

Unified Regulatory Plan

Date	Agency	Title	Regulatory Stage/ Legal Authority S=State Statute F = Federal Statute D = Discretionary	Brief Description
This action is currently pending Governor's Office approval.	Department for Aging and Rehabilitative Services	Revisions to Adult Services Approved Providers (Action 4874)	Final Rule S, D	To review all current regulation content and (1) clarify regulation content that may be unclear, inconsistent, or obsolete; and (2) incorporate person-centered language throughout the regulation.
TBD; dependent on executive branch approval of previous stage Action 5656 / Stage 9495.	Department of Health Professions	Licensure of Art Therapists	Final Rule S, D	Adopt final regulations to license art therapists 18VAC115-90 following approval by the Governor's office of the proposed regulations Action 5656 / Stage 9495.
TBD; dependent on executive branch approval of previous stage Action 5600 / Stage 9629.	Department of Health Professions	Training and supervision of digital scan technicians	Final Rule S, D	Board will vote on final regulations in 18VAC60-21, pursuant to HB165 and SB122 of the 2020 General Assembly once proposed regulations are approved by the Governor Action 5600 / Stage 9629.

TBD; dependent on executive branch approval of previous stage Action 5967 / Stage 9644.	Department of Health Professions	Expansion and clarification of refresher courses required for reinstatement of license of a dentist or dental hygienist	Proposed Rule D	To expand the number and type of refresher courses accepted by the Board for reinstatement or renewal of license for a dentist or dental hygienist in 18VAC60-21 and - 25.
TBD; dependent on executive branch approval of previous stage Action 5987 / Stage 9671.	Department of Health Professions	Continuing education requirements for jurisprudence	Proposed Rule D	To specify that a certain number of the already required hours of continuing education for licensure renewal must be in jurisprudence.
TBD; dependent on executive branch approval of previous stage Action 5728 / Stage 9645.	Department of Health Professions	Elimination of direct pulp-capping as a delegable task for a DAII	Final Rule D	Corrects a mistake in the original drafting of regulations regarding delegable tasks of DAIs, clarifying that DAIs can only be delegated indirect pulp-capping, not direct pulp- capping in 18VAC60- 30.
TBD; dependent on executive branch approval of previous stage Action 5797 / Stage 9593.	Department of Health Professions	Regulations for implementation of the Occupational Therapy Compact	Final Rule S, D	Adopt final regulations to implement the Occupational Therapy Compact in 18VAC85-80 once the executive branch completes review of the proposed regulations to implement the Compact Action 5797 / Stage 9593.

TBD; dependent on executive branch approval of previous stage Action 5981 / Stage 9664.	Department of Health Professions	Conform regulations governing licensure of Behavior Analysts to Code	Proposed Rule D	Adopt proposed regulations to coordinate behavior analyst licensing requirements in 18VAC85-150 to Code once NOIRA is approved by the executive branch Action 5981 / Stage 9664. Currently the regulations conflict.
TBD; dependent on executive branch approval of previous stage Action 5801 / Stage 9552.	Department of Health Professions	New regulations for licensed certified midwives	Final Rule S, D	Adopt final regulations to license certified midwives in 18VAC90-70 as directed by the General Assembly once proposed regulations are approved Action 5801 / Stage 9552.
TBD; dependent on executive branch approval of previous stage Action 6072 / Stage 9780.	Department of Health Professions	Regulations for laser surgery certifications	Proposed Rule S, D	Adopt proposed regulations in 18VAC105-20 after the NOIRA completes executive branch review in Action 6072 / Stage 9780.
TBD; dependent on executive branch approval of previous stage Action 6071 / Stage 9779.	Department of Health Professions	Regulations for optometrists profiles and reporting	Proposed Rule S	Adopt proposed regulations in18VAC105-20 after the NOIRA completes executive branch review in Action 6071 / Stage 9779.

TBD; dependent on executive branch approval of previous stage Action 6070 / Stage 9778.	Department of Health Professions	Implementation of 2022 legislation regarding pharmacists initiating treatment	Proposed Rule S	Adopt proposed regulations to 18VAC110-21 when NOIRA has completed executive branch review Action 6070 / Stage 9778.
TBD; dependent on executive branch approval of previous stage Action 6081 / Stage 9792.	Department of Health Professions	Pharmacy working conditions	Proposed Rule S, D	Adopt proposed regulations when the NOIRA has completed executive branch review Action 6081 / Stage 9792.
TBD; dependent on executive branch approval of previous stage Action 5861 / Stage 9562.	Department of Health Professions	Implementation of 2021 legislation for pharmacists initiating treatment	Final Rule S	Adopt final regulations Action 5861 / Stage 9562 when proposed regulations in 18VAC110-20 and - 21 have completed executive branch review.
TBD; dependent on executive branch approval of previous stage Action 5868 / Stage 9608.	Department of Health Professions	Allowance for centralized warehouse or wholesale distributor to verify Schedule VI drugs for automated dispensing devices at hospitals	Final Rule D	Adopt final regulations Action 5868 / Stage 9608 when proposed regulations in 18VAC110-20 have completed executive branch review.

TBD; dependent on executive branch approval of previous stage Action 5966 / Stage 9642.	Department of Health Professions	Exemption of automated dispensing devices stocked solely with emergency or stat-use medications from certain requirements of 18VAC110-20- 555	Proposed Rule D	Consider the adoption of proposed regulations in 18VAC110-20 Action 5966 / Stage 9642 when the NOIRA has completed executive branch review.
TBD; dependent on executive branch approval of previous stage Action 5925 / Stage 9563.	Department of Health Professions	Implementation of 2021 periodic review of 18VAC110-20	Proposed Rule D	Adopt proposed regulations based on its 2021 periodic review of Chapter 20 Action 5925 / Stage 9563 when the NOIRA has completed executive branch review.
TBD; dependent on executive branch approval of previous stage Action 5926 / Stage 9564.	Department of Health Professions	Implementation of 2021 periodic review of 18VAC110-21	Proposed Rule D	Adopt proposed regulations based on its 2021 periodic review of Chapter 21 Action 5926 / Stage 9564 when the NOIRA has completed executive branch review.
TBD; dependent on executive branch approval of previous stage Action 5927 / Stage 9565.	Department of Health Professions	Implementation of 2021 periodic review of 18VAC110-30	Proposed Rule D	Adopt proposed regulations based on its 2021 periodic review of Chapter 30 Action 5927 / Stage 9565 when the NOIRA has completed executive branch review.

TBD; dependent on executive branch review of previous stage. Stage has not begun as of October 3, 2022, so no action/stage yet.	Department of Health Professions	Amendments related to 2022 periodic review	Proposed Rule D	Consider and adopt proposed regulations related to the periodic review of 18VAC150-20, Regulations Governing the Practice of Veterinary Medicine, should the NOIRA be approved and published before the end of FY2023.
To be determined. Proposed regulation to be submitted to the OAG at least sixty days prior to the State Board of Social Services meeting.	Department of Social Services	Establish Year Round Energy Assistance Program & Periodic Review (22VAC40- 680)	Proposed Rule D	Changes to extend the eligibility period for EAP, add details regarding the assistance provided, and update the information regarding administrative costs for local departments of social services.
To be determined, but at least 60 days prior to the State Board of Social Services meeting date.	Department of Social Services	Amend Standards for Licensed Children’s Residential Facilities (22VAC40-151)	Final Rule F, S, D	Provides standards for the public and DSS to evaluate the safety and stability of care that children and youth receive in licensed children’s residential facilities (CRF).
TBD 2022	Virginia Employment Commission	16 VAC 5-80-20 Amendment for First Level Appeals	Final Rule D	Add language to subsection A(1) to clarify current practices and reflect Agency modernizations including a shift toward electronic

				forms and online portals.
TBD	Department of Historic Resources	Regulations Governing Contextualization of Monuments or Memorials for Certain War Veterans	Proposed Rule S, D	New regulations pursuant to Chapters 1100 and 1101 of the 2020 Acts of Assembly.
TBD	Department of Social Services	Amend Standards for Licensed Child-Placing Agencies (22VAC40-131)	Final Rule F, S, D	Provides standards for the public and DSS to evaluate the safety and stability of care that children and youth receive in licensed children's residential facilities (CRF).
TBD	Department of Medical Assistance Services	Cardinal Care Managed Care Program	NOIRA / Emergency Rule S, D	To amend 12VAC30-120, directed by the 2022 Appropriations Act, Item 304.Y.
TBD	Department of Medical Assistance Services	Consumer-Directed Attendants	Fast-Track Rule S, D	Incorporates the requirements of HB2137, which passed during the 2021 General Assembly.
TBD	Department of Medical Assistance Services	12-months Postpartum	NOIRA / Emergency Rule S	To amend 12VAC30-10, 12VAC30-30, 12VAC30-40, 12VAC30-50 and 12VAC30-141, directed by 2022 Special Session I Virginia Acts of Assembly, Chapter 2.
TBD	Department of Medical Assistance Services	Clarifications for Durable Medical Equipment and Supplies—Revisions	Emergency Rule F	To amend 12VAC30-50, directed by 2021 Appropriations Act (Special Session 1), Item QQQQQ.
TBD	Department of Medical Assistance Services	Dental Services	NOIRA / Emergency Rule	To amend 12VAC30-50, directed by 2021 Appropriations Act

			S, D	(Special Session 1), Item QQQQQ.
TBD	Department of Medical Assistance Services	90-Day Prescriptions	Fast-Track Rule S, D	To amend 12VAC30-50 to allow 90-day supplies of certain prescription medications to be provided to Medicaid members for select maintenance drugs.
TBD	Department of Medical Assistance Services	Pharmacy Updates	Fast-Track Rule S, D	To amend 12VAC30-50 and 12VAC30-80 pursuant to the 2020 Special Session, Item 313.YYYYY and in accordance with the 2021 Appropriations Act, Item 313.UUUUU.
TBD	Department of Medical Assistance Services	Program of All-Inclusive Care for the Elderly	Fast-Track Rule D	To amend 12VAC30-50 to align with the Department's current PACE rate setting practices.
TBD	Department of Medical Assistance Services	Service Authorization	Fast-Track Rule S, D	To amend 12VAC30-60 pursuant to the 2018 Acts of Assembly, Chapter 2, Item 303.X1, and 2019 Acts of Assembly, Chapter 854, Item 303.X1.
TBD	Department of Medical Assistance Services	2020 Long Term Services and Supports (LTSS) Screening Changes	Fast-Track Rule S	To amend 12VAC30-60 in accordance with 2020 HB/SB 902 (which amended the Code of Virginia, §§ 32.1-330, 32.1-330.01 and 32.1-330.3).
TBD	Department of Health	12VAC5-90. Disease Reporting and Control. COVID-19 Emergency Update	Final Rule D	To ensure all health providers report necessary public health information.
TBD	Department of Health	12VAC5-110. Regulations for the	Final Rule / Exempt Rule	To be in compliance with requirements of

		Immunization of School Children. Amend Regulations to Conform to Chapter 1223 of the 2020 Acts of Assembly	S	section 32.1-46 of the Code of Virginia.
TBD	Department of Health	12VAC5-381. Regulations for the Licensure of Home Care Organizations Fee Change for Home Care Organizations after Enactment of Chapter 172 (2022 Acts of Assembly)	Fast-Track Rule S, D	Mandated by Chapter 172 (2022 Acts of Assembly) amended Code of Virginia § 32.1-162.9.
TBD	Department of Health	Amend Private Well Regulations Following Periodic Review (12VAC5-630)	Final Rule D	Final amendments are a result of a periodic review and are updated pursuant to § 32.1-176.4 of the Code of Virginia.
TBD	Department of Health	12VAC5-410. Regulations for the Licensure of Hospitals in Virginia. Amend the Regulation after Enactment of Chapters 80, 81, 218, 678, and 679 of the 2022 Acts of Assembly	Final Rule / Exempt Rule D	Mandated by Chapters 80 and 81 of the 2022 Acts of Assembly, which amend Va. Code § 8.01-226.5:2; Chapter 218 of the 2022 Acts of Assembly, which amends Va. Code § 32.1-127; and Chapters 678 and 679 of the 2022 Acts of Assembly, which amend Va. Code § 32.1-137.01.
TBD	Department of Health	12VAC5-110. Regulations for the Immunization of School Children. Amend Regulations to Conform to Chapter 1223 of the	Final Rule / Exempt Rule S	To be in compliance with requirements of section 32.1-46 of the Code of Virginia.

