historic Places Change: Remove questions about the purpose of evaluation and the tax credit easement programs that are not germane to evaluation for Register eligibility (revisions the request of the State Review Board) §10.1-2206.1		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Simplifies completion of the proposal form	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Preliminary Information Form (PIF) Archaeological Site		
Brief Overview Used to request evaluation of an archaeological site for eligibility for listing in the Virginia Landmark Register and National Register of Historic Places Change: Remove questions about the purpose of evaluation and the tax credit and easement programs that are not germane to evaluation for Register eligibility (revisions the request of the State Review Board) §10.1-2206.1		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Simplifies completion of the PIF	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Preliminary Information Form (PIF) – HD Form		
Brief Overview Used to request evaluation of a historic district for eligibility in the Virginia Landmark Register and National Register of Historic Places Change: Remove questions about the purpose of evaluation and the tax credit and easement programs that are not germane to evaluations for Register eligibility (revisions the request of the State Review Board) §10.1-2206.1		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Simplifies completion of the PIF	
Expected Date	12/2022	

Title of Proposed Regulatory Action or Guidance Document Preliminary Information Form (PIF) – Individual Form		
Brief Overview Used to request evaluation of an individual property for eligibility for listing in the Virginia Landmark Register and National Register of Historic Places Change: Remove questions about the purpose of evaluation and the tax credit and easement programs that are not germane to evaluations for Register eligibility (revisions the request of the State Review Board) §10.1-2206.1		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	Simplifies completion of the PIF	
Expected Date	12/2022	

Department of Juvenile Justice (DJJ): 1 Guidance Document

Title of Proposed Regulatory Action or Guidance Document		
Amend Guidelines for Determining the Length of Stay for Indeterminately Committed Youth (*Guidance Document)*		
Brief Overview		
The Guidelines for Determining the Length of Stay for Indeterminately Committed Youth is a guidance document that was last updated in 2015 and sets out the process the department uses to project the length of time a youth indeterminately committed to the department will remain under department care and commitment. Section 66-10(7) of the *Code of Virginia* directs the board to establish such guidelines and to make them available for public comment. Under the current guidelines, the length of stay is determined based upon the resident's most serious committing offense and the resident's risk level. The department is proposing to update these guidelines so that the resident's length of stay is based partly on these factors, along with the resident's progress in treatment, behavior at the facility, and other components, all of which are considered by a review committee that makes the final determination as to the resident's length of stay.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule ☒ N/A
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒Action required by state statute	☒ Discretionary action
Deregulatory Component	The guidance document seeks to impose additional requirements with the intention of ensuring that indeterminately committed residents are equipped with the necessary treatment, educational opportunities, and skill building needed to prepare them for release into the community.	
Expected Date	May 2023	

Department of Medical Assistance Services (DMAS): 23 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Addiction Recovery & Treatment Services Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Baby Care Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Commonwealth Coordinated Care Plus Manual	
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).

Title of Proposed Regulatory Action or Guidance Document Developmental Disabilities Waiver Services Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Durable Medical Equipment and Supplies Manual	
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).

Title of Proposed Regulatory Action or Guidance Document EPSDT Supplements		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Early Intervention Services Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Home Health Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Hospice Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Hospital Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Local Education Agency Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Mental Health Services Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Nursing Facilities Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Pharmacy Manual	
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).

Title of Proposed Regulatory Action or Guidance Document Physician-Practitioner Manual	
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).

Title of Proposed Regulatory Action or Guidance Document Plan First Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Prosthetic Devices Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Psychiatric Services Manual	
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).

Title of Proposed Regulatory Action or Guidance Document Rehabilitation Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Residential Treatment Services Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Transportation Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document Pre-Admission Screening Manual		
Brief Overview Chapters 2, 5, & 6 of this manual will be completely reviewed and overhauled.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department anticipates that the manual overhaul will streamline the guidance document.	
Expected Date	The Chapters will be submitted to the Town Hall for public comment in this order: Chapter 2 (September 2022); Chapter 5 (February 2023); Chapter 6 (June 2023).	

Title of Proposed Regulatory Action or Guidance Document DMAS Provider Manuals and Medicaid Memos		
Brief Overview The Department will release updated provider manuals and Medicaid Memos as needed in SFY2023 to reflect changes in federal and state requirements.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	These guidance documents will communicate important updates to providers.	
Expected Date	As needed throughout SFY2023	

Department of Motor Vehicles (DMV): 10 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document DMV Medical Waiver Guidance		
Brief Overview The Federal Motor Carrier Safety Administration updated its vision standard and diabetes standard for commercial motor vehicle operators and these changes are reflected in the revised guidance document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	October 2022	

Title of Proposed Regulatory Action or Guidance Document DMV 226 Virginia Motorcycle Rider Training Program, Virginia Rider Training Program Policy and Procedures		
Brief Overview The approved curriculum listed in the current document for basic rider training, experienced rider training, and sidecar and three-wheeled motorcycle rider training is no longer available. The document will be revised to include approved and currently available motorcycle rider training curriculum. In addition, DMV has stopped using a contractor to administer certain portions of the motorcycle rider training program and will revise the document to reflect that change.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November – December 2022	

Title of Proposed Regulatory Action or Guidance Document TSS 96 Virginia Rider Training Program Training License		
Brief Overview The approved curriculum listed in the current document for basic rider training, experienced rider training, and sidecar and three-wheeled motorcycle rider training is no longer available. The document will be revised to include approved and currently available motorcycle rider training curriculum. In addition, DMV has stopped using a contractor to administer certain portions of the motorcycle rider training program and will revise the document to reflect that change.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	November – December 2022	

Title of Proposed Regulatory Action or Guidance Document DMV 28: Farm Use Vehicles in Virginia		
Brief Overview At the 2022 Regular Session, the General Assembly created Code § 46.2-684.2, requiring the Department of Motor Vehicles to issue permanent farm use placards, and amended Code §§ 46.2-665, -666, -670, and -672, to require the use of permanent farm use placards on certain vehicles. Chapters 51 and 52 (2022 Acts of Assembly). These statutory changes necessitated a revision of the Department's existing guidance document, DMV 28: Frequently Asked Questions about Farm Vehicles (posted July 6, 2020), to introduce the new placard and explain its use. The Department anticipates publishing the revised and retitled document imminently.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	None. The requirements are imposed by statute.	
Expected Date	October 2022	

