

Unified Regulatory Plan of the Department of Medical Assistance Services for State Fiscal Year 2026

Prepared on June 13, 2025

Description of Agency or Boards

The Department of Medical Assistance Services is the single State Agency in the Commonwealth of Virginia that administers the Medicaid program under Title XIX of the Social Security Act and the Children's Health Insurance Program (known as FAMIS) under Title XXI of the Social Security Act. The Code of Virginia § 32.1-325, grants to the Board of Medical Assistance Services the authority to administer and amend the Plan for Medical Assistance and to promulgate regulations. The Code of Virginia § 32.1-324, grants the Director of the Department of Medical Assistance Services the authority of the Board when it is not in session.

Action/Stage or Guidance Document Forum ID (if available).	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
Reimbursement Regs Chapter 90 – LTC	
Brief Overview	
This regulatory action repeals and replaces Chapter 90 of the DMAS reimbursement regulations in direct response to the mandate in HB1600 Item 288.JJJJ. This regulatory action removes the outdated language related to provider reimbursement rates for chapter 12VAC30-90 and replaces it with text from the up-to-date State Plan.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☒ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in July 2025

Action/Stage or Guidance Document Forum ID (if available).	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
Reimbursement Regs Chapters 70, 80, 90	
Brief Overview	
Prior regulatory actions have allowed DMAS to repeal and replace the outdated reimbursement regulations in chapters 70, 80 and 90 with text that matches the already-existing state plan text. This action is needed in order to accommodate any changes that have been made to the state plan since regulations were repealed and replaced with State Plan language. This action is needed in order to ensure that the regulations are aligned with the State Plan.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule

Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.	
Expected Date	Expected to be submitted to the OAG in July 2025	

Action/Stage or Guidance Document Forum ID (if available) Not Available		
Title of Proposed Regulatory Action or Guidance Document Pharmacy and Therapeutics Committee Increase		
Brief Overview Pursuant to HB1600, Item 288, CC.2.a, DMAS is required to increase the number of committee members, and require one physician member from each managed care organization (MCO). This requires a Final Exempt regulation be promulgated by the Department to amend 12VAC30-130-1000.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☒ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.	
Expected Date	Expected to be submitted to the OAG in July 2025.	

Action/Stage or Guidance Document Forum ID (if available). Action 6288 / Stage 10078		
Title of Proposed Regulatory Action or Guidance Document Preventive Services		
Brief Overview The 2024 Appropriations Act, Item 288.ZZZ, directed the Department to amend coverage of the preventive services for adult, full-benefit Medicaid individuals who are not enrolled pursuant to the Patient Protection and Affordable Care Act (PPACA) to align with the preventive services coverage provided under the PPACA. This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-50.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action

Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the Governor's Office in July 2025

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Developmental Disabilities Waiver Updates	
Brief Overview This regulatory action will incorporate General Assembly mandates that modify the Developmental Disabilities (DD) Waivers. Specifically, it will (1) provide parents of waiver-enrolled children greater opportunities for the provision of in-home care to their children, in accordance HB 909, SB 488, and HB 1318 of the 2024 General Assembly; (2) combine the maximum annual allowable amounts for assistive technology and electronic home-based support services so that a total of \$10,000 is available for an individual receiving DD waiver services each year; and (3) implement telehealth service delivery options for DD Waiver services, in accordance with Item 288.UUUU of the 2024 Appropriations Act. This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-122.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in July 2025.

Action/Stage or Guidance Document Forum ID (if available) Action 5932 / Stage 9578	
Title of Proposed Regulatory Action or Guidance Document Cardinal Care Managed Care Program	
Brief Overview The 2022 Appropriations Act, Item 304.Y, directed the Department to merge the Commonwealth Coordinated Care Plus and Medallion 4.0 managed care programs, effective July 1, 2022, into a single, streamlined managed care program that links seamlessly with the fee-for-service program, ensuring an efficient and well-coordinated Virginia Medicaid delivery system that provides high-quality care to its members and adds value for providers and the Commonwealth. This required an Emergency/NOIRA regulation be promulgated by the Department to amend 12VAC30-120.	
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed Rule ☐ Final Rule ☒ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Discretionary action