		2020 Acts of Assembly		
TBD	Department of Health Professions	Periodic review of regulations governing nurse aide education programs; changes based on periodic review; reduction of regulations	Fast-Track Rule D	Amend 18VAC90-26 in response to a petition for rulemaking and program struggles during the COVID-19 pandemic.
October 2022	Department for Aging and Rehabilitative Services	Minor Changes to Conform to the Appropriation Act (Action 5888)	Final Rule S	To conform two sections (22VAC30-50-60 and 22VAC30-50-120) to Item 330 M of the 2022 Appropriation Act.
October 2022	Department for Aging and Rehabilitative Services	Amend ALF Assessment regulations to comport with changes pursuant to the 2022 Appropriation Act (Action 5732)	Final Rule S	Amends 22VAC30-110 (Assessment in Assisted Living Facilities) to comport regulatory language with Item 335 F of the 2022 Appropriation Act.
October 2022	Department of Environmental Quality	Amend list of nonattainment areas (Revision F22)	Final Rule F	EPA has determined that a portion of Giles County, Virginia is not meeting the SO2 National Ambient Air Quality Standard, and has designated it as a nonattainment area at 40 CFR 81.347; Virginia's list of nonattainment areas (9VAC5-20-204) must be updated accordingly.
October 2022	Department of Environmental Quality	Triennial Review of the Water Quality Standards regulation (9VAC25-260 et seq.)	Final Rule F, S	Standards will be used in setting Virginia Pollutant Discharge Elimination System Permit limits and for evaluating the waters of the Commonwealth for

				inclusion in the Clean Water Act 305(b) report and on the 303(d) impaired waters list; needed because the agency has to fulfill the legal mandates for a three-year review under the Code of Virginia §62.1-44.15(3a) and federal regulations 40 CFR 131.
October 2022	Department of Health Professions	Reduction of regulations governing MDs, DOs, DPMs, DCs	Fast-Track Rule D	Amend 18VAC85-20, including various reductions and elimination of outdated provisions, following periodic review.
October 2022	Department of Health Professions	Reduction of regulations governing respiratory therapists	Fast-Track Rule D	Amend 18VAC85-40, including various reductions and elimination of outdated provisions, following periodic review.
October 2022	Department of Health Professions	Reduction of regulations governing physician assistants	Fast-Track Rule D	Amend 18VAC85-50, including various reductions and elimination of outdated provisions, following periodic review.
October 2022	Department of Health Professions	Reduction of regulations governing occupational therapists	Fast-Track Rule D	Amend 18VAC85-80, including various reductions and elimination of outdated provisions, following periodic review.
October 2022	Department of Health Professions	Reduction of regulations governing radiologic technologists	Fast-Track Rule D	Amend 18VAC85-101, including various reductions and elimination of outdated provisions,

				following periodic review.
October 2022	Department of Health Professions	Reduction of regulations governing acupuncturists	Fast-Track Rule D	Amend 18VAC85-110, including various reductions and elimination of outdated provisions, following periodic review.
October 2022	Department of Health Professions	Reduction of regulations governing athletic trainers	Fast-Track Rule D	Amend 18VAC85-120, including various reductions and elimination of outdated provisions, following periodic review.
October 2022	Department of Health Professions	Reduction of regulations governing licensed midwives	Fast-Track Rule D	Amend 18VAC85-130, including various reductions and elimination of outdated provisions, following periodic review.
October 2022	Department of Health Professions	Reduction of regulations governing polysomnographic technologists	Fast-Track Rule D	Amend 18VAC85-140, including various reductions and elimination of outdated provisions, following periodic review.
October 2022	Department of Health Professions	Reduction of regulations governing behavior analysts	Fast-Track Rule D	Amend 18VAC85-150, including various reductions and elimination of outdated provisions, following periodic review.
October 2022	Department of Health Professions	Reduction of regulations governing genetic counselors	Fast-Track Rule D	Amend 18VAC85-170, including various reductions and elimination of outdated provisions, following periodic review.

October 2022	Department of Health Professions	Pharmaceutical processor regulation changes pursuant to 2022 legislation	Final Rule S	Changes to the regulations governing pharmaceutical processors and the cultivation, manufacture, distribution, and administration of cannabis products in 18VAC110-60.
October 2022	Department of Health Professions	Regulatory reduction action	Fast-Track Rule D	Consider a general regulatory reduction action to 18VAC125-20.
October 2022	Department of Health Professions	Expansion of clinical psychology license and reduction of barriers to licensure	Fast-Track Rule D	Amend requirements for licensure in 18VAC125-20 as a clinical psychologist to include school psychologists with doctoral clinical education.
October 2022	Department of Health Professions	Amendments related to 2022 periodic review	NOIRA D	Consider revisions and issue a NOIRA for 18VAC150-20, Regulations Governing the Practice of Veterinary Medicine.
October 2022	Department of Historic Resources	Deletion of document date	Fast-Track Rule S, D	Two documents incorporated by reference (DIBR) included a date; should not have been included as no documents with this date exist the documents cannot be updated or revised without promulgating regulations to make the change.
October 2022	Department of Professional and	Fee Adjustment	Proposed Rule S, D	To amend current regulations (18VAC10-20) to

	Occupational Regulation			adjust licensing fee structure.
October 2022	Department of Professional and Occupational Regulation	HAS Fee Adjustment 2019	Final Rule S, D	Adjusts hearing aid specialist licensing fees (18VAC80-20), based on projected revenues and expenses, to meet the requirements of state law while being the least burdensome to the licensee population.
October 2022	Department of Professional and Occupational Regulation	General Regulatory Review of Waterworks and Wastewater Works Operators Licensing Regulations	NOIRA S, D	To undertake a general regulatory review of the Waterworks and Wastewater Works Operators Licensing Regulations (18VAC160-30).
October 2022	Department of Social Services	Update Standards for Assisted Living Facilities (22VAC40-73)	Fast-Track Rule S, D	Align the regulation to add requirements for involuntary discharge of residents, to comply with Chapter 706 of the Acts of Assembly- 2022 Session.
October 2022	Department of Social Services	Update Standards for Assisted Living Facilities (22VAC40-73)	NOIRA D	Simplify and clarify language, improve definitions, and make technical edits for ease of understanding and any other changes deemed necessary after public comment and review.
October 2022	Department of the Treasury	Amend Virginia Security for Public Deposits Act Regulations After Periodic Review	Final Rule S, D	Amend SPDA regulations (1 VAC75-20) to reflect changes made to the Security for Public Deposits Act (SPDA), Code of

				Virginia §§ 2.2-4400 et seq, between 2008 and 2010.
October 2022	Department of Agriculture and Consumer Services	Regulatory action to amend the noxious weed list	Proposed Rule D	Amend the current list of noxious weeds in Regulations for Enforcement of the Noxious Weeds Law (2 VAC 5-317).
October 2022	Department of Agriculture and Consumer Services	Regulatory action with amendments to reflect Chapter 464 of the Acts of Assembly of 2021, Special Session I	Final Rule S	Amend Regulations Pertaining to the Establishment of the Dangerous Dog Registry (2 VAC 5-620).
October 2022	Housing Development Authority	Amendments to the Rules and Regulations for the Allocation of Virginia Housing Opportunity Tax Credits (13 VAC 10-200)	Final Rule S, D	Implement changes to §§ 58.1-439.29 and 58.1-439.30 made by the 2022 General Assembly sessions in Senate Bill 47.
October 2022	Marine Resources Commission	Revisions to the Regulation Pertaining to Menhaden to Modify Purse-Seine Gear Time and Area Restrictions	Final Rule D	CHAPTER 4 VAC 20-1270-10 ET SEQ. "PERTAINING TO ATLANTIC MENHADEN"; modifies areas and times that may not be fished while using purse-seine gear.
October 2022	Marine Resources Commission	Revisions to Regulation Pertaining to Sharks (Shortfin mako)	Final Rule D	CHAPTER 4 VAC 20-490-10 ET SEQ. "PERTAINING TO SHARKS"; to prohibit the possession of shortfin mako to mirror Federal Rule 87 FR 39373.
October 2022	Department of Health	Amend Bedding and Upholstered Furniture Regulations Following Periodic	Final Rule D	Reducing conflicts with other states' bedding and upholstered furniture regulations, clarifying

		Review (12VAC5-125)		licensing and permitting requirements and operating standards, and addressing concerns expressed by the Office of the Attorney General regarding certain items in the regulation.
October 2022	Department of Health	Amend Regulations: Temporary Campground Water Quality/Handwashing Stations (12VAC5-450)	Fast-Track Rule D	To clarify standards for water transport and distribution at temporary campgrounds.
October 2022	Department of Health	12VAC5-481. Virginia Radiation Protection Regulations. Regulatory Action to Repeal and Replace the Virginia Radiation Protection Regulations	NOIRA S, D	Changes to the content of the regulatory requirements are under consideration, and this chapter will be revised to adhere to the style guidelines required by the Virginia Register of Regulations.
October 2022	Department of Health	12VAC5-481. Virginia Radiation Protection Regulations. Exempt Regulatory Action to Amend Virginia's Radioactive Materials Regulations to Ensure Compatibility with 10 CFR	Final Rule F	Amend the following sections of 12VAC5-481: 451, 1700, 1750, 1770, 1780, 3120, and 3770 to comply with 10 CFR.
October 2022	Department of Health	Notice of Intended Regulatory Action: Sewage Handling and Disposal Regulations (12VAC5-610)	NOIRA S, D	To recognize significant advances in onsite sewage system technologies since 2000.
November 2022	Department for Aging and	Reorganization and Revisions to the State	Proposed Rule	Withdrawing this action in order to

	Rehabilitative Services	Long-Term Care Ombudsman Program Regulations (Action 5122)	D	reassess whether or not the changes (which would add additional regulatory requirements) are necessary.
November 2022	Department of Criminal Justice Services	Repeal of the Rules Relating to School Security Officers	Fast-Track Rule D	Repeal Chapter 6 VAC 20-240, as it is expected to be non-controversial.
November 2022	Department of Criminal Justice Services	Repeal of the Rules Relating to Campus Security Officers	Fast-Track Rule D	Repeal Chapter 6 VAC 20-270, as it is expected to be non-controversial.
November 2022	Department of Environmental Quality	Reissuance of General VPDES Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (9 VAC 25 - 890)	Proposed Rule F, S	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.
November 2022	Department of Environmental Quality	Re-issuance of VPDES General Permit Regulation for Discharges Resulting From the Application of Pesticides to Surface Waters (9VAC25-800)	Proposed Rule D	Authorize a new permit term of 3/1/2024 – 2/28/2024. 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.
November 2022	Department of Environmental Quality	Virginia Water Protection Permit (Water withdrawal) -	Proposed Rule	To make amendments to the Virginia Water Protection Permit

		9VAC25-210 (Primary) and 9 VAC 25-610 (secondary)	S	Regulation and the Groundwater Withdrawal Permit Regulation to incorporate the requirement for water audits and leak detection and repair plans, per Chapter 100 Virginia Acts of Assembly 2021 Special Session 1.
November 2022	Department of Environmental Quality	Local and Regional Water Supply Planning (9VAC25-780)	Proposed Rule S	To make amendments to the Local and Regional Water Supply Planning Regulation per Chapter 1105 of the 2020 Virginia Acts of Assembly.
November 2022	Department of Environmental Quality	Groundwater Withdrawal Permit Regulation - 9VAC25-910 (primary) 9VAC25-610 (secondary)	Final Rule S	Chapter 755 of the Acts of Assembly 2019 Session mandated the development of an incentive for the use of the surficial aquifer in the Eastern Shore Groundwater Management Area.
November 2022	Department of Environmental Quality	Reissuance of the Virginia Pollution Abatement (VPA) Regulation and General Permit for Animal Feeding Operations and Animal Waste Management (9VAC25-192-10 et seq.)	NOIRA F, S	Pursuant to Section 62.1-44.17:1; the current VPA regulation and general permit expires on November 15, 2024.
November 2022	Department of Environmental Quality	Solid Waste Management Regulations Amendment 9	Final Rule D	To be presented to the Virginia Waste Management Board for approval and submission to the

				Attorney General in the second quarter of the fiscal year, which will result in final amendments to 9 VAC 20-81, after consideration of public comments.
November 2022	Department of Environmental Quality	Regulated Medical Waste Management Regulations Amendment 3	Final Rule D	To be presented to the Virginia Waste Management Board for approval and submission to the Attorney General in the second quarter of the fiscal year, which will result in final amendments to 9 VAC 20-120, after consideration of public comments.
November 2022	Department of Environmental Quality	Hazardous Waste Regulations Annual Update 2022	Final Rule F	To bring the citations in 9 VAC 20-60 up to date and incorporate the 2022 Annual edition of Title 40 of the CFR published on July 1, 2022.
November 2022	Department of Environmental Quality	Regulations Governing the Transportation of Hazardous Materials Annual Update 2022	Final Rule F	To update 9 VAC 20-110-110 to include federal changes from October 1, 2019, to September 30, 2022 regarding the transportation of hazardous materials in Title 49.
November 2022	Department of Health Professions	Regulatory reduction	NOIRA D	Adopt a NOIRA for reductions to 18VAC112-20.
November 2022	Department of Juvenile Justice	Amend Regulation Governing State Reimbursement of Local Juvenile	Proposed Rule S, D	To reduce the regulatory burden on localities engaged in qualifying projects.