Title of Proposed Regulatory Action or Guidance Document DMV 141 and DMV 141 (Spanish) Obtaining a Virginia Driver's License or Identification Card		
Brief Overview DMV credentials are in the process of revision to ensure the highest possible security. The new credentials, anticipated to be issued in 2023, will look different than those currently issued. All DMV documents relating to the credentials will be updated with an image reflecting the new credentials.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	Spring, 2023	

Title of Proposed Regulatory Action or Guidance Document DMV 309 and DMV 309 (Spanish) Obtaining a New Driver Privilege Card		
Brief Overview DMV credentials are in the process of revision to ensure the highest possible security. The new credentials, anticipated to be issued in 2023, will look different than those currently issued. All DMV documents relating to the credentials will be updated with an image reflecting the new credentials.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	Spring, 2023	

Title of Proposed Regulatory Action or Guidance Document DMV 172 and DMV 172 (Spanish) Virginia's Secure Children's Identification Cards		
Brief Overview DMV credentials are in the process of revision to ensure the highest possible security. The new credentials, anticipated to be issued in 2023, will look different than those currently issued. All DMV documents relating to the credentials will be updated with an image reflecting the new credentials.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	Spring, 2023	

Title of Proposed Regulatory Action or Guidance Document DMV 252A Veterans Indicator		
Brief Overview DMV credentials are in the process of revision to ensure the highest possible security. The new credentials, anticipated to be issued in 2023, will look different than those currently issued. All DMV documents relating to the credentials will be updated with an image reflecting the new credentials.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	Spring, 2023	

Title of Proposed Regulatory Action or Guidance Document DMV 299 Real ID – You have a REAL Choice		
Brief Overview DMV credentials are in the process of revision to ensure the highest possible security. The new credentials, anticipated to be issued in 2023, will look different than those currently issued. All DMV documents relating to the credentials will be updated with an image reflecting the new credentials.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	Spring, 2023	

Title of Proposed Regulatory Action or Guidance Document DMV 300 REAL ID – A REAL Choice for Virginians		
Brief Overview DMV credentials are in the process of revision to ensure the highest possible security. The new credentials, anticipated to be issued in 2023, will look different than those currently issued. All DMV documents relating to the credentials will be updated with an image reflecting the new credentials.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component		
Expected Date	Spring, 2023	

Department of Professional and Occupational Relations (DPOR): 6 Guidance Documents

Title and Chapter of Regulation Barbering and Cosmetology Regulations, 18VAC41-20 Tattoo Regulations, 18VAC41-50 Esthetics Regulations, 18VAC41-70		
Title of Proposed Regulatory Action or Guidance Document Online Instruction and Asynchronous Instruction		
Brief Overview The Virginia Board for Barbers and Cosmetology will be asked by DPOR staff to undertake a regulatory review of the online or distance education requirements to ensure all instruction, including asynchronous instruction, meets minimum educational standards. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1.		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Unknown	
Expected Date	2023 (this review may result in a regulatory change, guidance document change, or no action taken.	

Title and Chapter of Regulation Barbering and Cosmetology Regulations, 18VAC41-20		
Title of Proposed Regulatory Action or Guidance Document Guidance Document - Barber & Cosmetology School Awarding Credits and/or Hours to Transfer Students		
Brief Overview At the September 26, 2022 meeting, the Board for Barbers and Cosmetology repealed this guidance document that limited awarding credits to transfer hours. The guidance document was superseded by a new regulation, effective March 7, 2022, which expanded eligibility for schools to accept transfer hours		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Unknown	
Expected Date	October, 2022	

Title and Chapter of Regulation Barbering and Cosmetology Regulations, 18VAC41-20 Tattooing Regulations, 18VAC41-50 Esthetics Regulations, 18VAC41-70		
Title of Proposed Regulatory Action or Guidance Document Guidance Document – Substantial Equivalence		
Brief Overview At the September 26, 2022 meeting, the Board for Barbers and Cosmetology revise this guidance document. For endorsement and exam eligibility, it incorporates the 80% hours rule for esthetics and tattooing professions. The Board removed the substantial equivalent section for barbering, cosmetology, nails, and wax, as the issue addressed in the document has been rectified by revised regulations that will allow experience to substitute training hours as of October 1, 2021.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Unknown	
Expected Date	October, 2022	

Title and Chapter of Regulation Barbering and Cosmetology Regulations, 18VAC41-20 Esthetics Regulations, 18VAC41-70		
Title of Proposed Regulatory Action or Guidance Document Guidance Document – Frequency of Providing School Rosters		
Brief Overview At the September 26, 2022 meeting, the Board for Barbers and Cosmetology adopted this guidance document. Due to an increase in complaints and discipline against licensed schools, along with the recommendation of the 2018 JLARC study of the agency, DPOR is moving towards initiating unannounced inspections of schools. In order for DPOR to conduct adequate inspections of the schools, it is necessary for the Department to have recent student rosters. The Board issued specific manner, format, and frequency requirements for schools to submit student rosters under these regulations.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Unknown	
Expected Date	October, 2022	

Title and Chapter of Regulation Optician Regulations, 18VAC80-30		
Title of Proposed Regulatory Action or Guidance Document Related Technical Instruction for Optician Apprenticeships		
Brief Overview The Board for Hearing Aid Specialists and Opticians voted to correct a typographical error in its guidance document at their August 17, 2022 meeting.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Unknown	
Expected Date	October 2022	

