

Unified Regulatory Plan of the Virginia Department of Health for State Fiscal Year 2023

Prepared on September 30, 2022

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. § 32.1-2 of the Code of Virginia

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 that are administered by the offices indicated below:

Office of Emergency Medical Services,
Office of Epidemiology,
Community Health Services,
Office of Family Health Services,
Office of Licensure and Certification,
Office of Environmental Health Services,
Office of Radiological Health,
Office of Drinking Water,
Office of the Chief Medical Examiner,
Office of Health Equity,
Office of Information Management,
Office of Vital Records, and
Office of Emergency Preparedness.

Title of Proposed Regulatory Action	
12VAC5-90. Disease Reporting and Control. COVID-19 Emergency Update.	
Brief Overview	
The Regulations for Disease Reporting and Control provide information about the process and procedures for reporting diseases to the Virginia Department of Health (VDH), including what diseases must be reported, who must report them and other details related to reporting and disease control. VDH is proposing an amendment to the regulations to ensure all health providers report necessary public health information. This regulatory action separates COVID-19 from the category "coronavirus, severe" on the reportable disease list; removes the requirement for COVID-19 to be rapidly reportable; requires COVID-19 case and laboratory report forms be submitted electronically; clarifies that the category "laboratory directors" includes any entity that holds CLIA Certificates of Waiver; adds ethnicity and hospitalization status (if applicable) to the fields required to be reported by all parties related to COVID-19; and adds "coronavirus, severe" to the list of infectious diseases that shall be reported to persons practicing funeral services.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action removes the requirement to report negative test results.
Expected Date	September 2022

Title of Proposed Regulatory Action	
12VAC5-110. Regulations for the Immunization of School Children. Amend Regulations to Conform to Chapter 1223 of the 2020 Acts of Assembly.	
Brief Overview	
This chapter will be updated to be in compliance with requirements of section 32.1-46 of the Code of Virginia. This action already completed a NOIRA with a 60-day comment period as the APA exemption requires and now simply need to be authorized by the Board of Health.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action
Deregulatory Component	None
Expected Date	September 2022

Title of Proposed Regulatory Action or Guidance Document		
12VAC5-219-10. Prescription Drug Price Transparency Regulations, Promulgation of New Regulation to Implement Chapter 304 of the 2021 Acts of Assembly, Special Session I		
Brief Overview		
Chapter 304 of the 2021 Acts of Assembly, Special Session I created Code of Virginia §§ 32.1-23.3, 38.2-3407.15:6, 38.2-3407.22, 54.1-3436.1, and 54.1-3442.02. Collectively, these new statutory provisions created a new reporting mandate involving prescription drug pricing for health insurance carriers, pharmacy benefit managers, manufacturers, and wholesale distributors. The data collection will be done through Virginia Health Information, which is a nonprofit data services organization that VDH is required by law to use for this task. Any adjudication under the Administrative Process Act for compliance failures will remain the responsibility of VDH. The legislative act also required the creation of emergency regulations, which were promulgated on January 17, 2022 and will expire on July 16, 2023. This regulatory action will promulgate the permanent replacement to the emergency regulations.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	None	
Expected Date	September 2022	

Title of Proposed Regulatory Action		
12VAC5-381. Regulations for the Licensure of Home Care Organizations Fee Change for Home Care Organizations after Enactment of Chapter 172 (2022 Acts of Assembly)		
Brief Overview		
Chapter 172 (2022 Acts of Assembly) amended Code of Virginia § 32.1-162.9 to change home care organization licenses from an annual license to a three-year license. This act also mandated that the fee for renewal of a home care organization license shall be \$1,500 until such time as the Board of Health may amend or repeal regulations for the licensure of home care organizations. This regulatory action updates the fee amounts for both initial and renewal of home care organization licenses, updates the term of the license, and updates the method by which existing home care organizations communicate either changes to their licenses or their request for an exemption.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	None.	
Expected Date	September 2022	