		Residential Facility Costs (6VAC35-30)		
November 2022	Department of Juvenile Justice	Adopt New Regulation Governing the Process for Planning, Designing, and Constructing Locally Funded Juvenile Residential Facilities (6VAC35-35)	Proposed Rule S, D	To reduce the regulatory burden on localities constructing local juvenile detention centers and juvenile group homes by allowing for an expedited departmental review process.
November 2022	Department of Juvenile Justice	Periodic Review of Regulation Governing Juvenile Correctional Centers (6VAC35-71)	Final Rule S, D	To reflect changes needed for effective implementation of the department's behavior management program and to remove a number of provisions that improperly incorporate departmental procedures into the regulation in violation of 1VAC7-10-140.
November 2022	Department of Juvenile Justice	Establish New Regulations Applicable to Programs Detaining Youth Pursuant to Federal Contracts (6VAC35-200)	Proposed Rule S, D	Product of a legislative mandate (Chapter 599 of the 2020 Acts of Assembly, codified as Code of Virginia § 66-10.2).
November 2022	Department of Medical Assistance Services	Post Eligibility Special Earnings for Developmental Disabilities Waivers	Fast-Track Rule S	To incentivize employment for individuals receiving waiver services, directed by the 2022 Appropriations Act, Item 304.ZZ.
November 2022	Department of Medical Assistance Services	Third Party Liability	Fast-Track Rule F	To amend 12VAC30-10 and 12VAC30-20 as required by a Centers for Medicare & Medicaid Services

				Informational Bulletin.
November 2022	Department of Medical Assistance Services	Medicaid Enterprise System	Final Rule S, D	To revise references to "MMIS" and "Medicaid Management Information System" in a number of agency regulations (12VAC30-10, 12VAC30-20, 12VAC30-50, 12VAC30-80, 12VAC30-120, and 12VAC30-130) to "MES" or "Medicaid Enterprise System."
November 2022	Department of Medical Assistance Services	Preadmission Screening and Resident Review (PASRR) Update	Fast-Track Rule S	To amend 12VAC30-130 in accordance with 2020 HB/SB 902 (which amended the Code of Virginia, §§ 32.1-330, 32.1-330.01 and 32.1-330.3).
November 2022	Department of Professional and Occupational Regulation	General Regulatory Review of Asbestos Licensing Regulations	NOIRA F, S, D	Convene a committee of stakeholders to conduct a general regulatory review of the Virginia Asbestos Licensing Regulations and make a recommendation with suggested amendments.
November 2022	Department of Professional and Occupational Regulation	Journeyman Examination Exemption for Completion of Approved Apprenticeship Program	NOIRA D	To amend its regulations to exempt graduates of a trade-related apprenticeship program approved by DOLI, U.S. Department of Labor, or the U.S. Military Apprenticeship Program from the requirement of

				passing the licensing examination.
November 2022	Department of Social Services	Update Human Subject Research Chapter (22 VAC 40-890)	Fast-Track Rule F, S, D	Update certain definitions and terms to be congruent with those that appear in other state Code (e.g., § 32.1-162.16), and amend the 22 VAC 40-890-30 and 22 VAC 40-890-80 to be congruent with new changes to the Common Rule.
November 2022	Department of Wildlife Resources	Biennial Review of Aquatics Regulations	Final Rule D	Affects 4VAC15-20, 4VAC15-320, 4VAC15-330, 4VAC15-350, 4VAC15-360, and 4VAC15-370.
November 2022	Department of Wildlife Resources	Biennial Review of Boating Regulations	Final Rule F, D	Affects 4VAC15-390, 4VAC15-430, and 4VAC15-440; conform boating equipment terminology and requirements to recent amendments to the federal Code of Federal Regulations.
November 2022	State Board of Local and Regional Jails	Repeal of Regulations for Human Subject Research (6VAC15-26)	Fast-Track Rule S	To repeal 6 VAC 15-20 in entirety, as the Board no longer has the legal authority for the regulations.
November 2022	Department of Agriculture and Consumer Services	Regulatory action to promulgate Texas Hold'em Poker Tournament Regulations	Proposed Rule S, D	Directed by the third enactment of both Chapters 554 and 609 of the 2022 Acts of Assembly, promulgate (11 VAC 20-30).
November 2022	Department of State Police	Motor Carrier Safety Regulations - Summer 2022 Amendments –	Final Rule F, S	To grant qualified Virginia law enforcement officers the authority to

		FINAL – 19VAC30-20		enforce with the Federal Motor Carrier Safety Regulations, pursuant to the United States Motor Carrier Safety Act found in 49 CFR Part 385 and 49 CFR 395.
December 2022	Department for Aging and Rehabilitative Services	Amend Regulations Following Periodic Review (Action 5708)	Proposed Rule S, D	22VAC30-70 requires regulatory changes in order to further define program requirements; protect the health, safety, and welfare of the vulnerable clients; and bring conformity to program standards and operations across the Commonwealth.
December 2022	Cannabis Control Authority	Creation of Initial Cannabis Control Authority Regulations	Proposed Rule S	To meet statutory requirements, including adopting public participation guidelines pursuant to section 2.2-4007.02 of the Code of Virginia and establishing amounts of marijuana product that are equivalent to statutory limits of marijuana plant material pursuant to section 4.1-1100 of the Virginia Code.
December 2022	Department of Behavioral Health and Developmental Services	12VAC35-46, Childrens Residential Facilities; ASAM criteria	Final Rule S	Final amendments to align with ASAM criteria in children's residential facilities as mandated in Item 318.B. of the 2020 Appropriation Act. [Extended emergency

				eff. 2/20/2021; expires 02/18/2023.]
December 2022	Department of Behavioral Health and Developmental Services	12VAC35-105, ASAM criteria	Final Rule S	Final amendments to align with ASAM criteria in licensing regulations mandated in Item 318.B. of the 2020 Appropriation Act. [Extended emergency eff. 2/20/2021; expires 02/18/2023.]
December 2022	Department of Behavioral Health and Developmental Services	12VAC35-105, Enhanced behavioral health services	Final Rule S	Final amendments to align with enhanced behavioral health services as mandated in Item 318.B. of the 2020 Appropriation Act as part of ProjectBravo. [Extended emergency eff. 2/20/2021; expires 02/18/2023.]
December 2022	Department of Behavioral Health and Developmental Services	Amendments to 12VAC35-260 to comply with HB277 (2022) regarding certified recovery residences	Fast-Track Rule S	HB277 required that all recovery residences be certified by DBHDS and that as a condition of such certification, residences must comply with minimum square footage requirements related to beds and sleeping rooms.
December 2022	Department of Behavioral Health and Developmental Services	Amendments to 12VAC35-105 to conform to the federal final rule on Mobile Medication Assisted Treatment Programs	Final Rule F	Integrate federal regulations into the state licensing regulations and allow Virginia providers to provide MAT services in a mobile unit to facilitate addressing the opioid crisis and expand

				opportunities for providers as requested by the provider community.
December 2022	Department of Behavioral Health and Developmental Services	Amendments to collapse 12VAC35-190 into 12VAC35-200	NOIRA D	Clarifying and streamlining update, already in development.
December 2022	Department of Conservation and Recreation	Repeal 4VAC5-36 (et seq.) Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services	Final Rule D	Traditionally promulgated state park fees as regulations. This practice is unnecessary and can be safely ended.
December 2022	Department of Environmental Quality	Repeal CO2 Budget Trading Program as required by Executive Order 9 (Revision A22)	NOIRA D	Executive Order 9 requires reevaluation of Virginia's participation in the Regional Greenhouse Gas Initiative (RGGI) and immediately begin regulatory processes to end it.
December 2022	Department of Environmental Quality	Federal Documents Incorporated by Reference (Rev. C22)	Final Rule F	Update state regulations that incorporate by reference certain federal regulations to reflect the Code of Federal Regulations as published on July 1, 2022.
December 2022	Department of Environmental Quality	Amendment and Reissuance of: Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Noncontact Cooling Water Discharges of 50,000 Gallons Per	Final Rule S, D	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

		Day or Less [9VAC25-196]		permittee and the Commonwealth.
December 2022	Department of Environmental Quality	Designated Use Modification for a Portion of Virginia’s Chesapeake Bay Mainstem (9VAC25-260-185)	NOIRA D	To protect designated and beneficial uses of state waters by adopting regulations that are technically correct, necessary and reasonable for two Chesapeake Bay segments under question (CB6PH and CB7PH).
December 2022	Department of Environmental Quality	Withdrawal of NOIRA for “Emissions Standards for Natural Gas Infrastructure” Action	NOIRA D	The Regulatory Action Panel (RAP) for this action will be recalled--as an ad hoc group, not a formal RAP--in order to assist with the report to the General Assembly due 7/23.
December 2022	Department of Environmental Quality	Withdrawal of NOIRA for “Develop parameters for implementing the site suitability criteria/factors of state law for permits and variances” Action	NOIRA D	This regulatory action was started because of issues with § 10.1-1307 E of the Code of Virginia, which were subsequently addressed by the General Assembly in Chapter 356 of the 2022 Acts of Assembly.
December 2022	Department of Environmental Quality	Withdrawal of NOIRA for Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Concentrated Animal Feeding Operations (9VAC25-191)	NOIRA D	This regulation has been repealed and this associated NOIRA to reissue this general permit will be withdrawn because this general permit regulation is no longer needed.
December 2022; changes will need to	Department of Health Professions	Regulatory reduction	NOIRA D	Board will consider regulatory reduction action to 18VAC30-21.

be dependent on approval of fast-track changes from previous periodic review Action 5876 / Stage 9476, currently in Governor's office.				
December 2022	Department of Health Professions	NOIRA or fast-track based on periodic review of 18VAC60-21, -25, and -30	NOIRA D	The Board decided it would retain and amend these chapters during a periodic review in 2022.
December 2022	Department of Health Professions	Exempt schedule changes as requested by DFS	Final Rule D	Adopt changes to Schedule I drugs in 18VAC110-20 as requested by Department of Forensic Science pursuant to Virginia Code § 54.1-3443.
December 2022	Department of Health Professions	Exempt schedule changes to conform to federal scheduling actions	Final Rule D	Adopt changes to scheduled drugs in 18VAC110-20 to conform to federal scheduling changes pursuant to Virginia Code § 54.1-3443.
December 2022	Department of Health Professions	Exempt changes to processor regulations to allow practitioner renewal	Final Rule D	Adopt changes to the regulations governing pharmaceutical processors 18VAC110-60 to allow late renewal of practitioner registration.