Title and Chapter of Regulation Optician Regulations, 18VAC80-30		
Title of Proposed Regulatory Action or Guidance Document Application Review Matrix for Criminal History		
Brief Overview The Board for Hearing Aid Specialists and Opticians voted to adopt the identical application review matrix utilized by the hearing aid specialist profession at their August 17, 2022 meeting. This will allow more applicants with criminal histories to obtain a license without going through the Informal Fact-Finding process.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Unknown	
Expected Date	October 2022	

Department of Rail and Public Transportation (DRPT): 4 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Transit and Commuter Assistance Grant Application Manual		
Brief Overview This document outlines the process and guidelines that transit and commuter assistance agencies must follow to receive funding that is allocated pursuant to Virginia Code Section 33.2-1526.1. Changes to this document reflect action taken this year by the Commonwealth Transportation Board (CTB). The CTB is required to conduct a review of the funding allocation process every third year.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	10/24/2022	

Title of Proposed Regulatory Action or Guidance Document Transit Development Plan Guidelines		
Brief Overview Transit agencies receiving state funding that do not serve an urbanized area with a population greater than 50,000 and that do not have a bus fleet of at least 20 buses are required to complete a transit development plan every six years. This guidance document outlines what each agency should have in their development plan, and DRPT made changes to the guidance document this year.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	8/29/2022-9/28/2022 (No public comment received)	

Title of Proposed Regulatory Action or Guidance Document Strategic Plan Guidelines	
Brief Overview Virginia Code Section 33.2-286 requires all transit agencies serving an urbanized area with a population greater than 50,000 and a bus fleet greater than 20 must complete a strategic plan to be eligible for state funds. This document outlines what is required for these plans, and the Commonwealth Transportation Board has made changes to those requirements.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency Rule ☐ Proposed Rule ☐ Fast-Track Rule ☐ Final Rule
Additional Description	☐ Expedited Rule ☒ Guidance Document ☐ Exempt Rule
Legal Authority	☐ Action required by federal statute ☐ Discretionary action ☒ Action required by state statute
Deregulatory Component	
Expected Date	8/29/2022-9/28/2022 (No public comment received)

Title of Proposed Regulatory Action or Guidance Document Grant Application Guidance and Grant Management Procedures for Federal Transit Administration Section 5310: Enhanced Mobility of Seniors and Individuals with Disabilities Programs	
Brief Overview DRPT awards Federal Transit Administration Section 5310 funding for the enhanced mobility of seniors (ages 65 and older) and individuals with disabilities. These awards fund capital projects to replace or expand vehicle fleets, mobility management projects to coordinate transportation, operating projects to provide transportation, and other capital projects to support programs serving the eligible populations. This guidance document outlines the process that agencies must follow to receive funding, and DRPT is making an annual adjustments to the process based on feedback received from the agencies.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency Rule ☐ Proposed Rule ☐ Fast-Track Rule ☐ Final Rule
Additional Description	☐ Expedited Rule ☒ Guidance Document ☐ Exempt Rule
Legal Authority	☒ Action required by federal statute ☐ Discretionary action ☐ Action required by state statute
Deregulatory Component	
Expected Date	10/10/2022

Department of Social Services (DSS): 3 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Child Support State Plan Updates		
Brief Overview The Division of Child Support Enforcement maintains a State Plan as a condition of federal funding. The State Plan communicates policy elections and routine organizational information to the federal Office of Child Support Enforcement.		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	NA	
Expected Date	November 2022	

Title of Proposed Regulatory Action or Guidance Document DSS Licensure and Disciplinary Guidelines		
Brief Overview This is a new Division of Licensing Programs guidance document that will describe a risk assessment and disciplinary guideline system which allows the agency to grant initial and renewal licenses and to sanction facilities with inspection violations. It will apply to all DSS-licensed programs. This system will simplify the process and streamline decision criteria to ensure a safe environment for vulnerable children and adults receiving services. It will be tool for the agency and impose no new requirements on licensees.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This guidance document is not a deregulatory effort.	
Expected Date	Target date for submission to the Registrar's office for publication is 12/5/22.	

Title of Proposed Regulatory Action or Guidance Document Child & Family Services Manual, TANF Manual & SNAP Manual		
Brief Overview These manuals provide guidance to local departments of social services on provision of child welfare services and public assistance. It is expected that one or more manual will need updating, to conform to 2023 General Assembly changes. In addition, these programs are partially funded with federal funds. In the event of a new federal directive, the applicable manual would require updating.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	July 2023	

George Mason University (GMU): 1 Guidance Document

Title of Proposed Regulatory Action or Guidance Document University Policy and Handbook Revisions		
Brief Overview George Mason University has no plans for regulatory action in FY23 associated with 8 VAC 35 *et seq*. Revisions of guidance documents contained in University Policy and Handbooks will be made as needed to comply with state and federal law and to improve the effectiveness of University processes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Through Policy and Handbook revisions, the University anticipates that new guidance will comply with federal and state statutes, and will endeavor to further streamline and clarify University procedures by eliminating outdated guidance.	
Expected Date		

Department of Taxation (TAX): 4 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Market-Based Sourcing Guidelines for Qualifying Property Information and Analytics Firms		
Brief Overview During the 2022 Session, the Virginia General Assembly enacted House Bill 453 (2022 Acts of Assembly, Chapter 256) and Senate Bill 346 (2022 Acts of Assembly, Chapter 257), which allow property information and analytics firms that have a signed memorandum of understanding with the Virginia Economic Development Partnership Authority ("the Authority"), and meet certain job creation and investment criteria to use a hybrid sales factor when filing Virginia corporate income tax returns. For sales of other than sales of tangible personal property, the hybrid sales factor uses a market-based sourcing rule for sales of services and the standard cost of performance rule for all other non-service sales. Under this legislation, market-based sourcing is based upon where the benefit of the service is received. This legislation requires the Department to promulgate guidelines regarding the use of market-based sourcing for certain property information and analytics firms. Preliminary guidelines shall be promulgated and made publicly available no later than December 31, 2022, and final guidelines shall be promulgated and made publicly available no later than December 31, 2023.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Although this action will not reduce the number of guidance documents maintained by the Department, by providing guidance regarding the legislation, the action will remove a potential source of confusion to taxpayers and tax practitioners.	
Expected Date	December 2022 for the preliminary guidelines and December 2023 for the final guidelines	