Title of Proposed Regulatory Action	
12VAC5-410. Regulations for the Licensure of Hospitals in Virginia. Amend the Regulation after Enactment of Chapters 80, 81, 218, 678, and 679 of the 2022 Acts of Assembly.	
Brief Overview	
<p>Chapters 80 and 81 of the 2022 Acts of Assembly amends Va. Code § 8.01-226.5:2 to set minimum standards for any hospital that voluntarily installs a newborn safety device for the reception of children. Chapter 218 of the 2022 Acts of Assembly amends Va. Code § 32.1-127, requiring the State Board of Health to amend regulations to “require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided.” Chapters 678 and 679 of the 2022 Acts of Assembly amends Va. Code § 32.1-137.01, requiring hospitals subject to Title VI of the Civil Rights Act of 1964 to make the information about charity available to persons with limited English proficiency in accordance with the most recent U.S. Department of Health and Human Services' Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. These chapters also add in Article 1 of Chapter 5 of Title 32.1 a section numbered 32.1-137.09 that requires hospitals to screen patients for financial assistance, offer qualifying patients’ payment plans, and provide opportunities for renegotiation.</p>	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action
Deregulatory Component	None.
Expected Date	September 2022

Title of Proposed Regulatory Action	
12VAC5-416. Sexual Assault Survivor Treatment and Transfer Regulation Promulgation of New Regulation to Implement Chapter 725 of the 2020 Acts of Assembly	
Brief Overview	
<p>Chapter 725 (2020 Acts of Assembly) creates Article 8 of Chapter 5 of Title 32.1 of the Code of Virginia, which requires the Board to promulgate regulations to effectuate the act, specifically the standards for review and approval of sexual assault survivor transfer plans, pediatric sexual assault survivor transfer plans, sexual assault survivor treatment plans, and pediatric sexual assault survivor treatment plans. As the requirement to have such plans extends to hospitals, clinics, and physician’s offices, there is no already existing regulatory chapter that would best fit this mandate, so the Virginia Board of Health intends to promulgate a new regulatory chapter for these standards.</p>	
Regulatory Stage	<input type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule

(check one box)	<input checked="" type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule	<input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	None.	
Expected Date	September 2022	

Title of Proposed Regulatory Action		
Amend Private Well Regulations Following Periodic Review (12VAC5-630)		
Brief Overview		
<p>The Virginia Department of Health's Private Well Regulations are intended to protect the public's health and safety during the location and construction of private wells. Appropriate well siting (separation distances) and concise standards for the drilling, installation, and completion of private wells are critical aspects of this protection. The final amendments are a result of a periodic review and are updated pursuant to § 32.1-176.4 of the Code of Virginia, which requires the Virginia Department of Health's Board of Health to adopt regulations pertaining to the location and construction of private wells in the Commonwealth, including minimum storage capacity and yield requirements for residential drinking water wells.</p>		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	<p>The separation distance from termite treated structures was reduced based on a study conducted by the Office of Environmental Health Services. This increases land available on a property for well location, and in turn, increases available land for onsite sewage system construction. Similarly, the revisions include specification for abandonment of bored well to reduce the separation distance from a proposed onsite sewage system. A revision was also included based on public comment during the proposed stage to clarify the setback from fields with biosolid applications only applies for 12 months following application, and not indefinitely.</p>	
Expected Date	September 2022	

Title of Proposed Regulatory Action	
Amend Bedding and Upholstered Furniture Regulations Following Periodic Review (12VAC5-125)	
Brief Overview	
The Regulations for Bedding and Upholstered Furniture Program (12VAC5-125) outline health, safety, and licensure requirements to protect the health and safety of consumers of new and secondhand bedding and upholstered furniture in the Commonwealth. The intent of this regulatory action is to update the regulation following a periodic review by reducing conflicts with other states' bedding and upholstered furniture regulations, clarifying licensing and permitting requirements and operating standards, and addressing concerns expressed by the Office of the Attorney General regarding certain items in the regulation.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute x Discretionary action
Deregulatory Component	This action clarifies and reduces conflict within the health, safety, and licensure requirements for mattresses, box-springs, pillows, comforters, cushions, and all upholstered furniture, including products designed for infants and small children. Amendments to reduce administrative burdens include (1) reduction for importers and distributors to maintain one license, (2) clarification of labeling requirements, and (3) simplification of the application process.
Expected Date	October 2022

Title of Proposed Regulatory Action	
Amend Regulations: Temporary Campground Water Quality/Handwashing Stations (12VAC5-450)	
Brief Overview	
The Regulations Governing Campgrounds (12VAC5-450) protect public health by providing effective standards applicable to campgrounds addressing approved water supplies and sewage and solid waste disposal systems, adequate and sanitary preparation, handling, protection and preservation of food, proper maintenance of buildings, grounds and equipment, vector and pest control, toilet, swimming and bathing facilities, measures to control animals and pets, procedures and safeguards for hazardous situations such as the maintenance and sale of propane gas, along with appropriate provisions for obtaining a license.	
The proposed regulatory action seeks to clarify standards for water transport and distribution at temporary campgrounds.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute x Discretionary action