December 9, 2022, or the soonest post-meeting date after the close of public comments on October 26, 2022.	Department of Health Professions	Amendments resulting from 2022 periodic review	Proposed Rule D	Consider amending several areas of Chapter 20, identified during periodic review.
December 2022 or TBD; dependent on approval of final regulations related to additional paths to licensure currently with Secretary of Health and Human Resources Action 5471 / Stage 9679.	Department of Health Professions	Regulatory reduction	NOIRA D	Consider a regulatory reduction action to 18VAC95-20 and -30 once the final regulations related to administrator-in-training programs are approved by the executive branch and become effective Action 5471 / Stage 9679.
December 2022	Department of Medical Assistance Services	Remove co-pays	Fast-Track Rule S	To amend 12VAC30-10, 12VAC30-20, and 12VAC30-141 to remove co-payments for Medicaid and FAMIS enrollees, directed by the 2022 Appropriations Act, Item 304.FFFF.
December 2022	Department of Corrections	Human Subject Research (6VAC16-20)	Fast-Track Rule S	Establish regulations under 6VAC16 for Human Subject Research to comply with the Code of Virginia (§53.1-10).

December 2022	Department of Labor and Industry	Adoption of VDOE Pharmacy Technician High School Course Guidelines	NOIRA S	Specifically applicable to VDOE CTE Pharmacy Technician I and II courses pursuant to Va. Code §40.1-89; to protect high school children under the age of 18 while working with prescription drugs.
December 2022	Department of Professional and Occupational Regulation	Update to 15-30-510 and DIBR (Documents Incorporated by Reference)	Fast-Track Rule F, S	Amends subdivision E 1 of 18VAC15-30-510 to update the applicable edition of the U.S. Department of Housing and Urban Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing.
December 2022	Department of Professional and Occupational Regulation	Amendment to the instructor training program	Proposed Rule D	Establish a uniform instructor program among licensed cosmetology, barber, nail, and wax schools.
December 2022	Department of Professional and Occupational Regulation	General Regulatory Review of Ombudsman Regulations	NOIRA S, D	To undertake a general regulatory review of the Virginia Common Interest Community Ombudsman Regulations (18VAC48-70).
December 2022	Department of Professional and Occupational Regulation	Amendment of Prohibited Acts	Proposed Rule D	To amend the Prohibited Acts, specifically, the provisions of 18 VAC 50-22-260 B9 in order to include language that would permit time and material and cost-plus contracts.

December 2022	Department of Professional and Occupational Regulation	Amend Backflow Vocational Training Requirement	Final Rule D	To lower the current vocational training requirement for Certified Backflow Prevention Device Workers who have less than seven years of experience in water distribution systems to become more in line with national certification trends.
December 2022	Department of Professional and Occupational Regulation	Review of Standards of Practice and Conduct	NOIRA S, D	To update the Standards of Practice and Conduct (Polygraph Examiners Advisory Board) due to a change in the FOIA requirements.
December 2022	Department of Professional and Occupational Regulation	Fee Adjustment	Proposed Rule S, D	To amend current regulations to adjust licensing fee structure (18VAC145-20; 18VAC145-30; 18VAC145-40).
December 2022	Department of Professional and Occupational Regulation	Fee Amendment	Proposed Rule S, D	To increase licensing fees for regulants of the Board for Waste Management Facility Operators (18 VAC 155-20).
December 2022	Department of Social Services	Revisions to Personnel Policies for Local Departments of Social Services (22VAC40-675)	Final Rule F	Update language required by federal statute (EEOC; 42USC §2000-e-2), eliminate a current required procedure from which local government agencies are now exempt (DOL; 41 CFR § 60-1.5) and make technical corrections.

December 2022	Longwood University	Repeal of Parking and Traffic Regulations	Final Rule D	To repeal 8VAC50-11-10 through 8VAC50-11-70.
December 2022	State Board of Local and Regional Jails	Revisions to Public Participation Guidelines (6VAC15-11)	Fast-Track Rule S	To amend 6 VAC 15-11-10 (“Purpose”) and 6 VAC 15-11-20 (“Definitions”) of the Board’s public participation guidelines to replace the agency name “Department of Corrections” with “Board of Local and Regionals Jails,” mandated by Chapter 795 of the 2012 Acts of Assembly.
December 2022	Department of Agriculture and Consumer Services	Regulatory action to repeal the Public Participation Guidelines promulgated by the Charitable Gaming Board	Fast-Track Rule S	Authorized by Chapters 554 and 609 of the 2022 Acts of Assembly, repeal (11 VAC 15-13).
December 2022	Department of Agriculture and Consumer Services	Regulatory action to promulgate Public Participation Guidelines for charitable gaming	Fast-Track Rule S, D	Authorized by Chapters 554 and 609 of the 2022 Acts of Assembly, promulgate (11 VAC 20-10).
December 2022	Department of Agriculture and Consumer Services	Regulatory action to repeal Rules and Regulations Pertaining to Shooting Enclosures	Fast-Track Rule D	There are no longer any shooting enclosures in existence in Virginia and the Department does not have authority to license a new shooting enclosure, repeal (2 VAC 5-205).
December 2022	Marine Resources Commission	Revisions to the Regulations for Crabbing Transfers and Agents	Final Rule D	CHAPTER 4 VAC 20-610-10 ET SEQ. "PERTAINING TO COMMERCIAL FISHING AND

				MANDATORY HARVEST REPORTING" CHAPTER 4 VAC 20-1040-10 ET SEQ. "PERTAINING TO CRABBING LICENSES".
December 2022	Marine Resources Commission	Revisions to Regulations Pertaining Oyster User Fee Transfers	Final Rule D	CHAPTER 4 VAC 20-720-10 ET. SEQ. "PERTAINING TO RESTRICTIONS ON OYSTER HARVEST"; sets specific requirements for transfers of oyster user fees in the case of death or sudden illness.
December 2022	Marine Resources Commission	Revisions to Regulations Pertaining to Multi-year Licensing Fees	Final Rule S	HB1112's, passed during the 2022 General Assembly session, effective date was in the middle of the fishing year; the regulation is being amended with an effective date starting with the new calendar year (January 1, 2023).
December 2022	Marine Resources Commission	Revisions to the Regulation Pertaining to Menhaden	Final Rule D	CHAPTER 4 VAC 20-1270-10 ET SEQ. "PERTAINING TO ATLANTIC MENHADEN."
December 2022	Department of Health	12VAC5-371. Regulations for the Licensure of Nursing Facilities Amend Regulation to Implement Chapters 177 and 222 of the 2005 Acts of Assembly and Chapter 762 of the	Fast-Track Rule S	Chapters 177 and 222 (2005 Acts of Assembly) amended Code of Virginia to create § 32.1-127.001; Chapter 762 (2004 Acts of Assembly) amended Code of Virginia § 32.1-127.

		2004 Acts of Assembly		
December 2022	Department of Health	12VAC5-408. Certificate of Quality Assurance for Managed Care Health Insurance Plan Licensees Amend Regulations Following Periodic Review	NOIRA S, D	To repeal the chapter governing certificates of quality assurance for licensed managed care health insurance plan (MCHIP) carriers and replace it with a new chapter, following a periodic review.
December 2022	Department of Health	12VAC5-410. Regulations for the Licensure of Hospitals in Virginia Amend Regulation to Conform to Chapters 177 and 222 (2005 Acts of Assembly), Chapters 72 and 220 (2021 Acts of Assembly, Special Session I), Chapters 1080, 1081, and 1088 (2020 Acts of Assembly), and to Update Clinical Standards	Fast-Track Rule S, D	Chapters 177 and 222 (2005 Acts of Assembly) amended Code of Virginia to create § 32.1-127.001.
Emergency: January 2023; Standard: April 2024	Department of Behavioral Health and Developmental Services	12VAC35-230, IFSP (Individual Family and Support Program)	NOIRA / Emergency Rule S	Amendments per Item 313.NN. of the 2022 Appropriation Act (Chapter 2, 2022 Special Session 1 Acts of Assembly) to change IFSP funds from a ‘first-come-first-served’ basis to one based on program categories and set criteria.
Likely 2023, dependent on approval of final	Department of Health Professions	NOIRA or fast-track regulatory reductions	NOIRA D	Review regulations to identify possible reductions in 18VAC65-20, -30, and -40.

regulations by executive branch for 3 separate license types (funeral service licensee, funeral director, and embalmer) as required by General Assembly Action 5635 / Stage 9599.				
TBD 2023	Department of Health Professions	Periodic review of regulations governing the practice of nursing; changes based on periodic review; reduction of regulations	Fast-Track Rule D	Amend 18VAC90-19, including various reductions and elimination of outdated provisions, following periodic review.
TBD 2023	Department of Health Professions	Periodic review of regulations governing medication administration training and immunization protocol; changes based on periodic review; reduction of regulations	Fast-Track Rule D	Amend 18VAC90-21, including various reductions and elimination of outdated provisions, following periodic review.
TBD 2023	Department of Health Professions	Periodic review of regulations governing certified nurse aides; changes based on periodic review; reduction of regulations	Fast-Track Rule D	Amend 18VAC90-25, including various reductions and elimination of outdated provisions, following periodic review.

TBD 2023	Department of Health Professions	Periodic review of regulations governing nursing education programs; changes based on periodic review; reduction of regulations	Fast-Track Rule D	Amend 18VAC90-27, including various reductions and elimination of outdated provisions, following periodic review.
TBD 2023	Department of Health Professions	Periodic review of regulations governing massage therapists	NOIRA D	Initiate a periodic review of the regulations governing the licensure of massage therapists, 18VAC90-50, subsequently issue a notice of intended regulatory action.
TBD 2023	Virginia Employment Commission	Simplifying Appeals Processes as part of Agency Transformation	NOIRA D	Identify necessary regulatory changes with the launch of the VUIS system.
TBD 2023	Virginia Employment Commission	Simplifying Adjudication Processes as part of Agency Transformation	NOIRA D	Identify necessary regulatory changes with the launch of the VUIS system.
TBD 2023	Department of Health	12VAC5-219-10. Prescription Drug Price Transparency Regulations, Promulgation of New Regulation to Implement Chapter 304 of the 2021 Acts of Assembly, Special Session I	Final Rule S, D	Permanent replacement to the emergency regulations, mandated by Chapter 304 of the 2021 Acts of Assembly, Special Session I (created Code of Virginia §§ 32.1-23.3, 38.2-3407.15:6, 38.2-3407.22, 54.1-3436.1, and 54.1-3442.02).
TBD 2023	Department of Health	12VAC5-416. Sexual Assault Survivor Treatment and Transfer Regulation Promulgation of New Regulation to Implement Chapter	Final Rule S, D	Required by Chapter 725 (2020 Acts of Assembly), which created Article 8 of Chapter 5 of Title 32.1 of the Code of Virginia.