Title of Proposed Regulatory Action or Guidance Document Elective Pass-Through Entity Tax Guidelines		
Brief Overview During the 2022 Session, the Virginia General Assembly enacted House Bill 1121 (2022 Acts of Assembly, Chapter 690) and Senate Bill 692 (2022 Acts of Assembly, Chapter 689), which permit a qualifying pass-through entity ("PTE") to make an annual election to pay an elective income tax at a rate of 5.75 percent at the entity level. The legislation also allows a corresponding refundable income tax credit to certain PTE owners for any amount of income tax paid by a PTE having Virginia taxable income if such PTE makes the election and pays the elective income tax imposed at the entity level. The legislation allows an individual to claim a credit for taxes paid to other states under laws that are substantially similar to the pass-through entity income tax. This overrules Public Document 21-156 (December 29, 2021), which generally denied a credit for a tax paid to Maryland under that state's elective pass-through entity income tax. This provision only applies to taxes paid by a pass-through entity under the law of another state that is substantially similar to Va. Code § 58.1-390. Therefore, it does not apply to any other entity-level taxes, such as any franchise, privilege, business, license, or occupation taxes described in Va. Code § 58.1-332.2. The legislation requires the Department to promulgate guidelines regarding the elective pass-through income tax. These guidelines will provide general guidance on the elective pass-through entity income tax, the corresponding income tax credit available to certain PTE owners, and the changes made to the credit for taxes paid to other states.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Although this action will not reduce the number of guidance documents maintained by the Department, by providing guidance regarding the legislation, the action will remove a potential source of confusion to taxpayers and tax practitioners.	
Expected Date	December 2022 for the preliminary guidelines and December 2023 for the final guidelines	

Title of Proposed Regulatory Action or Guidance Document Beneficial Hardwood Management Practices Tax Credit Guidelines		
Brief Overview During the 2022 Session, the Virginia General Assembly enacted House Bill 1319 (2022 Acts of Assembly, Special Session I, Chapter 18), which provides a nonrefundable individual income tax credit for expenses incurred by a taxpayer for the implementation of beneficial hardwood management practices. The credit is equal to the taxpayer's eligible expenditures up to $1,000. The credit is subject to an annual credit cap of $1 million. The legislation requires the Department, in consultation with the Department of Forestry, to develop guidelines implementing the credit.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Although this action will not reduce the number of guidance documents maintained by the Department, by providing guidance regarding the legislation, the action will remove a potential source of confusion to taxpayers and tax practitioners.	
Expected Date	December 2022	

Virginia Polytechnic Institute and State University (VaTech): 15 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Bylaws of the Virginia Tech Board of Visitors		
Brief Overview The Board's normal operating procedures, reflecting both its traditions and its legal responsibility, codified as bylaws conveniently available for reference.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document University's Faculty Handbook		
Brief Overview Policies that govern the university faculty.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Virginia Department of Human Resources Management Policies for Staff		
Brief Overview Policies that govern the university's classified staff.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Undergraduate Catalog and Academic Policies 2022-23		
Brief Overview Policies and course requirements for undergraduate students.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Graduate Catalog, Polices, and Procedures Academic Programs 2022-23		
Brief Overview Policies and course requirements for graduate students.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Student Code of Conduct		
Brief Overview Policies established to set standards for student behavior and provide procedures adjudicating and sanction violations of said standards.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document 2021 Jeanne Clery Disclosure Report		
Brief Overview Annual security report as required by the Cleary Act.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Parking and Traffic Operational Manual		
Brief Overview Parking regulations for Blacksburg campus.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document University Policies		
Brief Overview High-level statements with broad application throughout the university designed to promote operational efficiencies, enhance the university's mission, or reduce institutional risk. Policies state required actions that are defined by standards, procedures, and guidelines.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Human Subjects Research Policy		
Brief Overview Policy that governs all research involving human beings at the university.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Speech on Campus		
Brief Overview Statement that the university values the rights guaranteed by the First Amendment and does not intend to restrict the exercise of these rights, but holds all members of the university community responsible for respecting conditions that preserve the freedom to learn.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Statement of Business Conduct Standards		
Brief Overview University guide to key principles for ethical business and administrative conduct for faculty and staff.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Commonwealth of Virginia Procurement Manual for Institutions of Higher Education and their Vendors		
Brief Overview Policies which govern the procurement processes at specifically designated publicly-funded colleges and universities,		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Commonwealth Accounting Policies and Procedures (CAPP) Manual		
Brief Overview The Commonwealth Accounting Policies and Procedures (CAPP) Manual is written and published by the Department of Accounts (DOA) to provide authoritative guidance on the application of accounting policies, procedures, and systems pursuant to Section 2.2-803 of the Code of Virginia.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Title of Proposed Regulatory Action or Guidance Document Commonwealth of Virginia Executive Order 35 Advancing Equity for Small, Women, Minority, and Service-Disabled Veteran Owned Businesses in State Contracting		
Brief Overview State requirement to maximize the participation of SWAM vendors in state contractual work.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	N/A	
Expected Date	December 2022	

Department of Agriculture and Consumer Services (VDACS): 2 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document 2023 Virginia Cooperative Spongy Moth Suppression Program (Guidance Document)		
Brief Overview The proposed changes will update the dates within the guidelines to reflect the dates relevant to the 2023 Virginia Cooperative Spongy Moth Suppression Program. Additionally, edits have been made throughout the document to reflect the new official common name of *Lymantria dispar*, which was announced in March 2022 by the Entomological Society of America. The new official common name is "spongy moth" (formerly the gypsy moth).		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	August 15, 2022	