Deregulatory Component	The regulations currently require that any tanks, hoses or appurtenances that are used to distribute hand washing water at temporary campgrounds be of food-grade construction. This requirement does not meet industry standard, may present an additional cost to regulants, and may discourage handwashing. Amending the regulations to allow the use of equipment more in line with industry standards should reduce costs to regulants.
Expected Date	October 2022

Title of Proposed Regulatory Action 12VAC5-481. Virginia Radiation Protection Regulations. Regulatory Action to Repeal and Replace the Virginia Radiation Protection Regulations.	
Brief Overview This regulatory action is to repeal and replace the Virginia Radiation Protection Regulations contained within 12VAC5-481. Several changes to the content of the regulatory requirements are under consideration, and this chapter will be revised to adhere to the style guidelines required by the Virginia Register of Regulations.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	Changes under consideration include the elimination of regulatory requirements that are outdated or unnecessary in protecting the public from radiation.
Expected Date	October 2022.

Title of Proposed Regulatory Action 12VAC5-481. Virginia Radiation Protection Regulations. Exempt Regulatory Action to Amend Virginia's Radioactive Materials Regulations to Ensure Compatibility with 10 CFR.	
Brief Overview The United States Nuclear Regulatory Commission (NRC) revised 10 CFR in 2020 and again in 2021. As an Agreement State under the NRC, Virginia is required to maintain radioactive materials regulations that are compatible with 10 CFR. In order to comply with this requirement, this regulatory action will amend the following sections of 12VAC5-481: 451, 1700, 1750, 1770, 1780, 3120, and 3770. Although 12VAC5-481 will be repealed and replaced, Virginia must enact its compatible regulations by November 16, 2023. Failure to enact regulations compatible with 10 CFR by the deadline could lead to restrictions placed on Virginia's radioactive materials program.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input checked="" type="checkbox"/> Action required by federal statute <input type="checkbox"/> Discretionary action

	<input type="checkbox"/> Action required by state statute
Deregulatory Component	As an NRC Agreement State, Virginia is required to maintain regulations that are compatible with 10 CFR.
Expected Date	October 2022

Title of Proposed Regulatory Action	
Notice of Intended Regulatory Action: Sewage Handling and Disposal Regulations (12VAC5-610)	
Brief Overview	
These regulations have not been substantially amended since 2000. Over that time there have been significant advances in onsite sewage system technologies that need to be recognized by the regulations. VDH has also issued numerous Guidance Memorandum and Policies over the last 22 years, and intends to incorporate those policies into the regulations. Most importantly, VDH has taken steps over the last four years to transition onsite sewage system site evaluations and design from VDH staff to the private sector. Over the last year nearly 95% of all site evaluations and designs were completed by the private sector as a result of this transition. The regulations need to be updated to recognize this change in practice. Finally, SB 1396 of the 2021 General Assembly directs VDH to include consideration for the impacts of climate change in the regulations for onsite sewage systems. This is an issue that is already affecting many homes in Coastal Virginia.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	Over the last four years VDH has transitioned thousands of onsite sewage system evaluations and designs to the private sector; increasing the private sector's share of designs from 50% in 2017 to 95% in 2021. This transition needs to be recognized within the regulations.
Expected Date	October 2022

Title of Guidance Document	
ORH-740. Guidance for Registration Fees, Quality Management Program. Amend ORH-740.	
Brief Overview	
Change title to "Guidance for Quality Management Programs". Remove references to registration fees, as they do not align with the purpose of a guidance document.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action

Deregulatory Component	ORH believes this guidance document continues to assist the public in interpreting existing regulations. ORH has proposed eight other guidance documents for repeal.
Expected Date	October 2022

