

Unified Regulatory Plan of the Virginia Department of Health for State Fiscal Year 2026

Prepared on June 30, 2025

Description of Agency or Boards

The State Board of Health and the State Health Commissioner, assisted by the State Department of Health, are authorized to administer and provide a comprehensive program of preventive, curative, restorative and environmental health services; educate the citizenry in health and environmental matters; develop and implement health resource plans; collect and preserve vital records and health statistics; provide medicolegal investigation and postmortem examinations of deaths that occur suddenly, unexpectedly, violently, or in an otherwise suspicious manner; assist in research; investigate outbreaks of disease; and abate hazards and nuisances to the public health and to the environment both emergency and otherwise.

Regulatory activities are noted herein as vested in the department, without distinction among those vested in the State Board of Health or the State Health Commissioner. In furtherance of its mission to promote and protect the health of all Virginians, the department administers numerous programs and engages in many regulatory activities via the offices indicated below:

Office of the Chief Medical Examiner,

Office of the Commissioner,

Office of Community Health Services,

Office of Drinking Water,

Office of Emergency Medical Services,

Office of Emergency Preparedness,

Office of Environmental Health Services,

Office of Epidemiology,

Office of Family Health Services,

Office of Health Equity,

Office of Information Management,

Office of Licensure and Certification,

Office of Radiological Health, and

Office of Vital Records.

Regulatory Actions

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-31 – Emergency Medical Services Regulations		
Amend Regulations to Conform to Chapter 459 of the 2025 Acts of Assembly		
Brief Overview		
Conform regulations to the provisions of Chapter 459 of the 2025 Acts of Assembly to authorize EMS vehicles operated by combination fire/EMS agencies to display fire department logos larger than EMS identifiers, if under a single EMS license.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Removes restrictions on Fire Department logo size which is currently in effect	
Expected Date	September, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-371 – Regulations for the Licensure of Nursing Facilities		
Amend Regulation after Enactment of Chapters 277, 330, and 432 of the 2025 Acts of Assembly		
Brief Overview		
This action is being used to promulgate regulations for advanced registered medication aides, professional liability insurance, and electronic monitoring pursuant to legislative mandates in Chapter 277, 330, and 432 of the 2025 Acts of Assembly.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Authorizes medication aides registered by the Board of Nursing to administer drugs as determined permissible by the Board for administration to residents in a nursing home licensed by the Department of Health.	
Expected Date	September, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-410 – Regulations for the Licensure of Hospitals in Virginia		
Amend Regulation after Enactment of Chapters 238, 423, 428, 457, 472, 488, 544, 557, and 589 of the 2025 Acts of Assembly		
Brief Overview		
This action is being used to promulgate regulations for midwives, fentanyl testing, obstetric emergencies, and doulas & the postpartum process pursuant to legislative mandates in Chapters 238, 423, 428, 457, 472, 488, 544, 557, and 589 of the 2025 Acts of Assembly.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary Action
Deregulatory Component	None	
Expected Date	September, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-220 – Virginia Medical Care Facilities Certificate of Public Need Rules and Regulations		
Amend Regulations to Conform to Chapter 114, 135, and 325 of the 2025 Acts of Assembly		
Brief Overview		
This action is being used to promulgate regulations for Critical Access Hospital swing beds and expedited review projects & psychiatric services pursuant to legislative mandates in Chapters 114, 135, and 325 of the 2025 Acts of Assembly		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary Action
Deregulatory Component	Decreases regulatory burden on regulant by providing flexibility for the availability of specific bed types based on community/ regulant need.	
Expected Date	September, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-590 – Waterworks Regulations		
Amend Regulations to Conform to Chapters 631 and 672 of the 2025 Acts of Assembly		
Brief Overview		
This action is being used to implement new requirements related to mandatory reporting of waterworks anomalies pursuant to legislative mandates in Chapters 631 and 672 of the 2025 Acts of Assembly.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary Action
Deregulatory Component	None	
Expected Date	September, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-67 – Advance Health Care Directive Registry		
Amend Regulations following Periodic Review (2024)		
Brief Overview		
Amendments to align the regulations with current practice, conform language to the Form and Style Guidelines, clarify the documentation to be stored in the Advance Health Care Planning Registry, and specify who may access the documentation.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☒ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	October, 2025	