	☒ Action required by state statute
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be resubmitted to the OAG in July 2025

Action/Stage or Guidance Document Forum ID (if available). Not Available	
Title of Proposed Regulatory Action or Guidance Document Reimbursement Regs Chapter 70 – Inpatient Hospital Care	
Brief Overview This regulatory action repeals and replaces Chapter 70 of the DMAS reimbursement regulations in direct response to the mandate in HB1600 Item 288.JJJJ. This regulatory action removes the outdated language related to provider reimbursement rates for chapter 12VAC30-70 and replaces it with text from the up-to-date State Plan. The totality of existing chapter 70 regulations are being repealed, with the exception of 12VAC30-70-418.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☒ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the Register in August 2025

Action/Stage or Guidance Document Forum ID (if available). Action 6784 / Stage 10812	
Title of Proposed Regulatory Action or Guidance Document Reimbursement Regs Chapter 80 – Other Types of Care	
Brief Overview This regulatory action repeals and replaces Chapter 80 of the DMAS reimbursement regulations in direct response to the mandate in HB1600 Item 288.JJJJ. This regulatory action removes the outdated language related to provider reimbursement rates for chapter 12VAC30-80 and replaces it with text from the up-to-date State Plan.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☒ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.

Expected Date	Expected to be submitted to the Register in August 2025
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Action/Stage or Guidance Document Forum ID (if available) Action 6753/Stage 10766	
Title of Proposed Regulatory Action or Guidance Document Pharmacists as Providers and Other Licensed Practitioners	
Brief Overview This regulatory action will make the following changes: - SB 1538 of the 2023 General Assembly directed the Department to provide reimbursement to a pharmacist or pharmacy technician/intern under the supervision of the licensed pharmacist when services are (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1. - List all of the “other licensed providers” that are authorized to bill DMAS independently. This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-50.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in August 2025.

Action/Stage or Guidance Document Forum ID (if available). Action 5675 / Stage 9717	
Title of Proposed Regulatory Action or Guidance Document Preadmission Screening and Resident Review (PASRR) Update	
Brief Overview This regulatory action follows an Emergency Regulation, 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), to allow qualified nursing facility staff to complete the Long-Term Services and Supports (LTSS) screening for individuals who apply for or request LTSS, and who are receiving non-Medicaid skilled nursing services in an institutional setting following discharge from an acute care hospital. This requires a Fast-Track regulation be promulgated by the Department to amend 12VAC30-130.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Discretionary action

	☒ Action required by state statute
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in August 2025.

Action/Stage or Guidance Document Forum ID (if available) Action 5992 / Stage 9680	
Title of Proposed Regulatory Action or Guidance Document 12-Months Postpartum	
Brief Overview The 2022 Special Session I Virginia Acts of Assembly, Chapter 2, directed the Department to provide continuous coverage to enrollees for the duration of pregnancy and through 12 months postpartum. This required an Emergency/NOIRA regulation be promulgated by the Department to amend 12VAC30-10, 12VAC30-30, 12VAC30-40, 12VAC30-50 and 12VAC30-141.	
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed Rule ☐ Final Rule ☒ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in August 2025.

Action/Stage or Guidance Document Forum ID (if available) Action 5795 / Stage 10278	
Title of Proposed Regulatory Action or Guidance Document Private Duty Nursing Services Under EPSDT	
Brief Overview This regulatory action follows an Emergency/NOIRA Regulation, in accordance with Item 304.MM (2) of the 2022 Appropriations Act that directed the Department to update the Virginia Administrative Code to include the following items related to private duty nursing: services covered, provider qualifications, medical necessity criteria, and rates. The regulatory action also clarifies that private duty nursing services are not covered unless an individual receives services under EPSDT or a § 1915(c) waiver. This required a Fast-Track regulation be promulgated by the Department to amend 12VAC30-50.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action

Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to DPB in August 2025.