Title of Guidance Document FAM104 Virginia School Health Guidelines	
Brief Overview The Virginia Department of Health, in conjunction with the Virginia Department of Education, completed the process for updating the Virginia School Health Guidelines (the Guidelines). The Guidelines were last updated in 1999. The timeline for updating this latest version of the guidance began in May 2019 and was completed in September 2021. Updates to the guidelines include providing links to information and resources for school based health programs; allowing the user to access information directly from the VDH School Health Website; allowing school divisions the flexibility to print a hard copy or remain in a digital format or both; addressing equality and equity: allocation of resources to all 132 school divisions/school health programs and Private Schools; providing links to information and resources found on the Virginia Department of Education (VDOE) website and VDOE School Health Services website. The Virginia Department of Health initiated the process to replace the 1999 Virginia School Health Guidelines with the updated 2021 version on the Virginia Regulatory Town Hall in March 2022. A public comment campaign was launched by stakeholders regarding inclusion of resource links regarding adolescent health and sexual development. The resource links have been removed in the current revision. The guidelines are a critical resource for school nurses.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.
Expected Date	October 2022

Title of Guidance Document Minimum Immunization Requirements for Entry into Child Care and School	
Brief Overview Childhood immunization requirements on entry or transfer into a child care or school setting - requiring documentary proof of adequate immunization with the prescribed number of doses of vaccine as appropriate for the child's age. The last review of this guidance document was completed in December 2015.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Guidance Document

Description	<input type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Discretionary action <input type="checkbox"/> Action required by state statute
Deregulatory Component	To be determined.
Expected Date	November 2022

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

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

Title of Guidance Document	
PRM-004. Virginia Nursing Scholarship Program Guidelines, 2022.	
Brief Overview	
The administration of Virginia's Nursing Scholarship Programs is authorized by and consistent with Sections 23-35.9, 23-35.10, 23-35.11, 23-35.12, 23-35.13, 32.1-122.5, 32.1-122.6:01, 32.1-122.6:02, and 32.1-122.20 of the Code of Virginia; as well as program regulations contained in 12 VAC5 Chapters 510, 542, and 545 of the Virginia Administrative Code, and 42. CFR Part 5 of the Federal Code. The Virginia Nursing Scholarship Program Guidelines provide guidance on the policies for the nursing scholarship programs administered by the Virginia Department of Health, Office of Health Equity (VDH-OHE). VDH intends to amend this guidance document.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.
Expected Date	November 2022

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

Title of Proposed Regulatory Action		
12VAC5-371. Regulations for the Licensure of Nursing Facilities Amend Regulation to Implement Chapters 177 and 222 of the 2005 Acts of Assembly and Chapter 762 of the 2004 Acts of Assembly		
Brief Overview		
Chapters 177 and 222 (2005 Acts of Assembly) amended Code of Virginia to create § 32.1-127.001 to require licensure regulations include minimum standards for the design and construction of nursing homes consistent with the current edition of the Guidelines for Design and Construction of Hospital and Health Care Facilities issued by the American Institute of Architects Academy of Architecture for Health. Chapter 762 (2004 Acts of Assembly) amended Code of Virginia § 32.1-127 to require nursing homes provide or arrange for the administration to its residents of an annual vaccination against influenza and a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices (ACIP) of the Centers for Disease Control and Prevention (CDC). This regulatory action updates the references in the regulation to the current edition of the specified design and construction standards and the CDC ACIP's current influenza and pneumococcal vaccinations recommendations.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input checked="" type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input type="checkbox"/> Discretionary action
Deregulatory Component	None	
Expected Date	December 2022	

Title of Proposed Regulatory Action		
12VAC5-408. Certificate of Quality Assurance for Managed Care Health Insurance Plan Licensees Amend Regulations Following Periodic Review		
Brief Overview		
The intent of this regulatory change is to repeal the chapter governing certificates of quality assurance for licensed managed care health insurance plan (MCHIP) carriers and replace it with a new chapter, following a periodic review. The current chapter is outdated and in need of significant style and structure updates as well. The new chapter will conform the regulatory language to the Code of Virginia, the Virginia Register of Regulation's Form, Style and Procedure Manual for Publication of Virginia Regulations, and changes in the regulated industry. Further, the change new chapter will be easier to administer by the department, will be more easily understood by regulated entities, and will quantify the Board's standards for network adequacy.		
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute	<input checked="" type="checkbox"/> Discretionary action

	<input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	To be determined.
Expected Date	December 2022