		725 of the 2020 Acts of Assembly		
TBD 2023	Department of Professional and Occupational Regulation	Amendment to the instructor training program	Final Rule D	Establish a uniform instructor program among licensed cosmetology, barber, nail, and wax schools.
January 2023	Board of Accountancy	Revisions to Regulations Pertaining to Educational Accreditation	Fast-Track Rule D	Anticipates revising 18VAC5-22-60; currently makes decisions on education policy with an ad hoc task force but would like to make it clear that the agency can evaluate educational institutions without the rigid language describing a “task force.”
January 2023	Board of Accountancy	Revisions to Regulations Pertaining to Education	Fast-Track Rule S, D	Anticipates revising 18VAC5-22-70 to update the education requirements necessary to take the CPA examination in Virginia; relaxing requirements for students who complete a master’s degree in an accounting or finance-related field.
January 2023	Department of Criminal Justice Services	Comprehensive Review and Update of the Compulsory In-Service Training Standards for Law Enforcement Officers, Jailors or Custodial Officers, Courtroom Security Officers, Process Service Officers, and Officers of the	Proposed Rule D	This regulatory action amends, revises, and enhances the current in-service training standards in Chapter 6 VAC 20-30 to reflect recently passed legislation, create cohesiveness with the compulsory minimum training standards for basic

		Department of Corrections, Division of Operations		law enforcement recruits, and serves as a periodic review.
January 2023	Department of Conservation and Recreation	Amend 4VAC5-20 (et seq.) -Standards for Classification of Real Estate as Devoted to Open Space Use under the Virginia Land Use Assessment Law	NOIRA D	To promulgate technical amendments and to conduct a periodic review and small business impact review of this regulation pursuant to Va. Code § 2.2-4007.1.
January 2023	Department of Environmental Quality	Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Concrete Products Facilities 9VAC25-193	Proposed Rule F, S, D	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.
January 2023	Department of Environmental Quality	Reissuance of Virginia Pollutant Discharge Elimination System General Permit for Potable Water Treatment Plants 9VAC25-860	Final Rule F, S, D	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.
January 2023	Department of Medical Assistance Services	Client Appeals Update	Fast-Track Rule S, D	To amend 12VAC30-110, 12VAC30-120, and 12VAC30-141, following an Emergency/NOIRA Regulation which complied with Item

				317.GG(2) of the 2021 Appropriations Act.
January 2023	Department of Medical Assistance Services	Provider Appeals Update	Fast-Track Rule D	To amend 12VAC30-20 to clarify when documents are considered filed and add the Appeals Information Management System (AIMS) to the Virginia Administrative Code in accordance with the Department's current provider appeals practices.
January 2023	Department of Medical Assistance Services	Repeal of Out-of-Date and Unnecessary Regulations	Fast-Track Rule D	To repeal (12VAC30-30) and (12VAC30-40), which are redundant, unnecessary eligibility requirements that are already on DMAS Eligibility & Enrollment Manual.
January 2023	Department of Professional and Occupational Regulation	Revision of Revised Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects Regulations	Fast-Track Rule S, D	To reinstate regulations that were erroneously removed from the most recent regulatory update (18VAC10-20).
January 2023	Department of Professional and Occupational Regulation	General review of Regulations of the Virginia Auctioneers Board	NOIRA S, D	To undertake a general regulatory review of the Regulations of the Virginia Auctioneers

				Board (18VAC25-21).
January 2023	Department of Professional and Occupational Regulation	Fee Adjustment	Proposed Rule S, D	To amend current regulations (18VAC25-21) to adjust its licensing fee structure.
January 2023	Department of Professional and Occupational Regulation	Lower Cosmetology Training to 1,000 Hours	Proposed Rule D	To lower the training hours for the cosmetology license from 1,500 hours to 1,000 hours; to revise the training topics in the cosmetology curriculum to create uniform training among cosmetology schools.
January 2023	Department of Professional and Occupational Regulation	General Review of Barbering and Cosmetology Regulations	NOIRA D	To undertake a general regulatory review of the Barbering and Cosmetology Regulations (18VAC41-20).
January 2023	Department of Professional and Occupational Regulation	General Regulatory Reduction Initiative	NOIRA D	To amend/remove regulations (18 VAC 50-22) that are determined to be overly burdensome, no longer applicable, obsolete, or to provide clarity.
January 2023	Department of Professional and Occupational Regulation	Amend Eligibility Requirements	NOIRA D	To review the current eligibility requirements to determine if they should be amended to make them less burdensome but maintain an adequate level of protection to the life, safety, and welfare of the public.

January 2023	Department of Professional and Occupational Regulation	Eligibility Requirement Amendment	NOIRA D	To amend individual eligibility requirements (18 VAC 50-30) by reducing the years of experience and or/vocational training to sit for an examination and enter the profession.
January 2023	Department of Professional and Occupational Regulation	General Regulatory Reduction Initiative	NOIRA D	To amend/remove regulations (18 VAC 50-30) that are determined to be overly burdensome, no longer applicable, obsolete, or to provide clarity.
January 2023	Department of Professional and Occupational Regulation	Continuing Education Amendment	NOIRA D	To amend its renewal requirements (18 VAC 50-30) by eliminating continuing education for all professions where such education is not required by statute.
January 2023	Department of Professional and Occupational Regulation	Training Options	Final Rule S, D	To amend its current Hearing Aid Specialist regulations (18VAC80-20) regarding entry into the profession to ensure that they are as least intrusive and burdensome as possible, while still protecting the health, safety, and welfare of the public.
January 2023	Department of Professional and Occupational Regulation	OPT Fee Adjustment 2022	NOIRA S, D	To undertake regulatory action to adjust optician licensing fees (18VAC80-30), based on actual revenues

				and expenses, to meet the requirements of state law while being the least burdensome to the licensee population.
January 2023	Department of Professional and Occupational Regulation	General Review	NOIRA D	To undertake a general regulatory review of regulations (18VAC80-20; 18VAC80-30).
January 2023	Department of Professional and Occupational Regulation	General Regulatory Reduction Initiative	NOIRA D	To amend/remove regulations (Polygraph Examiners Advisory Board) that are determined to be overly burdensome, no longer applicable, obsolete, or to provide clarity.
January 2023	Department of Professional and Occupational Regulation	Action to adjust licensing fees	Proposed Rule S, D	To amend regulations (18VAC135-20) to adjust license application, renewal, and reinstatement fees for real estate licenses.
January 2023	Department of Professional and Occupational Regulation	General Regulatory Reduction Initiative	NOIRA D	To amend/remove regulations (18 VAC 155-20) that are determined to be overly burdensome, no longer applicable, obsolete, or to provide clarity.
January 2023	Department of Professional and Occupational Regulation	General Review of Onsite Sewage System Professionals Licensing Regulations	Proposed Rule S, D	Undertaking a general regulatory review of the Onsite Sewage System Professionals Licensing Regulations (18VAC160-40).
January 2023	Department of Professional and	2021 Fee Adjustment	Final Rule S	To amend the Waterworks and Wastewater Works

	Occupational Regulation			Operators Licensing Regulations (18VAC160-30; 18VAC160-40) to adjust license application, renewal, and reinstatement fees for waterworks and wastewater works operator licenses.
January 2023	Motor Vehicle Dealer Board	Remove Regulation 24VAC22-40-10 through 70	Fast-Track Rule S	2022 General Assembly passed HB 316, which codifies existing Motor Vehicle Dealer Board Dealer-Operator recertification regulations 24VAC22-10 through 24VAC22-70) to Virginia Code §§ 46.2-1583 -46.2-1589.
January 2023	Department of Agriculture and Consumer Services	Promulgation of Charitable Gaming Regulations by Department of Agriculture and Consumer Services, including electronic gaming provisions	Final Rule S, D	Promulgate regulations for the conduct of charitable gaming in the Commonwealth (11 VAC 20-20), authorized by Chapters 554 and 609 of the 2022 Acts of Assembly.
January 2023	Department of Agriculture and Consumer Services	Regulatory action to repeal the Charitable Gaming Regulations promulgated by the Charitable Gaming Board	Fast-Track Rule S	Authorized by Chapters 554 and 609 of the 2022 Acts of Assembly, repeal (11 VAC 15-40).
January 2023	Department of Transportation	Promulgate new regulation governing Parking on Primary and Secondary Highways	Final Rule D	Section 46.2- 1223 of the Code of Virginia provides that the Commissioner of Highways may, by regulation, regulate parking on any part of

				the primary and secondary systems of state highways; however, no such regulation has yet been established.
January 2023	Marine Resources Commission	Revisions to Regulations Pertaining to Black Sea Bass Season	Final Rule D	CHAPTER 4 VAC 20-950-10 ET. SEQ. "PERTAINING TO BLACK SEA BASS"; to establish a February 2023 recreational black sea bass fishery.
January 2023	Marine Resources Commission	Revisions to Regulations Pertaining to Cobia	Final Rule D	4 VAC 20-510-10 ET SEQ. "PERTAINING TO AMBERJACK AND COBIA"; to remove the required recreational cobia permit program.
January 2023	Department of Health	12VAC5-195. Virginia WIC Program. Amend Regulations following Periodic Review	Final Rule D	To update language to conform to current requirements and update documents incorporated by reference.
January 2023	Department of Health	12VAC5-200. Regulations Governing Eligibility Standards and Charges for Medical Care Services to Individuals. Amend as a result of a periodic review	NOIRA D	To reflect style/technical format amendments, public comments, and any other considerations from agency subject matter experts, including opportunities for regulatory reduction.
January 2023	Department of Health	Amend regulations pursuant to Periodic Review (12VAC5-431)	NOIRA D	Regulations have not undergone a comprehensive review in over 20 years and in its current form, does not reflect existing industry standards, changes in

				technology or safety, or best practices for public safety.
January 2023	Department of Health	Amend Regulations Pursuant to Periodic Review (12VAC5-440)	NOIRA D	Regulations have not undergone a comprehensive review in over 20 years and in its current form, does not reflect existing industry standards, changes in technology or safety, and no longer align with other regulations that govern food safety and disease prevention.
January 2023	Department of Health	Amend Regulations as a Result of Periodic Review (12VAC5-460)	Proposed Rule D	Amend Regulations Governing Tourist Establishment Swimming Pools and Other Public Pools in response to periodic review.
January 2023	Department of Health	Amend Regulations Pursuant to Periodic Review (12VAC5-501)	NOIRA D	Regulations have not undergone a comprehensive review in over 20 years and in its current form, does not reflect existing industry standards, changes in technology or safety, or best practices related to agricultural worker housing.
January 2023	Department of Health	Amendments to Regulations Governing Vital Records (12VAC5-550)	Fast-Track Rule S, D	To conform the regulatory requirements to the provisions of the Code of Virginia.
February 2023	Department of Housing and	Update the Uniform Statewide Building Code (USBC)	Proposed Rule	Action 5875 is expected to be approved by the

	Community Development		S, D	Board for submission to the Attorney General in the 3rd quarter of the fiscal year, which will result in proposed regulations for the Uniform Statewide Building Code 13 VAC 5-63.
February 2023	Department of Housing and Community Development	Update the Statewide Fire Prevention Code (SFPC)	Proposed Rule S, D	Action 5874 is expected to be approved by the Board for submission to the Attorney General in the 3rd quarter of the fiscal year, which will result in proposed regulations for the Statewide Fire Prevention Code 13 VAC 5-51.
February 2023	Department of Housing and Community Development	Update the Industrialized Building Safety Regulations (IBSR)	Proposed Rule S, D	Action 5873 is expected to be approved by the Board for submission to the Attorney General in the 3rd quarter of the fiscal year, which will result in proposed regulations for the Industrialized Building Safety Regulations 13 VAC 5-91.
February 2023	Department of Housing and Community Development	Update the Virginia Amusement Device Regulations	Proposed Rule S, D	Action 5872 is expected to be approved by the Board for submission to the Attorney General in the 3rd quarter of the fiscal year, which will result in proposed

				regulations for the Industrialized Building Safety Regulations 13 VAC 5-31.
February 2023	Department of Juvenile Justice	Periodic Review of Regulation Governing Juvenile Group Homes and Halfway Houses (6VAC35-41)	Proposed Rule S, D	To make comprehensive amendments to the chapter in order to continue enhancing programming and to ensure the safety and rehabilitation of residents within group home facilities.
February 2023	Department of Juvenile Justice	Amend Regulations Governing Mental Health Services Transition Plans for Incarcerated Juveniles (6VAC35-180)	Proposed Rule S, D	To conduct a comprehensive review and amendment of the existing chapter; this regulation has not been amended since it took effect in 2008.
February 2023	Department of Professional and Occupational Regulation	2020-2021 General Review of Home Inspector Licensing Regulations	Final Rule S, D	To review the existing regulation (18VAC15-40) and propose any amendments the Board determines to be necessary and appropriate.
February 2023	Department of Professional and Occupational Regulation	SB 607 Amendment	Proposed Rule S	To amend the Home Inspector Licensing Regulations to comply with the requirements of Chapter 398 of the 2022 Acts of Assembly (SB 607).
February 2023	Department of Professional and Occupational Regulation	Initial promulgation of Lead-based Paint Renovation, Repair and Painting Regulation	Final Rule F, S	To create a new regulation that is consistent with the US Environmental Protection Agency final rule “Lead; Renovation, Repair,

				and Painting Program,” which is mandated by House Bill 2432 passed by the 2009 Session of the Virginia General Assembly.
February 2023	Department of Professional and Occupational Regulation	General Regulatory Review of Real Estate Appraiser Board Rules and Regulations	NOIRA S, D	To undertake a general regulatory review of its licensing Regulations (18VAC130-20).
February 2023	State Board of Local and Regional Jails	Periodic Review of Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities (6VAC15-81)	Fast-Track Rule S	To reflect the change from Board of Corrections to State Board of Local and Regional Jails; to ensure compliance with additional Department of General Services (DGS) requirements placed into the Appropriations Act during Special Session I.
February 2023	State Board of Local and Regional Jails	Revisions to Minimum Standards for Jails and Lockups (6VAC15-40)	NOIRA S, D	Revisions will be made as a result of findings of Jail Death Reviews conducted pursuant to 53.1-69.1.
February 2023	Marine Resources Commission	Revisions to Regulations Pertaining to Menhaden	Final Rule F	CHAPTER 4 VAC 20-1270-10 ET SEQ. “PERTAINING TO ATLANTIC MENHADEN”; to mirror the management measures set forth by Addendum I to the ASMFC Fishery Management Plan for Atlantic menhaden.
February 2023	Marine Resources Commission	Revisions to Regulation Governing VMRC’s	Final Rule D	CHAPTER 4 VAC 20-120-10 “PERTAINING TO