Action/Stage or Guidance Document Forum ID (if available). Not Available	
Title of Proposed Regulatory Action or Guidance Document Addiction and Recovery Treatment Services Update	
Brief Overview This regulatory action will 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. This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-10, 12VAC30-50, 12VAC30-60, and 12VAC30-130.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in August 2025.

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document FAMIS 12-Month Continuous Eligibility	
Brief Overview Section 5112 of the 2023 Consolidated Appropriations Act requires states to cover children for a continuous 12-month period from the date of enrollment, regardless of changes in the child's circumstances. This requires a Final Exempt regulation be promulgated by the Department to amend 12VAC30-141.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☒ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule ☐ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in September 2025

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Adult Day Health Care Rate Change	
Brief Overview HB1600, Item 288, HHHHH of the 2025 Appropriations Act provides DMAS with the authority to change the reimbursement methodology for adult day health care from a daily rate to an hourly rate, limited to 6 hours per day. This requires a Final Exempt regulation be promulgated by the Department.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☒ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in September 2025

Action/Stage or Guidance Document Forum ID (if available) Action 6476/Stage 10346	
Title of Proposed Regulatory Action or Guidance Document State-Based Exchange	
Brief Overview In 2020, the General Assembly passed legislation that created the Health Benefit Exchange Division within the State Corporation Commission to oversee Virginia's transition to a State Based Exchange (SBE) (also referred to as the Virginia Health Benefit Exchange). The SBE went live in November 2023. Now that the SBE is operational, the Health and Human Services appeals entity within the Federally Facilitated Exchange is no longer involved in conducting Medicaid fair hearings with respect to eligibility based on applicable modified adjusted gross income (MAGI). So, this regulatory action clarifies that DMAS conducts all de novo fair hearings, regardless of whether or not they pertain to eligibility based on MAGI. This required a Fast Track regulation be promulgated by the Department to amend 12VAC30-10.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in September 2025.

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Appeals Updates	
Brief Overview Pursuant to the 2025 Appropriations Act, Item 292, QQ, DMAS may amend regulations to require provider appeals to be filed only online through the department's appeal portal. This requires an Emergency regulation be promulgated by the Department to amend 12VAC30-20-500.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☒ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in September 2025.

Action/Stage or Guidance Document Forum ID (if available) 6412/10246	
Title of Proposed Regulatory Action or Guidance Document Electronic Visit Verification for Home Health	
Brief Overview This regulation action updates language to implement Electronic Visit Verification for home health care services. This requires a Fast-Track regulation be promulgated by the Department to amend 12VAC30-60.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in October 2025

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document 2024 Long Term Services and Supports (LTSS) Screening Changes	
Brief Overview	

This regulatory action will make LTSS screening changes pursuant to HB291/SB24 and HB729/SB620 which were passed during the 2024 General Assembly session. This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-60.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in October 2025

Action/Stage or Guidance Document Forum ID (if available) Action 5681 / Stage 9201	
Title of Proposed Regulatory Action or Guidance Document 90-Day Prescriptions	
Brief Overview This regulatory action allows 90-day supplies of certain prescription medications to be provided to Medicaid members for select maintenance drugs after two 34-day or shorter duration fills. This required a Fast-Track regulation be promulgated by the Department to amend 12VAC30-50.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in October 2025.

Action/Stage or Guidance Document Forum ID (if available) Not available	
Title of Proposed Regulatory Action or Guidance Document CHIP Youth Reentry	
Brief Overview Pursuant to Section 5121 of the Consolidated Appropriations Act 2023, the Department to cover screenings and diagnostic services for eligible juveniles, as well as targeted case management (TCM) services during this transitional period out of incarceration. Services must be provided to Medicaid-eligible individuals under age 21, CHIP (FAMIS) enrolled children, and individuals up to age 26 in the Medicaid former foster youth eligibility group. This requires a Fast Track regulation be promulgated by the Department to amend 12 VAC 30-141.	

Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.	
Expected Date	Expected to be submitted to the OAG in November 2025.	