Title of Proposed Regulatory Action or Guidance Document Agricultural Stewardship Act Guidelines (Guidance Document)		
Brief Overview Revisions to the Agricultural Stewardship Act Guidelines include minor procedural changes incorporated since the last revision in 2010, deleting outdated forms, and the addition of a Soil and Water Conservation District Policy for Handling Agricultural Stewardship Act Complaints that is updated and submitted annually to the Department of Agriculture and Consumer Services.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component		
Expected Date	October 10, 2022	

Department of Health (VDH): 35 Guidance Documents

Title of Guidance Document		
ORH-740. Guidance for Registration Fees, Quality Management Program. Amend ORH-740.		
Brief Overview		
Change title to "Guidance for Quality Management Programs". Remove references to registration fees, as they do not align with the purpose of a guidance document.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	ORH believes this guidance document continues to assist the public in interpreting existing regulations. ORH has proposed eight other guidance documents for repeal.	
Expected Date	October 2022	

Title of Guidance Document		
FAM104 Virginia School Health Guidelines		
Brief Overview		
Updates to the guidelines include providing links to information and resources for school based health programs; allowing the user to access information directly from the VDH School Health Website; allowing school divisions the flexibility to print a hard copy or remain in a digital format or both; addressing equality and equity: allocation of resources to all 132 school divisions/school health programs and Private Schools; providing links to information and resources found on the Virginia Department of		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	October 2022	

Title of Guidance Document Minimum Immunization Requirements for Entry into Child Care and School		
Brief Overview Childhood immunization requirements on entry or transfer into a child care or school setting - requiring documentary proof of adequate immunization with the prescribed number of doses of vaccine as appropriate for the child's age. The last review of this guidance document was completed in December 2015.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	November 2022	

Title of Guidance Document QHC-054. Home care initial licensure checklist		
Brief Overview Amend guidance document as the Office of Licensure and Certification will be launching an online portal for all applications so this needs to be updated in step with that software launch.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	November 2022	

Title of Guidance Document		
ODW-2022-02. Project Review & Permit Procedures Manual. Amend.		
Brief Overview		
The Office of Drinking Water's Project Review & Permit Procedures Manual (Permit Manual) was first issued in April 2012 and was most recently updated in January 2021. The Office of Drinking Water intends to amend the Permit Manual to incorporate new procedures for handling "found" transient non-community waterworks; reflect the June 2021 amendments to the Waterworks Regulations; and reflect current business practices.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	November 2022	

Title of Guidance Document		
PRM-004. Virginia Nursing Scholarship Program Guidelines, 2022.		
Brief Overview		
The Virginia Nursing Scholarship Program Guidelines provide guidance on the policies for the nursing scholarship programs administered by the Virginia Department of Health, Office of Health Equity (VDH-OHE). VDH intends to amend this guidance document.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	November 2022	

Title of Guidance Document This action references several VDH Guidance Documents.		
Brief Overview The documents listed below in Appendix A will be removed from Town Hall as a result of a review in which the agency's subject matter experts indicated that the documents do not qualify as "guidance documents" pursuant to the definitions in §§ 2.2-4002.1 and 2.2-4101 or are no longer necessary.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	This action will remove many guidance documents from Town Hall that are either no longer necessary or are not actually guidance documents.	
Expected Date	November 2022	

Title of Guidance Document		
ORH-700. Guidance on the Retention of X-ray Images. Amend ORH-700.		
Brief Overview		
Minor, insignificant revisions to correct typos. Content will be retained and updated with new template.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	ORH believes this guidance document continues to assist the public in interpreting existing regulations. ORH has proposed eight other guidance documents for repeal.	
Expected Date	December 2022	

Title of Guidance Document		
FAM105 Guidelines for Specialized Health Care Procedures		
Brief Overview		
The revised edition of the Guidelines for Specialized Health Care Procedures, Third Edition, (2022), is a resource document for school personnel and is intended to enhance the educational experience of students with health care needs by providing guidance to school nurses, school administrators, teachers, and other school staff regarding the healthcare of students within the school setting. The Guidelines provide evidence based practices, practical health information and recommendations for the development of local programs and policies related to health care services for students.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	December 2022	

Title of Guidance Document		
Virginia Electronic Registration for Immunization Programs (VERIP) Guide - Guide for Registry Providers to sign agreements for access to registry.		
Brief Overview		
Guide for Registry Providers to sign agreements for access to registry. This guidance document was last reviewed in December 2017.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	December 2022	

Title of Guidance Document		
QHC-056. Hospice initial licensure checklist		
Brief Overview		
Amend guidance document as the Office of Licensure and Certification will be launching an online portal for all applications so this needs to be updated in step with that software launch.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	December 2022	

Title of Guidance Document		
ODW-2022-01. Field Operations Manual.		
Brief Overview		
The Office of Drinking Water's Field Operations Manual is a new document, but arises from a comprehensive update and compilation of existing policy and working memos covering sanitary surveys, disinfection of groundwater sources, disinfection of surface water sources, Virginia's Optimization Program, status reporting of waterworks during emergency situations, assessments, sanitary defects and corrective actions, seasonal waterworks, treatment technique requirements, contaminants of emerging concern and health advisories, consumer confidence reports, oversight of water main breaks, information sharing on Legionella in drinking water, notices of alleged violation, public notification, emergency notices, data entry and Safe Drinking Water Information Systems basics, and hauling water.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	January 2023	

Title of Guidance Document		
PRM-003. Virginia State Loan Repayment Program (VA-SLRP) Eligibility Guidelines, 2019-2022.		
Brief Overview		
VDH intends to amend this guidance document. Virginia currently participates in The Health Resources and Services Administration, Bureau of Clinician Recruitment and Service Grants to States for Loan Repayment. The VA-SLRP is operated by the Virginia Department of Health-Office of Health Equity and provides a non-taxed incentive to qualified medical, dental, behavioral health and pharmaceutical (pharmacists) professionals in return for a minimum of two years of service at an eligible practice site in one of the federally designated Health Professional Shortage Areas in a qualified field of practice in Virginia. The VA-SLRP Eligibility Guidelines provide guidance to members of the public seeking to determine eligibility for loan repayment.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	January 2023	