Action/Stage or Guidance Document Forum ID (if available)	
Not available	
Title of Proposed Regulatory Action or Guidance Document	
12VAC5-215 – Rules and Regulations Governing Health Data Reporting	
Amend Regulations following Periodic Review (2024)	
Brief Overview	
The regulatory action will combine two existing chapters (12VAC5-215 & 12VAC5-216) to better align the provisions with current practice & conform the regulations to the Form and Style Guidelines. 12VAC5-216 will be repealed and incorporated into 12VAC5-215.	
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☒ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary Action
Deregulatory Component	TBD
Expected Date	October, 2025

Action/Stage or Guidance Document Forum ID (if available)	
Not Available	
Title of Proposed Regulatory Action or Guidance Document	
12VAC5-590 – Waterworks Regulations	
Amend Regulations following Periodic Review (2023)	
Brief Overview	
This action is being done in response to improvements in technology, external and internal feedback, and to improve clarity/style.	
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed ☐ Final ☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action ☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute ☒ Discretionary Action
Deregulatory Component	Regulatory text made more concise; changes based on technological improvements and new law.
Expected Date	October, 2025

Action/Stage or Guidance Document Forum ID (if available) 5997/ Not available		
Title of Proposed Regulatory Action or Guidance Document 12VAC5-80 – Regulations for Administration of the Virginia Hearing Impairment Identification and Monitoring System Amend regulations following Periodic Review		
Brief Overview This action would update the existing regulations to remove outdated information; reflect recommended national best practices based on the Joint Committee on Infant Hearing; change the chapter title from Regulations for Administration of the Virginia Hearing Impairment Identification and Monitoring System to reflect more culturally inclusive language; and to clarify and adjust reporting requirements to meet national best practices.		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	October, 2025	

Action/Stage or Guidance Document Forum ID (if available) Not available		
Title of Proposed Regulatory Action or Guidance Document 12VAC5-421 – Food Regulations Amend Regulations to address emerging business models and other elements not addressed by the FDA Food Code		
Brief Overview This action is intended to address Mobile Food Units, Temporary Food Establishments, Commissaries, and other minor administrative and substantive provisions requiring clarification		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	October, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-371 – Regulations for the Licensure of Nursing Facilities		
Promulgation of New Regulations regarding Nursing Home Intermediate Sanctions		
Brief Overview		
This action is being used to promulgate regulations for nursing home intermediate sanctions resulting from the enactment of Chapters 166 and 180 of the 2025 Acts of Assembly		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	November, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
6183/ Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-501 – Rules and Regulations Governing the Construction and Maintenance of Migrant Labor Camps		
Amend Migrant Labor Camp Regulations Following Periodic Review 2023		
Brief Overview		
Proposed action to update criteria for migrant labor camps as a result of Periodic Review		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	December, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-613 – Regulations for Alternative Onsite Sewage Systems		
Amend regulations to implement Chapter 419 of the 2024 Virginia Acts of Assembly.		
Brief Overview		
Action to amend the regulations to include language from HB1431 of the 2024 General Assembly Session regarding approval of treatment level 3 devices.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☒ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	Allowance of additional devices, providing more pathways to compliance for regulants	
Expected Date	December, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-407 – Procedures for the Submission of Health Maintenance Organization Quality of Care Performance Information		
Amendment Regulations following Periodic Review (2024)		
Brief Overview		
Updating criteria for migrant labor camps as a result of Periodic Review		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☒ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	December, 2025	

Action/Stage or Guidance Document Forum ID (if available) 6112/ Not available		
Title of Proposed Regulatory Action or Guidance Document 12VAC5-481 – Virginia Radiation Protection Regulations Repeal and Replace Virginia's Radiation Protection Regulations		
Brief Overview This action is being used to repeal 12VAC5-481 and replace with a new chapter that will be re-organized for ease of understanding for regulants, eliminate unnecessary regulatory requirements, and update to better reflect current practices and emerging technologies in order to continue protecting the public from unnecessary radiation exposure.		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	December, 2025	