Action/Stage or Guidance Document Forum ID (if available)		
Action 6190 / Stage 9932		
Title of Proposed Regulatory Action or Guidance Document		
Medicaid Enterprise System		
Brief Overview		
This regulatory action will make technical changes to revise references to "MMIS" and "Medicaid Management Information System" in a number of agency regulations to "MES" or "Medicaid Enterprise System." This will require a Final Exempt regulation be promulgated by the Department to amend 12VAC30-10, 12VAC30-20, 12VAC30-50, 12VAC30-80, 12VAC30-120, and 12VAC30-130.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☒ Final Rule	☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.	
Expected Date	Expected to be submitted to the DPB in November 2025.	

Action/Stage or Guidance Document Forum ID (if available)		
Not Available		
Title of Proposed Regulatory Action or Guidance Document		
Removal of Cost Sharing		
Brief Overview		
This regulatory action will remove all cost sharing, including co-payments, co-insurance and deductibles for enrollees. This will require a fast-track regulation be promulgated by the Department.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute	☐ Discretionary action

	☒ Action required by state statute
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in November 2025.

Action/Stage or Guidance Document Forum ID (if available). 6421/10270	
Title of Proposed Regulatory Action or Guidance Document School Services	
Brief Overview The provisions of SB 1307 of the 2021 Special Session I, which amended §§ 32.1-325 and 32.1-326.3 of the Code of Virginia, and the 2021 Appropriations Act, Item 313.AAAAAA, required the Department to allow payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. This required a Fast Track regulation be promulgated by the Department to amend 12VAC30-50.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in November 2025.

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Therapeutic Group Homes (TGHs)	
Brief Overview The 2024 Appropriations Act, Item 288.EEEEE, directed the Department to establish a per diem rate to Therapeutic Group Homes that provide services to youth with an intellectual or developmental disability in addition to a behavioral health diagnosis. Group homes that provide this higher level of service are called "Early and Periodic Screening, Diagnosis, and Treatment" (or EPSDT) Therapeutic Group Homes. The per diem rate for these facilities shall be increased by 50%, effective July 1, 2024. This requires a Fast-Track regulation be promulgated by the Department to amend 12VAC30-50 and 12VAC30-80.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document

Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in December 2025.

Action/Stage or Guidance Document Forum ID (if available)	
Not available	
Title of Proposed Regulatory Action or Guidance Document	
Tribal Provider Reimbursement	
Brief Overview	
This regulatory action will clarify that (1) tribal clinics cannot be reimbursed at the facility rate (all-inclusive rate or AIR) for non-clinic services; (2) tribal FQHCs cannot be reimbursed at the AIR for pharmacy, transportation, and 1915(c) waiver services; (3) the definition of the per visit rate for purposes of reimbursement at the AIR, specifying that it is a bundled, all-inclusive encounter rate and must not be unbundled and billed as separate encounter claims; and (4) an Indian Health Service, tribal or urban Indian organization, including a Tribal 638 facility that operates a retail pharmacy, must enroll separately as a pharmacy provider, and that payment for pharmacy services shall align with an existing pharmacy payment methodology and shall not be at the AIR. This regulatory action will also update language to reflect new Federal requirements for Medicaid reimbursement to tribal clinics, specifically, professional services furnished at the clinic by or under the direction of a physician, or services furnished outside the clinic, by clinic personnel under the direction of a physician. This requires a regulation be promulgated by the Department to amend 12VAC30-80-26.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency Rule ☐ Proposed Rule ☒ Fast-Track Rule ☐ Final Rule
Additional Description	☐ Expedited Rule ☐ Guidance Document ☐ Exempt Rule
Legal Authority	☐ Action required by federal statute ☒ Discretionary action ☒ Action required by state statute
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in December 2025.

Action/Stage or Guidance Document Forum ID (if available)	
Action 6396/Stage 10218	
Title of Proposed Regulatory Action or Guidance Document	
FAMIS Plan Update	
Brief Overview	
This regulatory action will make technical program updates and repeal out-of-date regulations. This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-141	
Regulatory Stage (check one box)	☐ NOIRA ☐ Emergency Rule ☐ Proposed Rule ☒ Fast-Track Rule ☐ Final Rule

Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	This action will reduce regulatory requirements.	
Expected Date	Expected to be submitted to the DPB in January 2026.	