Title of Guidance Document		
ORH-707. Guidance on Film Processing Chemicals – Disposal or Reclamation.		
Brief Overview		
VDH intends to amend this guidance document. Minor, insignificant revisions to correct typos. Content will be retained and updated with new template.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	ORH believes this guidance document continues to assist the public in interpreting existing regulations. ORH has proposed eight other guidance documents for repeal.	
Expected Date	January 2023	

Title of Guidance Document		
FAM-VCR-2020 Virginia Cancer Registry User Manual		
Brief Overview VDH intends to amend this guidance document. Regular updates and modifications to cancer registry user manuals are executed in an effort to ensure reporters and state cancer registries remain in accordance with guidelines passed down from the North American Association of Central Cancer Registries (NAACCR), the overarching governing authority that set data quality standards by which the cancer registry must abide and the American Joint Committee on Cancer (AJCC), which set the staging references. These changes include modifications to tumor, node and metastasis (TNM) categories, criteria, or prognostic stage groups; corrections and additions made to histology or topography codes; clarification of concepts or definitions that does not affect staging; and omissions that do not affect staging. Some sections of the updated manual have been retained from the 2020 VCR User Manual because a significant amount of content did not require revisions. Therefore, the updated manual can be used as a reference for coding cases with a diagnosis date of January 1, 2010 and later. Wording and minor coding changes allowed STORE to align more with the National Cancer Institute's Survey, Epidemiology and End Results (SEER) Program.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined..	
Expected Date	January 2023	

Title of Guidance Document Virginia Tuberculosis Control Laws Guidebook		
Brief Overview VDH intends to amend this guidance document, which contains guidelines on the control laws for Tuberculosis.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	February 2023	

Title of Guidance Document QHC-031. Design and construction of health care facilities		
Brief Overview Update guidance document to remove out-of-date references to involvement of the State Fire Marshal's Office and the out-of-date editions of the documents incorporated by reference. Reformat to match new guidance document template used by the Office of Licensure and Certification.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	February 2023	

Title of Guidance Document		
Administration of the Equitable Access to Drinking Water Fund (NEW)		
Brief Overview		
The General Assembly allocated $1 million in FY 23 and $1 million in FY 24 for a fund to provide support for small community waterworks. The fund will help the Office of Drinking Water consolidate small waterworks to reduce health violations, improve economies of scale, and address resilience and reliability at small and disadvantaged systems. The Office of Drinking Water is developing this policy document, which may qualify as a guidance document and thus is being listed in an abundance of caution, to identify procedures for distribution of money from the fund.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	February 2023	

Title of Guidance Document		
PRM-002. Virginia Conrad 30 Waiver Program 2019-2022 Guidelines.		
Brief Overview		
VDH intends to amend this guidance document. Virginia's Conrad 30 Waiver Program sponsors J-1 Physicians who agree to serve in medically underserved areas of the Commonwealth by waiving the "two-year home country physical presence requirement" (the "J-1 visa waiver") which would otherwise be required once their graduate medical education or residency training in the U.S. is complete. Through the Conrad 30 Waiver Program, VDH may request up to 30 J-1 visa waivers per year. The Virginia Conrad 30 Waiver Program 2019-2022 Guidelines provide guidance on program eligibility and requirements as administered by the Virginia Department of Health, Office of Health Equity (VDH-OHE).		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	February 2023	

Title of Guidance Document		
ORH-730. Guidance on the Disposal of X-ray Equipment.		
Brief Overview		
VDH plans to amend this guidance document. Minor, insignificant revisions to correct typos. Content will be retained and updated with new template.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	ORH believes this guidance document continues to assist the public in interpreting existing regulations. ORH has proposed eight other guidance documents for repeal.	
Expected Date	March 2023	

Title of Guidance Document		
FAM202 Virginia Women, Infants and Children (WIC) Program Retailer Manual		
Brief Overview		
VDH intends to amend this guidance document. Federal regulations require WIC develop and distribute a retailer manual. The Virginia Women, Infants and Children (WIC) Program Retailer Manual has been updated. The version that is on the Town Hall was posted in 2019. The current updated 2022 version will be submitted for approval.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	March 2023	

Title of Guidance Document		
Acceptable Evidence of Varicella Immunity		
Brief Overview		
Provides additional guidance for determining acceptable evidence of immunity to varicella virus for the purposes of meeting Virginia school enrollment requirements. This guidance document was last reviewed in December 2015.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☐ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	March 2023	

Title of Guidance Document QHC-033. Nursing facility emergency planning		
Brief Overview Update guidance document to remove out-of-date URL and reformat to match new guidance document template used by the Office of Licensure and Certification.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	March 2023	

Title of Guidance Document		
WTR-2020-02. Enforcement Manual.		
Brief Overview		
The Office of Drinking Water's Enforcement Manual provides guidance to ODW staff with a methodology for carrying out enforcement actions to ensure that the approach to enforcement is logical and consistent. The Office of Drinking Water intends to amend the Enforcement Manual to refine best practices, account for recommendations contained in a 2021 performance audit report by the Office of the Inspector General, and make other needed improvements identified since the Enforcement Manual was issued in October 2020.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	March 2023	

Title of Guidance Document		
ORH-731. Assembler or Manufacturer Transfer Obligation Requirements.		
Brief Overview		
VDH intends to amend this guidance document. Minor, insignificant revisions to correct typos. Content will be retained and updated with new template.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	ORH believes this guidance document continues to assist the public in interpreting existing regulations. ORH has proposed eight other guidance documents for repeal.	
Expected Date	April 2023	

Title of Guidance Document		
Guidance Document 6961. Virginia Newborn Screening Services- Frequently Asked Questions		
Brief Overview		
The Division of Child and Family Health Services proposes amendments to Guidance Document 6961. Virginia Newborn Screening Services- Frequently Asked Questions to update language and revise the title. The guidance document provides the lay public with information on newborn screening services to increase understanding of the process and the disorders for which newborns are screened. The guidance document is stewarded by the Division of Consolidated Laboratory Services within the Department of Governmental Services and proposed amendments are currently under DCLS review.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	April 2023	