Action/Stage or Guidance Document Forum ID (if available) 6098/ Not available		
Title of Proposed Regulatory Action or Guidance Document 12VAC5-490 – Virginia Radiation Protection Regulations: Fee Schedule Amend Chapter 490 as a Result of Periodic Review		
Brief Overview This action is being used to increase fees assessed for x-ray registrations, state x-ray inspections, and the licensing of radioactive materials. Factors influencing this decision include inflation and an increase in operational costs. The fee schedule was last updated in February 2019.		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	December, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-590 – Waterworks Regulations		
Amend Regulations in Response to Federal Rulemaking		
Brief Overview		
This action is being used to conform with the PFAS Rule, Code of Federal Regulations 42 CFR 141 and 142.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☒ Exempt Action	☐ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☐ Discretionary Action
Deregulatory Component	None	
Expected Date	December, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-371 – Regulations for the Licensure of Nursing Facilities		
Promulgation of Nursing Home Fee Structure		
Brief Overview		
This action is being used to promulgate a fee structure for nursing homes pursuant to Chapters 254 and 265 of the 2025 Acts of Assembly.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☒ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	December, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-90 – Regulations for Disease Reporting and Control		
Amend Regulations Following Periodic Review (2024)		
Brief Overview		
This action will remove, edit, and add definitions as necessary to reflect current public health definitions and needs; modify the list of diseases that shall be reported and those required to report; modify sections on prenatal testing and the procedure for preventing ophthalmia neonatorum; reduce regulatory burden where possible; and other updates as necessary.		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	March, 2026	

Action/Stage or Guidance Document Forum ID (if available)		
6558/ Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-431 – Sanitary Regulations for Hotels		
Amend Regulations as a result of Periodic Review (2022)		
Brief Overview		
Amend Hotel Regulations Following Periodic Review. Incorporate updates to the regulated industry, consideration of public comment, streamline regulatory language and requirements where possible, update form and style, and make additional updates as identified by subject matter experts.		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	April, 2026	

Action/Stage or Guidance Document Forum ID (if available) 6587/ Not available		
Title of Proposed Regulatory Action or Guidance Document 12VAC5-550 – Board of Health Regulations Governing Vital Records Amend Regulations following Periodic Review		
Brief Overview Removes regulations permitting cancellation of vital records (no statutory authority), establishes surrogacy regulations, updates Administrative Fee from \$10 to \$20, technical changes.		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	April, 2026	

Action/Stage or Guidance Document Forum ID (if available) 5947/ Not available		
Title of Proposed Regulatory Action or Guidance Document 12VAC5-71 – Regulations Governing Newborn Screening Services Amend Regulations as a Result of Periodic Review		
Brief Overview This action would amend the existing newborn screening regulation to update the text 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.		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	April, 2026	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-410 – Regulations for the Licensure of Hospitals in Virginia		
Promulgation of Hospital Fee Structure		
Brief Overview		
This action is being used to promulgate a fee structure for hospitals pursuant to Chapters 254 and 265 of the 2025 Acts of Assembly.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☒ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	April, 2026	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-105 – Rabies Regulations		
Amend Regulations following Periodic Review (2024)		
Brief Overview		
This action will amend the regulations to conform with § 3.2-6522 of the Code of Virginia following language added in Chapter 121 of the 2023 General Assembly Regular Session and to reduce regulatory burden where possible. The amendment will include language regarding local health director or designee access to confined animals, update rabies clinic data local health departments are required to report to the Department of Health annually and other updates as necessary.		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	April, 2026	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-418 – Prescribed Pediatric Extended Care Center Regulations		
Promulgation of New Regulations for Prescribed Pediatric Extended Care Centers		
Brief Overview		
This action is being used to promulgate a new regulatory chapter for Prescribed Pediatric Extended Care Centers		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☒ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	This will be a brand new chapter of regulation. Attention will be given to ensure that discretionary regulations are minimized while maintaining the goal of protecting public health and safety.	
Expected Date	April, 2026	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-403 – Certification of Doulas		
Update Certification of Doulas Regulations		
Brief Overview		
This action would amend the existing doula certification regulations, per stakeholder feedback. Specific updates are to be determined.		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	April, 2026	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Promulgation of new chapter		
Promulgate new regulations regarding the collection of data through the Statewide Sickle Cell Disease Registry, pursuant to Chapter 437 of the 2024 Virginia Acts of Assembly		
Brief Overview		
Conform to Chapter 437 of the 2024 Acts of Assembly, which requires the Board of Health to promulgate regulations necessary to collect sickle cell disease case information by the Commissioner for the Statewide Sickle Cell Disease Registry		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	May, 2026	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-150 – Regulations for the Sanitary Control of Storing, Processing, Packing or Repacking of Oysters, Clams and Other Shellfish		
Amend Regulations Following Periodic Review (2024)		
Brief Overview		
Amend chapter to include content from 12VAC5 -160 and 12VAC5 -165 and adopt sections from the National Shellfish Sanitation Program		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	May, 2026	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-160 - Regulations for the Sanitary Control of the Picking, Packing and Marketing of Crab Meat for Human Consumption		
Repeal Regulations Following Periodic Review (2024)		
Brief Overview		
Repeal chapter and move requirements into 12VAC5-150		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	May, 2026	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
12VAC5-165 - Regulations for the Repacking of Crab Meat		
Repeal Regulations Following Periodic Review (2024)		
Brief Overview		
Repeal chapter and move requirements into 12VAC5-150		
Regulatory Stage (check one box)	☒ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	May, 2026	