Action/Stage or Guidance Document Forum ID (if available)		
Not Available		
Title of Proposed Regulatory Action or Guidance Document		
Application and Medicaid Works		
Brief Overview		
Pursuant to 2025 HB 1804, DMAS is directed to amend its application for medical assistance to gather all necessary information to determine an applicant's eligibility for the Medicaid Works program. This requires a regulation be amended by the Department.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.	
Expected Date	Expected to be submitted to the DPB in January 2026.	

Action/Stage or Guidance Document Forum ID (if available)		
Not Available		
Title of Proposed Regulatory Action or Guidance Document		
Requirements for Medicaid Consumer-Directed Facilitators		
Brief Overview		
The 2024 Appropriations Act, Item 288.CCCCC, directed the Department to eliminate the requirement that individuals providing Consumer-Directed Services Facilitators services have an Associate's or Bachelor's Degree in order to provide services. Work experience will be sufficient in the list of requirements. This requires a Fast-Track regulation be promulgated by the Department to amend 12VAC30-120 and 12VAC30-122.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary action

Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in January 2026.

Action/Stage or Guidance Document Forum ID (if available) Not available	
Title of Proposed Regulatory Action or Guidance Document Update to Non-Covered Drugs	
Brief Overview This regulatory action will update the non-covered drug language in the VAC to represent DMAS' current practices. This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-50-520.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in January 2026.

Action/Stage or Guidance Document Forum ID (if available) Action 6186 / Stage 9926	
Title of Proposed Regulatory Action or Guidance Document Post Eligibility Special Earnings for Developmental Disabilities Waivers	
Brief Overview The 2022 Appropriations Act, Item 304.ZZ, directed the Department to promulgate a regulatory change concerning post eligibility special earnings allowance for individuals in the Commonwealth Coordinated Care Plus, Community Living, Family and Individual Support and Building Independence waiver programs to incentivize employment for individuals receiving waiver services. The Department must lower the number of hours from at least eight hours but less than 20 hours per week requirement to at least four hours but less than 20 hours per week for a disregard of up to 200 percent of Supplemental Security Income and a disregard of up to 300 percent for individuals that work 20 hours or more per week. This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-122.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action

Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to DPB in February 2026.

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Reentry Targeted Case Management	
Brief Overview In accordance with the 2025 Appropriations Act, the Department will provide coverage of targeted case management in the 30 days pre-release and immediately post-release to eligible incarcerated youth and young adults in accordance with section 5121 of the federal Consolidated Appropriations Act of 2023. This requires a regulation be promulgated by the Department to amend 12VAC30-80 and 12VAC30-50.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in February 2026

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Eligibility for Pregnant Women	
Brief Overview In accordance with the 2025 Appropriations Act, Item 292.RR., the Department make efforts to ensure that pregnant women applying for medical coverage utilize the Cover Virginia Call Center in order to reduce the processing time of the application and expedite the applicant into coverage. This requires a regulation be promulgated by the Department.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in February 2026

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
Brain Injury Targeted Case Management	
Brief Overview	
This action will allow the Department of Medical Assistance Services (DMAS) to add coverage for targeted case management for individuals with severe brain injuries, pursuant to House Bill 680 of the 2022 General Assembly. DMAS submitted state plan amendments to the Centers for Medicare & Medicaid Services (CMS) that were approved on November 22, 2023, and May 17, 2024, and this regulatory action will incorporate those same changes in the Virginia Administrative Code. The NOIRA stage was completed in May 2025. This requires proposed regulations by the Department to amend 12VAC30-50 and 12VAC30-80.	
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in February 2026