		Public Notice for Use of State-Owned Submerged Lands		PUBLIC NOTICE OF APPLICATIONS FOR PERMITS FOR CERTAIN USES OF STATE-OWNED BOTTOMLANDS”.
February 2023	Marine Resources Commission	Regulation Governing Utility Line Encroachments Beneath or Over State-Owned Submerged Lands	Final Rule D	CHAPTER 4 VAC 20-1410-10 “UTILITY LINE ENCROACHMENTS BENEATH OR OVER STATE-OWNED SUBAQUEOUS BEDS”.
March 2023	Department of Criminal Justice Services	Comprehensive Review and Update of the Compulsory Minimum Training Standards for Jailors/Courtroom Security/Civil Process Officers	Proposed Rule D	Revises and enhances the compulsory minimum training standards for jail officers, courtroom security, and civil process officers located within 6 VAC 20-50-20, the time requirement for completion in 6 VAC 20-50-40, replaces the existing DIBR to align with the newly-revised law enforcement training standards, and serves as a periodic review.
March 2023	Department for Aging and Rehabilitative Services	Amend Vocational Rehabilitation Regulations Following Periodic Review	Fast-Track Rule F, S, D	Periodic review concluded there was a need to amend 22VAC30-20 in order to provide minor revisions and clarifications to certain areas, such as financial participation and the release of personal information, among others.

March 2023	Department of Behavioral Health and Developmental Services	Amendments to 12VAC35-46 to reduce regulatory burden	Fast-Track Rule D	This regulatory action will target a package of amendments to reduce regulatory burden on licensed providers.
March 2023	Department of Behavioral Health and Developmental Services	Amendments to 12VAC35-105 to reduce regulatory burden	Fast-Track Rule D	This regulatory action will target a package of amendments to reduce regulatory burden on licensed providers.
March 2023	Department of Behavioral Health and Developmental Services	Amendments to 12VAC35-115 to reduce regulatory burden	Fast-Track Rule D	This regulatory action will target a package of amendments to reduce regulatory burden on licensed providers as part of a significant clarifying update already in development.
March 2023	Department of Environmental Quality	Amendment and Reissuance of: Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Discharges of Stormwater Associated with Industrial Activity [9VAC25-151]	Proposed Rule S, D	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.
March 2023	Department of Environmental Quality	Reissuance of General VPDES Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (9 VAC 25 - 890)	Final Rule F, S	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.
March 2023	Department of Environmental Quality	Total Maximum Daily Load - Waste Load Allocation (9VAC25-720 et seq.)	Final Rule F, S	To amend the Water Quality Management Planning Regulation (9VAC25- 720 et seq.) to include the Wasteload Allocations (WLA) for the Total Maximum Daily Load clean-up studies developed to address 1) the Polychlorinated Biphenyl (PCB) fish consumption advisory impairments and 2) aquatic life impairments.
March 2023	Department of Health Professions	Exempt schedule changes as requested by DFS	Final Rule D	Adopt changes to Schedule I drugs 18VAC110-20 as requested by Department of Forensic Science pursuant to Virginia Code § 54.1-3443.
March 2023	Department of Health Professions	Exempt schedule changes to conform to federal scheduling actions	Final Rule D	Adopt changes to scheduled drugs in 18VAC110-20 to conform to federal scheduling changes pursuant to Virginia Code § 54.1-3443.
March 2023	Department of Health Professions	Revision of Chapter 10, Regulations Governing the Health Practitioners' Monitoring Program	NOIRA D	Review and editing of regulations governing HPMP with the intent to eliminate any duplications of statute or redundancies.
March 2023	Department of Health Professions	Revision of Chapter 20, Regulations Governing the Prescription Monitoring Program	NOIRA D	Review and editing of regulations governing the PMP with the intent to eliminate any duplications of

				statute or redundancies.
March 2023	Department of Health Professions	Revision of Chapter 40, Regulations Governing Emergency Contact Information	NOIRA D	Review and editing of regulations governing emergency contact information with the intent to eliminate any duplications of statute or redundancies.
March 2023	Department of Health Professions	Repeal of 18VAC110-21-140 and 18VAC110-21-150	Fast-Track Rule S, D	Repeal provides clarity to regulated individuals and public by removing 18VAC110-21-140 & 18VAC110-21-150, which were only effective until July 1, 2022.
March 2023	Department of Health Professions	Adoption of Emergency Regulations/NOIRA based on 2023 legislation regarding pharmacists initiating treatment	NOIRA, Emergency Rule S	Board of Pharmacy shall promulgate emergency regulations pursuant to HB2274 and SB948. The deadline is December 26, 2023.
March 2023	Department of Medical Assistance Services	Preventive Services	Fast-Track Rule S	To amend 12VAC30-50, directed by the 2022 Appropriations Act, Item 304.EEEE.
March 2023	Department of Medical Assistance Services	Peers Recovery Support Services	Fast-Track Rule S, D	To amend 12VAC30-130 to adopt regulations for reimbursement for telemedicine services delivered through audio-only telephone, authorized by the Acts of Assembly 2021 Chapter 302:2.
March 2023	Department of Medical Assistance Services	Addiction and Recovery Treatment Services Update	Fast-Track Rule D	To amend 12VAC30-10, 12VAC30-50, 12VAC30-60, and 12VAC30-130 to clarify that medically

				managed intensive inpatient services (ASAM Level 4.0) can be licensed by DBHDS, CSAC- Supervisees can conduct multidimensional assessments, and will add a definition of co-occurring disorders.
March 2023	Department of Professional and Occupational Regulation	General Review of Professional Boxing and Wrestling Event Regulations	NOIRA S, D	To undertake a general regulatory review of the Professional Boxing and Wrestling Event Regulations (18VAC120-40).
March 2023	Department of Professional and Occupational Regulation	Amend Reporting Requirements	Proposed Rule D	To amend the Regulations (18VAC45-20) to clarify the Board has the authority to deny an initial or renewal license if the applicant performs or attempts to perform any of his duties while under the influence of marijuana in addition to alcohol or any medication controlled substance or otherwise.
March 2023	Department of Professional and Occupational Regulation	2021 General Review	Final Rule S, D	To review the existing regulation (18VAC48-50) and propose any amendments the Board determines to be necessary and appropriate.
March 2023	Department of Professional and Occupational Regulation	Change in Examination Fee Provisions	Proposed Rule	To remove the cap on exam fees placed on vendors under

	Occupational Regulation		D	contract to provide exam services to the Board for Contractors Regulations (18 VAC 50-22).
March 2023	Department of Professional and Occupational Regulation	Change in Examination Fee Provisions	Proposed Rule D	To remove the cap on exam fees placed on vendors under contract to provide exam services to the Board for Contractors Individual License and Certification Regulations (18 VAC 50-30).
March 2023	Department of Professional and Occupational Regulation	General Regulatory Review of Real Estate Board Regulations	NOIRA S, D	To undertake a general regulatory review of Licensing Regulations (18VAC135-20).
March 2023	Department of Health	12VAC5-66 Regulations Governing Durable Do Not Resuscitate Orders. Amend for style and procedure manual compliance	Fast-Track Rule D	For compliance with the <i>Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code</i> manual.
March 2023	Department of Health	12VAC5-510. Regulations for General Assembly Nursing Scholarships. Amend following periodic review	NOIRA D	To ensure that the language is readable, clear, and consistent for the public.
March 2023	Department of Health	12VAC5-540. Rules and Regulations for the Identification of Medically Underserved Areas in Virginia. Amend following periodic review	NOIRA D	To ensure that it is more comprehensible, clear, and consistent for the public.
March 2023	Department of Health	Fast Track Amendment: Regulations	Fast-Track Rule	Incorporate fees for onsite sewage system repair permits,

		Governing Application Fees for Construction Permits for Onsite Sewage Disposal Systems and Private Wells (12VAC5-620)	S	voluntary upgrade permits, and safe, adequate, and proper evaluations, specified in Item 294 of Chapter 2 of the 2022 Acts of Assembly, Special Session I (Appropriation Act).
March 2023	Department of Taxation	Fast Track Action to Conform the Retail Sales & Use Tax Regulation to Statutory Changes	Fast-Track Rule D	Revises 23VAC10-210-340 (Collection of Tax by Dealers) to reflect law change from 2017 Regular Session, House Bill 1890 and Senate Bill 1308, and 2019 Regular Session, Senate Bill 1615.
April 2023	Department for the Blind and Vision Impaired	Amend 22 VAC 45-20 (Regulations to Govern the Operation of Vending Facilities in Public Buildings and Other property)	NOIRA F	Amend 22VAC45-20 (Regulations to Govern the Operation of Vending Facilities in Public Buildings and Other Property) to include text from 22VAC45-40 (Rules and Regulations Governing Vending Facilities in Public Buildings), while simultaneously repealing 22VAC45-40.
April 2023	Department of Corrections	Conditions for Good Conduct Allowance (6VAC16-60)	NOIRA S	Establish regulations under 6VAC16 for the earning of good conduct allowance, as provided in § 53.1-32.1.
April 2023	Department of Labor and Industry	Regulation Governing On-The-Job Training Programs or Other	Proposed Rule S	Required by amended Va. Code 40.1-28-10.A.2.