Title of Guidance Document		
Tuberculosis Guidelines for Determination of Completion of Treatment		
Brief Overview		
VDH intends to amend this guidance document. Provides guidance to clinicians and local health departments regarding requirements for directly observed therapy (DOT) and length of treatment for individuals with active TB disease.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	April 2023	

Title of Guidance Document		
WTR-2019-01. Source Water Manual.		
Brief Overview		
The Office of Drinking Water's Source Water Manual serves as procedural guidance for Office of Drinking Water staff as an informational resource for waterworks owners and operators. It describes actions ODW staff will complete in order to monitor and protect source water and provides information to aid ODW and waterworks to prevent and respond to source water contamination events. The Office of Drinking Water plans to amend the Source Water Manual to update procedures.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined..	
Expected Date	May 2023	

Title of Guidance Document		
ORH-734. Guidance on X-ray Machine Operators using PET CT Units. Amend ORH-734.		
Brief Overview		
VDH intends to amend this guidance document. Minor, insignificant revisions to correct typos. Content will be retained and updated with new template.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	ORH has proposed eight guidance documents for repeal. ORH believes this guidance document continues to assist the public in interpreting existing regulations.	
Expected Date	May 2023	

Title of Guidance Document		
FAM-501 Low-Income Safety Seat Distribution and Education Program		
Brief Overview		
The FAM-501 Low-Income Safety Seat Distribution and Education Program guidance document outlines policies and procedures for the implementation of the Low Income Safety Seat Distribution and Education Program. VDH intends to update the 2019 version to reflect current processes.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined..	
Expected Date	May 2023	

Title of Guidance Document		
Screening for TB Infection and Disease		
Brief Overview		
VDH intends to amend this guidance document. It provides guidance to clinicians and local health departments regarding tuberculosis screening and testing policies in Virginia. This guidance document was last reviewed in December 2015.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	May 2023	

Title of Guidance Document		
Office of Drinking Water Sampling Manual.		
Brief Overview		
VDH intends to amend this guidance document. The Office of Drinking Water's Sampling Manual would be a new document but arises from a comprehensive update of an existing sampling manual contained in a working memo and compilation of existing policy and working memos covering drinking water sampling and reporting. The manual will provide instructions and clarifications to Office of Drinking Water staff regarding sampling and reporting requirements.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	June 2023	

Title of Guidance Document		
ORH-744. Radiation Safety Procedures.		
Brief Overview		
VDH intends to amend this guidance document. Minor, insignificant revisions to correct typos. Content will be retained and updated with new template.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional **Description**	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	ORH believes this guidance document continues to assist the public in interpreting existing regulations. ORH has proposed eight other guidance documents for repeal.	
Expected Date	June 2023	

Title of Guidance Document		
FAM112 Virginia Bleeding Disorders Program Fact Sheet		
Brief Overview		
The Virginia Bleeding Disorders Program Fact Sheet provides the lay public with an overview of the resources available through the Program. VDH intends to amend the Fact Sheet to provide updates on available resources and supports and enrollment options.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	June 2023	

Title of Guidance Document		
Virginia Tuberculosis Homeless Incentive and Prevention Program		
Brief Overview		
VDH plans to amend this guidance document. Guidelines on The Homeless Incentive and Prevention Program (HIP). HIP is designed to provide temporary housing assistance for tuberculosis (TB) patients who are homeless, or where current living conditions represent a barrier to adherence or completion of treatment. Its secondary purpose is to prevent the at-risk patient from becoming truly homeless by enabling him/her to remain in the current housing arrangement. This guidance document was last reviewed in December 2015.		
Regulatory Stage **(check one box)**	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	To be determined.	
Expected Date	June 2023	

Virginia Housing Development Authority (VHDA): 1 Guidance Document

Title of Proposed Regulatory Action or Guidance Document Virginia Housing Low Income Housing Tax Credit Manual (Guidance Document)		
Brief Overview The Internal Revenue Code requires that Virginia Housing, as administrator of the federal low-income housing tax credit program (LIHTC) in Virginia, adopt a "qualified allocation plan" or "QAP" (in the form of regulations) governing the award and compliance monitoring of the LIHTC program. The QAP begins in 13 VAC 180. To provide additional clarity, guidance and forms related to the QAP to developers applying for an award of LIHTC, Virginia Housing annually updates its LIHTC manual as a Guidance Document.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	Not known at this time.	
Expected Date	The LIHTC Manual is expected to be updated in December of 2022 or January of 2023.	