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
Clinic Services	
Brief Overview	
This regulatory action amends the definition of clinic services as provided by CMS, and also specifies that dental, pharmacy, home health, hospice, physical therapy, occupational therapy, speech language pathology, transportation, 1915(c) waiver services and community mental health services are not covered under the clinic services benefit. To provide those services, clinics must enroll as that provider type and abide by the state plan requirements for those services. This requires a fast-track regulation be promulgated by the Department to amend 12VAC30-50.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in February 2026

Action/Stage or Guidance Document Forum ID (if available) Action 6315 / Stage 10116	
Title of Proposed Regulatory Action or Guidance Document Emergency Room Charges	
Brief Overview This regulatory action will remove language that fulfilled a 2020 General Assembly Mandate that allowed the pending, reviewing and reducing of fees for avoidable emergency room claims for codes 99282, 99283 and 99284, for both physicians and facilities. This required a Final Exempt regulation be promulgated by the Department to amend 12VAC30-80.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☒ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in March 2026.

Action/Stage or Guidance Document Forum ID (if available) Action 5751 / Stage 10317	
Title of Proposed Regulatory Action or Guidance Document Adult Dental and 2024 Updates	
Brief Overview The 2021 Appropriations Act (Special Session 1), Item QQQQQ, directed the Department to provide a comprehensive dental benefit to adults, effective July 1, 2021. The 2023 Appropriations Act, Item 304.XXXX directed DMAS to make changes to the adult dental benefit. Both of these mandates require a Fast-Track regulation be promulgated by the Department to amend 12VAC30-50.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in March 2026.

Action/Stage or Guidance Document Forum ID (if available). Not Available	
Title of Proposed Regulatory Action or Guidance Document Peer Recovery Support Services	

Brief Overview	
The Acts of Assembly 2021 Chapter 302:2, authorized the Department to adopt regulations for reimbursement for telemedicine services delivered through audio-only telephone, which shall include regulations for (i) services that may be delivered via audio-only telephone, (ii) reimbursement rates for services delivered via audio-only telephone, and (iii) such other regulations as the Department may deem necessary. As a result, the Department will remove the 25% cap on total time that peer recovery support services can be provided telephonically (audio-only) per recipient per calendar year. This regulatory action will also modify peer recovery support services program needs and clarify requirements; align language with relevant regulations from the Department of Behavioral Health and Developmental Services (DBHDS), the Department of Health Professions (DHP), and the Virginia Board of Counseling; and, align processes with DMAS' telemedicine requirements. This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-130.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in March 2026.

Action/Stage or Guidance Document Forum ID (if available)	
Action 5810 / Stage 9381	
Title of Proposed Regulatory Action or Guidance Document	
Clarifications for Durable Medical Equipment and Supplies—Revisions	
Brief Overview	
The 2021 Appropriations Act (Special Session 1), Item QQQQQ, directed DMAS to expand the definition of durable medical equipment per 42 CFR 440.70 (b) (3), so that the definition is no longer limited to items primarily used in the home but also extends to any setting where normal activities take place. This required an Emergency regulation be promulgated by the Department to amend 12VAC30-50.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☒ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in March 2026.

Action/Stage or Guidance Document Forum ID (if available) Action 6692/Stage 10671	
Title of Proposed Regulatory Action or Guidance Document Credentialed Addiction Treatment Professionals	
Brief Overview HB 503 of the 2024 General Assembly directed the Department to amend the definition of credentialed addiction treatment professional to include licensed behavior analysts. This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-130.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in March 2026.

Action/Stage or Guidance Document Forum ID (if available) Action 5172 / Stage 9409	
Title of Proposed Regulatory Action or Guidance Document Service Authorization	
Brief Overview This regulatory action follows an Emergency Regulation that clarified the documentation requirements for service authorization for Community Mental Health and Rehabilitative Services (CMHS), pursuant to the 2018 Acts of Assembly, Chapter 2, Item 303.X1, and 2019 Acts of Assembly, Chapter 854, Item 303.X1. This required a Fast-Track regulation be promulgated by the Department to amend 12VAC30-60.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in April 2026.