		Training Programs - 16 VAC 15-60		
April 2023	Department of Professional and Occupational Regulation	General Regulatory Review of Fair Housing Regulations	NOIRA S, D	To undertake a general regulatory review of the Fair Housing Regulations (18VAC135-50).
April 2023	Marine Resources Commission	Revisions to Regulations Pertaining to Black Sea Bass Recreational Fishing Season	Final Rule F	CHAPTER 4 VAC 20-950-10 ET. SEQ. "PERTAINING TO BLACK SEA BASS"; to establish the 2023 recreational fishery management measures and season.
April 2023	Department of Health	12VAC5-71. Regulations Governing Virginia Newborn Screening Services. Amend following periodic review	NOIRA S, D	To remove outdated information and reflect recommended national best practices in newborn screening; identify the Newborn Screening Advisory Committee and remove the Virginia Genetics Advisory Committee as the advisory group for this regulation; and clarify reporting requirements.
April 2023	Department of Health	12VAC5-80. Regulations for Administration of the Virginia Hearing Impairment Identification and Monitoring System. Amend following periodic review	NOIRA S, D	To remove outdated information; reflect recommended national best practices based on the Joint Committee on Infant Hearing; change the chapter title, and to clarify and adjust reporting requirements to meet national best practices.
April 2023	Department of Health	12VAC5-90. Disease Reporting and Control Regulations.	Final Rule D	To improve the ability of VDH to conduct surveillance

		Amendment to comply with changes in public health practice		and implement disease control for conditions of public health concern.
April 2023	Department of Health	12VAC5-230. State Medical Facilities Plan Amend Regulation Following Enactment of Chapter 1271 (2020 Acts of Assembly) and Meetings of the State Health Services Plan Task Force	NOIRA S, D	Fulfills the statutory mandate to complete a review to update or validate the existing criteria in the SHSP/SMFP at least every two years.
April 2023	Department of Health	12VAC5-371. Regulations for the Licensure of Nursing Facilities Amend Regulations Following Periodic Review and Petitions for Rulemaking	NOIRA S, D	To repeal the chapter governing nursing home licensure and replace it with a new chapter to more closely align state licensing requirements with federal certification requirements.
April 2023	Department of Health	12VAC5-381. Regulations for the Licensure of Home Care Organizations Amend the Regulation after Enactment of Chapter 470 (2021 Acts of Assembly, Special Session I)	Proposed Rule S, D	To amend 12VAC5-381-10 et seq. to address remote supervision of personal care services by home care organizations.
April 2023	Department of Health	12VAC5-402. Certification of Community Health Workers	NOIRA S	Develop regulations outlining the appropriate use of the title “certified community health worker” and the education and training necessary to obtain certification, required by Chapter

				363 (2020 Acts of Assembly).
April 2023	Department of Health	12VAC5-410. Regulations for the Licensure of Hospitals in Virginia. Amend Regulations Following Periodic Review	NOIRA S, D	To repeal the chapter governing hospital licensure and replace it with three new chapters to more closely align state licensing requirements with federal certification requirements.
April 2023	Department of Health	12VAC5-508. Regulations Governing the Virginia Physician Loan Repayment Program. Amend following periodic review	NOIRA D	Regulations need to be updated to ensure that they is more comprehensible, clear, and consistent for the public.
May 2023	Department for the Blind and Vision Impaired	Amend Regulations Governing Provision of Services in Vocational Rehabilitation	NOIRA F	Amend 22 VAC 45-51 (Regulations Governing Provision of Services in Vocational Rehabilitation) to bring the state regulations into compliance federal regulations found at 34 CFR 361 (State Vocational Rehabilitation Services Program).
May 2023	Department of Criminal Justice Services	Comprehensive Review and Update of the Compulsory Minimum Training Standards for Dispatchers	NOIRA D	Revise the compulsory minimum training standards for dispatchers, located within 6 VAC 20-60-20, and update the FORMS and DIBR sections, as well as serve as a periodic review.
May 2023	Department of Criminal	Comprehensive Review and Update	NOIRA	Revise and update all 10 sections of this

	Justice Services	of the Rules Relating to Court-Appointed Special Advocates (CASA)	D	regulation, ensuring that all Court-Appointed Special Advocates are in compliance with the most up-to-date requirements for training, meet the minimum screening and qualifications for appointment, and understand the confidential nature of their volunteer duties and responsibilities, and serve as a periodic review.
May 2023	Department of Environmental Quality	Proposed reissuance and amendments to the VPDES General Permit Regulation for Nonmetallic Mineral Mining (9VAC25-190)	Proposed Rule F, S, D	Authorize a new permit term of 7/1/2024 – 6/30/2029. VPDES permits are required for these discharges and rather than DEQ issuing individual permits, the board is issuing this general permit regulation to more efficiently cover the entire sector, saving money for both the permittee and the Commonwealth.
May 2023	Department of Environmental Quality	Waste Tire End User Reimbursement Regulation	Final Rule D	To amend 9VAC20-150 to clarify and update the requirements to be met by end users of waste tires or a representing facility to receive reimbursement from the Waste Tire Trust Fund, following a 2020 periodic review.

May 2023	Department of Juvenile Justice	Establish New Regulation Governing Community Placement Programs for Committed Youth	NOIRA S, D	To help ensure these youth receive treatment and rehabilitation services that are consistent among JDCs and are comparable to the services they would receive at the state’s centrally located juvenile correctional center at Bon Air.
May 2023	Department of Professional and Occupational Regulation	General Regulatory Review of Lead-Based Paint Activities Regulations	NOIRA F, S, D	Convene a committee of stakeholders to conduct a general regulatory review of the Virginia Lead Based Paint Activities Regulations and make a recommendation with suggested amendments.
May 2023	Department of Agriculture and Consumer Services	Regulatory action to repeal Rules and Regulations for Enforcement of the Virginia Pest Law – Thousand Cankers Disease Quarantine	Final Rule D	To repeal Rules and Regulations for Enforcement of the Virginia Pest Law – Thousand Cankers Disease Quarantine (2 VAC 5-318).
May 2023	Department of Health	Amend Regulations Pursuant to Periodic Review (12VAC5-150)	NOIRA D	Regulation has not undergone a comprehensive review in over 20 years, and in its current form, does not reflect existing industry standards, changes in technology or safety, and no longer align with other regulations that govern shellfish sanitation.
May 2023	Department of Health	Amend Regulations Pursuant to Periodic Review (12VAC5-150)	NOIRA D	Regulation has not undergone a comprehensive

		Review (12VAC5-160)		review in over 30 years, and in its current form, does not reflect existing industry standards, changes in technology or safety, and no longer align with other regulations that govern crab meat processing and sanitation.
May 2023	Department of Health	Amend Regulations as a Result of Periodic Review (12VAC5-462)	Proposed Rule D	The Swimming Pool Regulations Governing the Posting of Water Quality Results (12VAC5-462) protect public health by providing effective guidance in complying with Code of Virginia § 32.1-248.1.
May 2023	Department of Health Professions	Adoption of Emergency Regulations/NOIRA based on 2023 legislation regarding the Counseling Compact	NOIRA/ Emergency Rule S	The Board of Counseling shall promulgate emergency regulations in accordance with HB1433 and SB802. The Board's deadline is January 1, 2024.
June 2023	Department of Wildlife Resources	Biennial Review of Wildlife Regulations	Final Rule S, D	Review regulations in light of species management goals, public input, and any changes to the Code of Virginia enacted by the 2023 General Assembly.
June 2023	Department for Aging and Rehabilitative Services	Amend Regulations Following Periodic Review (Action 5280)	Proposed Rule F, S, D	To clarify content that may be unclear, inconsistent, or obsolete, make adjustments for a

				modernized AAA and aging-network structure, and ensure consistency with updated federal requirements, following 2019 periodic review.
June 2023	Department of Behavioral Health and Developmental Services	12VAC35-46, Proposed amendments to align with FFPSA	Proposed Rule F, S	Item 318. D. of the 2021 Special Session 1 Appropriation Act to promulgate emergency regulations to align with the requirements of the federal Family First Prevention Service Act (FFPSA) for children’s residential service providers who accept Title IV-E funding to meet the standards as qualified residential treatment programs (QRTPs). [Emerg. 01/10/2022 - 07/09/2023.]
June 2023	Department of Environmental Quality	Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Concrete Products Facilities 9VAC25-193	Final Rule F, S, D	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.
June 2023	Department of Environmental Quality	Re-issuance of VPDES General Permit Regulation for Discharges Resulting From the Application	Final Rule D	Authorize a new permit term of 3/1/2024 – 2/28/2024. VPDES permits are required for these

		of Pesticides to Surface Waters (9VAC25-800)		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.
June 2023	Department of Environmental Quality	Amend Virginia Sewage Collection and Treatment Regulations to incorporate a reporting requirement for all septic systems taken off-line and connected to a sewage collection system	NOIRA F, D	Implements Chesapeake Bay Programmatic Milestones for the Phase III Watershed Implementation Plan, ensuring a more accurate count of nutrient reductions resulting from septic connected to sewer.
June 2023	Department of Environmental Quality	Amend or modify provisions of the regulations to establish a fee schedule for conducting erosion and sediment control plan reviews for solar projects	Proposed Rule S	Implements Chapter 497 (Senate Bill 1258) and Chapter 552 (Budget Bill, Item 377 N) of the 2021 Acts of Assembly.
June 2023	Department of Environmental Quality	Amend Virginia Sewage Collection and Treatment Regulations to incorporate a reporting requirement for all septic systems taken off-line and connected to a sewage collection system	NOIRA F, D	Implements the 2022-2023 Chesapeake Bay Programmatic Milestones for the Phase III Watershed Implementation Plan, ensuring a more accurate count of nutrient reductions resulting from septic connected to sewer.
June 2023	Department of Environmental Quality	VPDES Permit Regulation 316(b) Update (9VAC25-31-	Final Rule F	Update of VPDES regulations addressing requirements

		100; 9VAC25-31-165)		applicable to cooling water intake structures to add provisions that address existing facilities.
June 2023	Department of Environmental Quality	Amend or modify provisions of the regulations to allow for changes in the statewide permit fee schedule supporting the Virginia Stormwater Management Program	Proposed Rule S	Implements Chapter 552 (Budget Bill, Item 377 L 2) of the 2021 Acts of Assembly.
June 2023	Department of Environmental Quality	Amend Virginia Stormwater Management Program Regulation to update the Virginia Runoff Reduction Method and the associated post-construction total phosphorus water quality design standard	NOIRA F, D	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.
June 2023	Department of Environmental Quality	Amendments to Chapters 20 and 31 under the Consolidation of Virginia Erosion Control and Stormwater Management Programs	NOIRA S	Move sections of 9VAC25-870 (Virginia Stormwater Management Program Regulation) into 9VAC25-20 (Fees for Permits and Certificates) and 9VAC25-31 (Virginia Pollutant Discharge Elimination System

				Permit Regulation) for chapter 758 of the 2016 Acts of Assembly to become effective, creating the Virginia Erosion and Stormwater Management Act (VESMA).
June 2023	Department of Environmental Quality	Amend Virginia Erosion and Sediment Control Regulations to require nutrient management planning for regulated land disturbing activities	NOIRA F, D	Implements the requirements of Virginia's Chesapeake Bay TMDL Phase III Watershed Implementation Plan, required to meet the necessary nutrient and sediment reductions set out by EPA's Chesapeake Bay TMDLs.
June 2023	Department of Environmental Quality	Amend Virginia Stormwater Management Program Regulation to incorporate the use of future projected design storms for managing stormwater	NOIRA F, D	Implements the 2022-2023 Chesapeake Bay Nutrient & Sediment Reduction Milestones for the Phase III Watershed Implementation Plan.
June 2023	Department of Environmental Quality	CH880- 2024 Amendment and Reissuance of the VPDES Stormwater Construction General Permit Regulation	Proposed Rule F	Ensures existing and new construction activities are covered under this general permit regulation.
June 2023	Department of Environmental Quality	Consolidation of Virginia Erosion Control and Stormwater Management Programs	Final Rule S	For Chapter 758 of the 2016 Acts of Assembly to become effective, creating the Virginia Erosion and Stormwater Management Act (VESMA).