Virginia Information Technologies Agency (VITA): 15 Guidance Documents

Title of Proposed Regulatory Action or Guidance Document Commonwealth Project Management Guideline		
Brief Overview The primary objective of the Commonwealth Project Management Guideline is to provide guidance on the application of the COV Project Management Standard and the use of common industry best practices in the management of IT projects within Virginia Executive Branch Commonwealth agencies.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Recent and emerging project management methodologies are being employed in the Commonwealth. The update will include additional information on these emerging methodologies.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Project Management Standard		
Brief Overview This standard applies to Commonwealth-level IT projects and IT procurements. It establishes the mandatory procedures and required documentation for governance and oversight over the lifecycle of these IT projects and investments.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Procurement and approval processes are being streamlined. The update will include such improvements.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Technology Management Policy		
Brief Overview The Chief Information Officer of the Commonwealth (CIO) and VITA have a broad range of statutory technology management responsibilities. These assignments cover specific tasks related to technology security, reporting, budgets, sourcing and projects, and overarching responsibilities for technology policy, IT strategic planning, value creation, and leadership. The Commonwealth Technology Management Policy is intended to provide overarching guiding principles for use by executive branch agencies and institutes of higher education for the management of IT. Standards are issued to implement this policy and provide specific direction and requirements on particular topics. Guidelines are issued to assist agencies with the execution of standards or this policy.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	This policy has not been reviewed since 2018. It is the overarching policy over all IT policies, standards, and guidelines pertaining to IT investments, and the intent is to review and update it to ensure appropriate changes are made, if necessary.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document IT Investment Management Standard		
Brief Overview The intent of the Information Technology Investment Management (ITIM) Standard is to establish a methodology for the identification, selection, management, and evaluation of IT investments in order to maximize the business value of those investments. The ITIM methodology uses a lifecycle approach and portfolio management process to minimize risks and maximize the return on IT investments while supporting executive branch agency decisions to maintain, migrate, improve, retire, or initiate IT investments. The standard will define the ITIM methodology, describe the phases of the ITIM lifecycle, establish the basis for measuring the value of an IT investment, identify the required actions associated with each phase, position those actions within a portfolio management process, and assign roles and responsibilities for those actions. Since the Commonwealth and agency IT strategic planning process embodies the ITIM methodology, the standard also defines and describes related portions of that process.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	The intent is to incorporate an IT Planning Standard into the ITIM Standard.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Telecommunications Waiver Policy		
Brief Overview This document provides guidance on the waiver process component of telecommunications procurement – namely, the granting of waivers to agencies to allow them to use non-VITA contracts for the procurement of telecommunications goods and services.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Small Purchase Policy		
Brief Overview This document provides the details of VITA's small purchase card policy, defines small purchases up to $200,000, specifies the delegation of small purchases up to $250,000, and describes the set asides that apply to small purchase up to $100,000 under EO35.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Sole Source Procurement Policy		
Brief Overview This document delineates the criteria for when executive branch state agencies can use a sole source procurement method for IT goods and services; and provides the process for agencies to obtain sole source approval.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Emergency Procurement Policy		
Brief Overview This document provides the criteria and guidance to executive branch agencies for their use of the emergency procurement of IT goods and services pursuant to Virginia Code § 2.2-4303(F). It also provides the process for obtaining emergency procurement approval.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document IT Procurement Policy for Enhancing Small Women and Minority-owned Businesses		
Brief Overview This document provides procurement guidelines to executive branch agencies, and is designed to enhance and expand contracting opportunities for small businesses, including micro businesses, women-owned, minority-owned, and service-disabled veterans (SWaM) owned IT and telecommunications small businesses, to participate in the Commonwealth's procurement process. This document interprets EO 35 for agencies purchasing IT; includes definitions for what is a SWaM business; and informs agencies of set asides under certain procurement amounts and required processes.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Policy for Procuring and Managing Contingent Labor Resources		
Brief Overview This document provides policies for the procurement and management of contingent labor resources; specifically, it provides guidance on the procurement of IT contingent workers through Staff Augmentation or a Statement of Work (SOW) through the managed service provider (MSP) program for all executive branch agencies and institutions of higher learning.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	The intended update reduces the burden by eliminating the requirement for agencies to provide to VITA justification for named exceptions.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document BUY IT Manual		
Brief Overview This manual contains guidance and best practices for executive branch agencies procuring IT goods and services within their delegated authority limits.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	In addition to reflecting statutory and executive policy changes, the intended update will eliminate situations where this manual was perceived as imposing requirements that reduced flexibility for agencies. VITA also intends to look to shorten the manual where that can be done without losing valuable information.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Policy, Standard and Guideline Formulation Standard (GOV101)		
Brief Overview This standard establishes a comprehensive and uniform process for developing, adopting, maintaining, and retiring, Commonwealth of Virginia Information Technology policies, standards, and guidelines (PSGs).		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Enterprise Architecture Policy (EA200)		
Brief Overview Establishes the Commonwealth's Enterprise Architecture as the primary source for providing IT direction and technical requirements that govern the acquisition, use, and management of IT resources by executive branch agencies. This document contains policy statements related to applications systems development and open source software and the process used to govern agency requests for changes and exceptions to EA requirements and to ensure that all recommendations and requests for changes or exceptions are logged, reviewed, and responded to in a timely manner.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.	
Expected Date	January 2023	

Title of Proposed Regulatory Action or Guidance Document Commonwealth Security and Cloud Requirements		
Brief Overview This document provides clarification and guidance to executive branch agency procurement personnel on Commonwealth Security and Risk Management requirements for Enterprise Cloud Oversight Service.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.	
Expected Date	June 2023	

Title of Proposed Regulatory Action or Guidance Document Information Technology Resource Management Policy (GOV 102-02)		
Brief Overview This policy establishes a framework for the development and governance of Commonwealth of Virginia Information Technology Resource Management (ITRM) Policies, Standards, and Guidelines. The management of information technology (IT) resources requires the establishment and control of a set of documents that convey purpose, direction, and required activities. The documents that accomplish this are ITRM policies, standards, and guidelines (PSGs).		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	Updates will be made as necessary, in compliance with statutory and executive policy changes.	
Expected Date	June 2023	

Virginia Marine Resources Commission (VMRC): 1 Guidance Document

Title of Proposed Regulatory Action or Guidance Document Tidal Wetlands Guidelines		
Brief Overview Sections 28.2-1301 and 28.2-1308 of the Code of Virginia require the Marine Resources Commission to promulgate and periodically update its tidal wetlands guidelines. The Code stipulates that the guidelines shall be considered in applying the standards for the use and development of wetlands in Tidewater Virginia.		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	Since the last Tidal Wetlands Guidelines update, Boards, agents, contractors, and homeowners have asked for further clarification about what constitutes the best available science used to aid in decision making, and if a Board can consider project costs as part of a permit decision. The proposed edits to the Guidelines will address those two questions. In addition, the proposed edits remove references to the 1) the Chesapeake Bay Preservation Act (CBPA), as recommended by the Attorney General's office; and 2) the 2017 NOAA Intermediate-High scenario projection curve, which also lies landward of the Board's jurisdictional limits. These updates will provide further clarity and guidance for local decision makers in identifying preferred shoreline management options.	
Expected Date	August 2023	