Action/Stage or Guidance Document Forum ID (if available) Action 5934 / Stage 9585	
Title of Proposed Regulatory Action or Guidance Document Pharmacy Updates	

Brief Overview	
This regulation action: (1) authorizes prescriptions of contraceptives up to a 12 month supply pursuant to the 2020 Special Session, Item 313.YYYYY; (2) enables the Department to begin calculating state supplemental pharmacy rebate amounts in accordance with the National Medicaid Pooling Initiative instead of the Virginia Supplemental Rebate Agreement and Addenda; (3) authorizes vaccines administered by pharmacies (pharmacists, pharmacy interns, or pharmacy technicians) to be reimbursed at the cost of the vaccine plus an administration fee not to exceed \$16, in accordance with the 2021 Appropriations Act, Item 313.UUUUU; and, (4) updates outdated language on payment to Indian Health Service, tribal and urban Indian pharmacies to reference current payment methodology defined under 12VAC 30-80-26. These changes required a Fast-Track regulation be promulgated by the Department to amend 12VAC30-50 and 12VAC30-80.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the DPB in April 2026.

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
2025 Non-Institutional Provider Reimbursement Changes	
Brief Overview	
The 2025 Appropriations Act requires the Department to make the following changes (1) increase the rates for private duty and skilled nursing under the Early Periodic Screening and Diagnosis Treatment (EPSDT) benefit by three percent; (2) increase the rates for agency-and consumer-directed personal care under the EPSDT benefit by two percent; (3) ensure the reimbursement for a service provided by a licensed certified midwife or licensed midwife shall be in the same amount as the Medicaid reimbursement paid a licensed physician or certified nurse midwife, whichever is higher, for performing such service in the area served; (4) increase the rates for Office Based Addiction Treatment, Opioid Treatment Services, Partial Hospitalization Services, and Intensive Outpatient Services by 6.5 percent; (5) provide supplemental payments for dentists employed by or contracted with Virginia Commonwealth University's School of Dentistry; and (6) broaden the types of hospitals that qualify for supplemental payments for outpatient services to Medicaid patients. This requires a regulation be promulgated by the Department to amend 12VAC30-80.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action

Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in April 2026

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document CHIP Annual SPA	
Brief Overview This regulatory action amends language to account for (1) Replacement of references to the Federally-Facilitated Marketplace, with references to Virginia's Insurance Marketplace (state-based Marketplace); and (2) Updates to outreach strategies, including alignment with Virginia's rebranding of its Medicaid/FAMIS programs (now known collectively as "Cardinal Care") and updates to the strategies used to promote FAMIS among Virginia's business community. This requires a Fast Track regulation be promulgated by the Department to amend 12 VAC 30-141.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in April 2026

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Applicability of the OMB Outpatient All-Inclusive Rate	
Brief Overview This regulatory action adds language that services provided by IHS or tribal clinics or tribal FQHCs not eligible for the federal medical assistance percentage of 100 percent (services provided to individuals who are not American Indians or Alaska Natives), shall be reimbursed at standard Medicaid rates (the rates otherwise paid to non-tribal facilities for the same services). This requires a regulation be promulgated by the Department to amend 12VAC30-80.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.

Expected Date	Expected to be submitted to the OAG in April 2026
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Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document 2025 Institutional Provider Reimbursement Changes	
Brief Overview The 2025 Appropriations Act requires the Department to make the following changes (1) include a provision for payment of medical assistance for FDA approved long-acting injectable or extended-release medications administered for a serious mental illness or substance use disorder in any hospital emergency department or hospital inpatient setting. This payment shall be unbundled from the hospital daily rate; (2) to make supplemental payments through an adjustment to the formula for indirect medical education (IME) reimbursement, using managed care discharge days, not to exceed \$30,000,000 total computable for teaching hospitals affiliated with Virginia Tech Carilion School of Medicine; and (3) broaden the types of hospitals that qualify for supplemental payments for inpatient services to Medicaid patients. This requires a regulation be promulgated by the Department to amend 12VAC30-70.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in May 2026