June 2023	Department of Environmental Quality	Regulations Governing the Discharge of Sewage and Other Wastes from Boats (9 VAC 25-71)	Final Rule F, S, D	Update Code of Federal Regulation references as well as add 38 water bodies in Richmond, Lancaster, Northumberland, and Westmoreland counties to the No-Discharge Zone list.
June 2023	Department of Environmental Quality	Designated Ground Water Management Areas (9 VAC 25-600)	NOIRA S	To conserve, protect and beneficially utilize ground water through the management of ground water withdrawals to ensure the public welfare, safety and health.
June 2023	Department of Environmental Quality	Local and Regional Water Supply Planning (9VAC25-780)	Final Rule S	To make amendments to the Local and Regional Water Supply Planning Regulation per Chapter 1105 of the 2020 Virginia Acts of Assembly.
June 2023	Department of Environmental Quality	Reissuance of the Virginia Pollution Abatement (VPA) Regulation and General Permit for Animal Feeding Operations and Animal Waste Management (9VAC25-192-10 et seq.)	Proposed Rule F, S	Pursuant to Section 62.1-44.17:1; the current VPA regulation and general permit expires on November 15, 2024.
June 2023	Department of Environmental Quality	Voluntary Remediation Regulations Amendment Addressing Eligibility and Fees	Final Rule D	To be presented to the Virginia Waste Management Board at a future meeting for approval and submission to the Attorney General, which will result in

				final amendments to 9 VAC 20-160 (Voluntary Remediation Regulations), after consideration of public comments.
June 2023	Department of Environmental Quality	Solid Waste Management Permit Action Fees and Annual Fees (9 VAC 20 - 90) Amendment 2	NOIRA D	Nonhazardous Solid Waste Fee Study Working Group (formed by DEQ pursuant to § 1 of Chapter 275 of the 2021 Special Session 1, Acts of Assembly (SB 1210)) recommended an increase of solid waste permit fees, annual fees, and the adjustment of permit fees for Consumer Price Index.
June 2023	Department of Environmental Quality	Incorporation by Reference of Amendments to EPA's Disposal of Coal Combustion Residuals from Electric Utilities into Virginia's Solid Waste Management Regulations	Final Rule F, S	Virginia drafted a state package for EPA program (Section 2301 of the 2016 Water Infrastructure Improvements for the Nation (WIIN) Act) approval and was informed that CCR Rule amendments finalized since 2016 needed to be addressed in 9 VAC 20-81.
June 2023	Department of Environmental Quality	Procedural Rule No. 1 - Public and Formal Hearing Procedures [9 VAC 25 - 230]	NOIRA S, D	Sets forth the administrative procedures to be followed by the State Water Control Board and the DEQ staff for the conduct of public and formal hearings;

				needed to make it consistent with other board regulations in response to CH356 of the 2022 Acts of Assembly.
June 2023	Department of Health Professions	Exempt schedule changes as requested by DFS	Final Rule D	Adopt changes to Schedule I drugs in 18VAC110-20 as requested by Department of Forensic Science pursuant to Virginia Code § 54.1-3443.
June 2023	Department of Health Professions	Exempt schedule changes to conform to federal scheduling actions	Final Rule D	Adopt changes to scheduled drugs in 18VAC110-20 to conform to federal scheduling changes pursuant to Virginia Code § 54.1-3443.
June 2023	Department of Juvenile Justice	Periodic Review of Regulation for Nonresidential Services (6VAC35-150)	NOIRA S, D	To initiate a comprehensive overhaul of the Regulation for Nonresidential Services set forth in 6VAC35-150 and promulgated by the board.
June 2023	Department of Medical Assistance Services	Parents/Spouses as Personal Care Providers	Fast-Track Rule S, D	To amend 12VAC30-120 and 12VAC30-122, directed by the 2022 Appropriations Act, Item 304.PPPP.
June 2023	Department of Medical Assistance Services	Targeted Case Management for Individuals with Severe Traumatic Brain Injury	Fast-Track Rule S, D	To amend 12VAC30-50 directed by HB 680 of the 2022 General Assembly.
June 2023	Department of Medical Assistance Services	Audio Only	Fast-Track Rule S, D	To amend 12VAC30-50 to authorize coverage for clinically appropriate audio-only services, directed by the 2022

				Appropriations Act, Item 304.UUU.
June 2023	Department of Medical Assistance Services	Behavioral Health Enhancement	NOIRA / Emergency Rule S, D	To amend 12VAC30-50 and 12VAC30-60 as part of Behavioral Health Redesign for Access, Value, and Outcomes (BRAVO), directed by the 2021 Appropriations Act, Item 313.YYY(1).
June 2023	Department of Medical Assistance Services	School Services	Fast-Track Rule S, D	To amend 12VAC30-50 to allow payment of medical assistance services delivered to Medicaid-eligible students, directed by the 2021 Appropriations Act, Item 313.AAAAAA.
June 2023	Department of Corrections	Corrections Private Management Act (6VAC16-70)	NOIRA S	Establish regulations under 6VAC16 governing the following aspects of private management and operation of prison facilities.
June 2023	Department of Labor and Industry	Revocation of Virginia Confined Space Standard for the Telecommunications Industry - 16 VAC 25-70	NOIRA D	To provide equivalent protection for employees as existing OSHA standards 29 CFR 1910.268 and 29 CFR 1910.146.
June 2023	Department of Labor and Industry	Amendments to Construction Industry Standard for Sanitation - 16 VAC 25-160	NOIRA D	Provisions of this standard are identical or equivalent to federal OSHA standard 29 CFR 1926.51 and could be replaced by the federal standard, except for 16VAC160-10(c)(1).

June 2023	Department of Labor and Industry	Deletion of Standard for Boiler and Pressure Vessel Operator Certification – 16 VAC 25-40	NOIRA S	In the more than thirty years localities have been able to adopt such an ordinance none have been adopted; the statute authorizing this would need to be deleted or amended to delete the requirement for the Safety and Health Codes Board to have this regulation.
June 2023	Department of Labor and Industry	Deletion of Maximum Garnishment Amounts – 16 VAC 15-210	NOIRA S	Could be included in Code with little additional language and eliminate the need for this regulation.
June 2023	Department of Labor and Industry	Combining Three Separate Public Participation Regulations Into a Single Regulation for the Entire Agency	NOIRA S	Language is identical except for the names of the separate entities; adding a definition to the guideline that says it covers all three entities could eliminate the need for the other guidelines.
June 2023	Department of Social Services	Update Child Support Enforcement Program (22VAC40-880)	Fast-Track Rule F, D	Amend the regulation to enhance consistency with the Code of Virginia and applicable federal law, follow up to 2019 periodic review.
June 2023	Department of Elections	Revisions to Regulations Pertaining to the Systematic Alien Verification for Entitlements Program (SAVE)	Final Rule S	Following new training of the SAVE program ELECT may propose new regulatory actions regarding its use.
June 2023	Department of Taxation	Revision of 23 VAC 10-110. Amend	Fast-Track Rule	To repeal any provisions that

		Individual Income Tax Regulation to Conform to Law Changes and Existing Policy	D	provide no additional guidance to unambiguous statutes; other provisions will be updated so that they conform to legislative changes and current tax policy.
June 2023	Department of Taxation	Revision of 23 VAC 10-120. Amend Corporation Income Tax Regulation to Conform to Law Changes and Existing Policy	Fast-Track Rule D	To repeal any provisions that provide no additional guidance to unambiguous statutes; other provisions will be updated so that they conform to legislative changes and current tax policy.
June 2023	Department of Agriculture and Consumer Services	Promulgate regulation required by Chapter 1284 of the 2020 Acts of Assembly	Final Rule S, D	Promulgation of Regulations for the Inspection of Pet Shops Selling Dogs or Cats (2 VAC 5-105).
June 2023	Department of Agriculture and Consumer Services	Regulatory action to establish a minimum germination rate for cotton seed	Proposed Rule D	To determine an appropriate minimum germination rate for cotton seed sold in Virginia and establish such minimum germination rate in Rules and Regulations for the Enforcement of the Virginia Seed Law (2 VAC 5-390).
June 2023	Department of Agriculture and Consumer Services	Regulatory action to amend a reference to the publisher of certain data used in the determination of class prices for producer milk	Fast-Track Rule D	Amend Regulations for the Control and Supervision of Virginia’s Milk Industry (2 VAC 15-20) to update the regulation’s reference to the publisher of the

				average weekly earnings of workers in Virginia manufacturing industries.
June 2023	Department of Agriculture and Consumer Services	Regulatory action to repeal Virginia Grade Standards for Breeder Swine	Fast-Track Rule D	Authorized by Chapter 317 of the 2020 Acts of Assembly; repeal 2 VAC 5-270.
June 2023	Department of Agriculture and Consumer Services	Regulatory action to promulgate Virginia Grade Standards for Breeder Swine	Fast-Track Rule D	Authorized by Chapter 317 of the 2020 Acts of Assembly; promulgation of identical standards.
June 2023	Department of Agriculture and Consumer Services	Regulatory action to repeal Virginia Grade Standards for Slaughter and Feeder Lambs	Fast-Track Rule D	Authorized by Chapter 317 of the 2020 Acts of Assembly; repeal 2 VAC 5-280.
June 2023	Department of Agriculture and Consumer Services	Regulatory action to promulgate Virginia Grade Standards for Slaughter and Feeder Lambs	Fast-Track Rule D	Authorized by Chapter 317 of the 2020 Acts of Assembly; promulgation of identical standards.
June 2023	Department of Agriculture and Consumer Services	Regulatory action to repeal Breeder Sheep Grade Standards	Fast-Track Rule D	Authorized by Chapter 317 of the 2020 Acts of Assembly; repeal 2 VAC 5-290.
June 2023	Department of Agriculture and Consumer Services	Regulatory action to promulgate Breeder Sheep Grade Standards	Fast-Track Rule D	Authorized by Chapter 317 of the 2020 Acts of Assembly; promulgation of identical standards.
June 2023	Department of Transportation	Amendments to Secondary Street Acceptance Requirements	NOIRA S, D	Convene a stakeholder advisory group, directed by Chapter 425 of the 2022 Acts of Assembly.

June 2023	Marine Resources Commission	Revisions to Regulations Pertaining to the Blue Crab Fishery	Final Rule D	CHAPTER 4 VAC 20-270-10 ET SEQ. "PERTAINING TO BLUE CRAB FISHERY" CHAPTER 4 VAC 20-1140-10 ET SEQ. "PROHIBITION OF CRAB DREDGING IN VIRGINIA WATERS."
June 2023	Department of Health	Repeal 12VAC5-31 Virginia Emergency Medical Services Regulations and replace with 12VAC5-32	Proposed Rule D	Chapter requires amendments to remain current and relevant to the changing environment in the delivery of EMS within the Commonwealth.
June 2023	Department of Health	12VAC5-115. Virginia Immunization Information System. Amendment to Address System Access	NOIRA D	To include clarifying information about appropriate use and access for employers trying to access records for their employees.
June 2023	Library of Virginia	Requirements Which Must be Met By Libraries Serving a Population of Less than 5,000 in Order to Receive State Grants-in-Aid [17 VAC 15 90]	Proposed Rule D	Smaller libraries it difficult to meet the five-year plan requirement due to limited staff and funds; requirement will be reviewed and proposed changes will be vetted with the Library Board by the end of Fiscal Year 2023.
June 2023	Library of Virginia	Revise the specific evening and weekend service hours obligation to the Requirements Which Must Be Met in Order to Receive	Proposed Rule D	To see if there is a way to allow for more discretion among the public libraries to arrange their hours over the course of a week to meet the

		Grants-In-Aid [17 VAC 15 110]		specific needs and use patterns of their patrons; will be reviewed and proposed changes will be vetted with the Library Board by the end of Fiscal Year 2023.
June 2023	Library of Virginia	Revise the requirement in the Regulations Governing the Destruction of Public Records Containing Social Security Numbers[17 VAC 15 120] requiring the presence of an agency witness in the certified destruction of records	Proposed Rule D	Requirement is redundant and, in some cases, unrealistic given that the entity retained to perform the secure destruction is already required to certify or provide written assurance of the destruction; will be reviewed and proposed changes will be vetted with the Library Board.
June 2023	Board of Accountancy	Revisions to Regulations Pertaining to Fees	Fast-Track Rule S, D	Anticipates revising 18VAC5-22-20 to create a more dynamic fee schedule to fully fund expenditures while maintaining a minimum contingency fund (§§ 54.1-4405 and 54.1-4405).
June 2023	Department of Health	12VAC5-200. Regulations Governing Eligibility Standards and Charges for Medical Care Services to Individuals. Amend as a result of a periodic review	Proposed Rule D	To reflect style/technical format amendments, public comments, and any other considerations from agency subject matter experts, including opportunities for regulatory reduction.

June 2023	Housing Development Authority	Amendments to Rules and Regulations for Allocation of Low-Income Housing Tax Credits (13VAC-180)	Proposed Rule F, D	Internal Revenue Code requires that Virginia Housing, as administrator of the federal low-income housing tax credit (LIHTC) program in Virginia, adopt a “qualified allocation plan” or “QAP” (in the form of regulations).
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