Action/Stage or Guidance Document Forum ID (if available) 6709/ Not available		
Title of Proposed Regulatory Action or Guidance Document 12VAC5-391 – Regulations for the Licensure of Hospice Amend Regulations following Periodic Review		
Brief Overview Amendments to these regulations are necessary to conform to the Form, Style, and Procedure manual maintained by the Virginia Registrar of Regulations and conform to current industry standards regarding hospice care.		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	June, 2026	

Action/Stage or Guidance Document Forum ID (if available) 5819/ Not available		
Title of Proposed Regulatory Action or Guidance Document 12VAC5-219 – Prescription Drug Price Transparency Regulation Promulgation of New Regulation to Implement Chapter 304 of the 2021 Acts of Assembly, Special Session I		
Brief Overview Promulgation of the new regulations is in response to enactment of Chapter 304 of the 2021 Acts of Assembly, Special Session I, which implements a new requirement directing the VDH to collect, audit, and report prescription drug price information, and imposes civil penalties on health carriers, pharmacy benefits managers, wholesale managers and distributors, and manufacturers which fail to report the required information. The final stage of this regulatory action will establish permanent regulations to replace the previous emergency regulations which have expired.		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☒ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☒ Discretionary Action
Deregulatory Component	TBD	
Expected Date	June, 2026	

Action/Stage or Guidance Document Forum ID (if available) 6324/ Not available		
Title of Proposed Regulatory Action or Guidance Document 12VAC5-375 – Certified Nursing Facility Staffing Standards Regulation		
Promulgation of New Regulation to Implement Chapters 482 and 483 of the 2023 Acts of Assembly		
Brief Overview This action is being used to promulgate regulations for staffing standards for certified nursing facilities		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary Action
Deregulatory Component	TBD	
Expected Date	June, 2026	

Action/Stage or Guidance Document Forum ID (if available) 6169/ Not available		
Title of Proposed Regulatory Action or Guidance Document 12VAC5-218 – Rules and Regulations Governing Outpatient Health Data Reporting		
Amend Regulations Following the 2019 Periodic Review		
Brief Overview Amendments will specify the requirements related to the reporting of outpatient patient level data and align the regulations with the current outpatient data reporting landscape.		
Regulatory Stage (check one box)	☐ NOIRA ☒ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☐ Guidance Document
Legal Authority	☐ Action required by federal statute ☒ Action required by state statute	☐ Discretionary Action
Deregulatory Component	TBD	
Expected Date	June, 2026	

Guidance Documents

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
WTR-2024-01(SF) Policy for Virginia's Public Health Shellfish Program		
Brief Overview		
Update guidance document to comply with most recent version of the National Shellfish Sanitation Program (NSSP) Guide for the Control of Molluscan Shellfish (2024)		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☒ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	None	
Expected Date	August, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
ENV2011-01 – Rainwater Guidelines		
Brief Overview		
Repeal Guidance Document associated with the use of gray water and rainwater in response to promulgation and enactment of Rainwater Harvesting Regulations (12VAC5-635).		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	Deletion of 3,737 word Guidance Document	
Expected Date	October, 2025	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
FAM 202 – Virginia Women, Infants and Children Program Retailer Manual		
Brief Overview		
Amend outdated Guidance Document from 2019 to reflect most recent agency guidance		
Regulatory Stage (check one box)	☐ NOIRA ☐ Proposed ☐ Final	☐ Emergency or Emergency/NOIRA ☐ Revised Proposed ☐ Fast-Track
Additional Description	☐ Expedited Review Requested ☐ Exempt Action	☒ Guidance Document
Legal Authority	☐ Action required by federal statute ☐ Action required by state statute	☒ Discretionary Action
Deregulatory Component	None	
Expected Date	November, 2025	