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Supports Intensity Scale-Adult (SIS-A) Assessment Updates	
Brief Overview This regulatory action will update the regulations in accordance with an update to SIS-A 2.0.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☒ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☒ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in May 2026

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Removal of Education Requirements for Support Facilitators	
Brief Overview This regulatory action will update the regulations to remove education requirements for Support Facilitators.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in May 2026

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Patient Pay Deductions	
Brief Overview This regulatory action will clarify which medical bills can be used to reduce a member's patient pay.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in May 2026

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Update to Doula Coverage	
The 2025 Appropriations Act, Item 288.UUU, required DMAS to amend the state plan to authorize coverage of community doula services for Medicaid-enrolled pregnant women. This resulted from HB1614/SB1418 (Postpartum doula care). Services include up to eight prenatal/postpartum visits, and	

support during labor and delivery. The Appropriations language also implements two linkage-to-care incentive payments for postpartum and newborn care. DMAS submitted a state plan amendment to the Centers for Medicare & Medicaid Services (CMS) that was approved on October 29, 2021, and this regulatory action incorporates those same changes in the Virginia Administrative Code. Budget language was updated in 2025.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in May 2026

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
DD Regulation Updates to Comply with Federal Rules	
Brief Overview	
This action is needed due to CMS updates, including new CMS final rules. This will require regulation amendments by the Department.	
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in June 2026

Action/Stage or Guidance Document Forum ID (if available).	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
Nursing Facility Reimbursement Methodology	
Brief Overview	
The 2025 Appropriations Act, Item 288.IIIII, directed the Department to modify the nursing facility reimbursement methodology from Resource Utilization Groups (RUG) to the Patient-Driven Payment Model (PDPM). This requires a Fast Track regulation be promulgated by the Department to amend 12VAC30-90-44.	

Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.	
Expected Date	Expected to be submitted to the OAG in July 2026	

Action/Stage or Guidance Document Forum ID (if available)		
Not Available		
Title of Proposed Regulatory Action or Guidance Document		
PRTFs (Psychiatric Residential Treatment Facilities) in Managed Care		
Brief Overview		
To implement 2025 Appropriations Act Item 288.LLLLL which requires DMAS to make changes to enable children served in PRTFs to maintain their enrollment in managed care during their treatment. This requires a regulation be amended by the Department once the waiver is approved by CMS.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.	
Expected Date	Expected to be submitted to the OAG in June 2026	

Action/Stage or Guidance Document Forum ID (if available)		
Not Available		
Title of Proposed Regulatory Action or Guidance Document		
SMI 1115 Waiver		
Brief Overview		
To implement 2025 Appropriations Act Item 288.XX.3 & 4 which requires a regulation be amended by the Department once the waiver is approved by CMS.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule	☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary action

Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in June 2026

Action/Stage or Guidance Document Forum ID (if available) Not Available	
Title of Proposed Regulatory Action or Guidance Document Neurobehavioral facility 1115 waiver	
Brief Overview To implement 2025 Appropriations Act Item 288.SSSSS which requires a regulation be amended by the Department once the waiver is approved by CMS. This action requires DMAS to add neurobehavioral and neurorehabilitation facilities to support individuals with traumatic brain injuries and neurocognitive disorders.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☒ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute ☐ Discretionary action
Deregulatory Component	The Department has achieved its 25% removal/reduction and continues to seek ways to eliminate unnecessary regulations.
Expected Date	Expected to be submitted to the OAG in June 2026

Guidance Documents

Title of Proposed Regulatory Action or Guidance Document DMAS Provider Manuals and Medicaid Memos	
Brief Overview The Department will release updated provider manuals and Medicaid Memos as needed in SFY2026 to reflect changes in federal and state requirements.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed Rule ☐ Final Rule ☐ Emergency Rule ☐ Fast-Track Rule
Additional Description	☐ Expedited Rule ☐ Exempt Rule ☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☒ Action required by state statute ☒ Discretionary action
Deregulatory Component	These guidance documents will communicate important updates to providers.
Expected Date	Expected to be submitted to HHR and ORM as needed throughout SFY2026