Title of Proposed Regulatory Action 12VAC5-410. Regulations for the Licensure of Hospitals in Virginia Amend Regulation to Conform to Chapters 177 and 222 (2005 Acts of Assembly), Chapters 72 and 220 (2021 Acts of Assembly, Special Session I), Chapters 1080, 1081, and 1088 (2020 Acts of Assembly), and to Update Clinical Standards	
Brief Overview Chapters 177 and 222 (2005 Acts of Assembly) amended Code of Virginia to create § 32.1-127.001 to require licensure regulations include minimum standards for the design and construction of hospitals consistent with the current edition of the Guidelines for Design and Construction of Hospital and Health Care Facilities issued by the American Institute of Architects Academy of Architecture for Health. Chapter 72 (2021 Acts of Assembly, Special Session I) prohibits hospitals from discriminating against a patient solely due to the patient's status as a litigant in pending litigation or a potential litigant due to being involved in a motor vehicle accident. Chapter 220 (2021 Acts of Assembly, Special Session I) makes permanent the requirements surrounding patient access to designated support persons. Chapters 1080 and 1081 (2020 Acts of Assembly) prohibits balance billing by hospitals. Chapter 1088 (2020 Acts of Assembly) requires hospitals to quarterly report the number of and practice location of sexual assault nurse examiners it employs. Finally, the hospital regulations incorporate by reference several clinical standards, several of which have been updated since the regulations were last amended.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	None
Expected Date	December 2022

Title of Guidance Document ORH-700. Guidance on the Retention of X-ray Images. Amend ORH-700.	
Brief Overview Minor, insignificant revisions to correct typos. Content will be retained and updated with new template.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document

Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input type="checkbox"/> Action required by state statute
Deregulatory Component	ORH believes this guidance document continues to assist the public in interpreting existing regulations. ORH has proposed eight other guidance documents for repeal.
Expected Date	December 2022

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

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

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

Title of Proposed Regulatory Action 12VAC5-195. Virginia WIC Program. Amend Regulations following Periodic Review	
Brief Overview VDH plans to amend the regulation to update language to conform to current requirements and update documents incorporated by reference. The regulations allow for administration of the Special Supplemental Nutrition Program for Women, Infants and Children.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.
Expected Date	January 2023

Title of Proposed Regulatory Action
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12VAC5-200. Regulations Governing Eligibility Standards and Charges for Medical Care Services to Individuals. Amend as a result of a periodic review.	
Brief Overview Following a periodic review, the chapter will be updated to reflect style/technical format amendments, public comments, and any other considerations from agency subject matter experts, including opportunities for regulatory reduction.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action
Deregulatory Component	Consideration will be given to how to accomplish the purpose of the chapter by methods alternative to regulation.
Expected Date	January 2023

Title of Proposed Regulatory Action Amend regulations pursuant to Periodic Review (12VAC5-431)	
Brief Overview The Sanitary Regulations for Hotels (12VAC5-431) protect public health by providing effective standards applicable to hotels addressing food preparation and handling, physical plant sanitation, the provision, storage, and cleansing of linens and towels, general housekeeping and maintenance practices, approved water supply and sewage disposal, vector and pest control, swimming pools, saunas, and other similar facilities, and ice machines and dispensers of perishable food items, along with appropriate provisions for obtaining a license. The proposed regulation action is a result of the conclusion of a periodic review. These regulations have not undergone a comprehensive review in over 20 years and in its current form, does not reflect existing industry standards, changes in technology or safety, or best practices for public safety.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	During the course of this regulatory action, staff will engage with stakeholders and the regulated community regarding any proposed amendments to minimize the economic impact of regulations on small businesses while maintaining appropriate regulatory standards to ensure the safety, health, and welfare of the public. A reduction in regulatory requirements cannot be determined at this time.
Expected Date	January 2023

Title of Proposed Regulatory Action Amend Regulations Pursuant to Periodic Review (12VAC5-440)	
Brief Overview The Regulations for Summer Camps protect public health by providing effective standards applicable to overnight summer camps addressing approved water supplies and sewage and solid waste disposal systems, adequate and sanitary preparation, handling, protection and preservation of food, proper maintenance of buildings, grounds and equipment, vector and pest control, toilet, swimming and bathing facilities, along with appropriate provisions for obtaining a license. The proposed regulation action is in response to a periodic review. These regulations have not undergone a comprehensive review in over 20 years and in its current form, does not reflect existing industry standards, changes in technology or safety, and no longer align with other regulations that govern food safety and disease prevention.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	During the course of this regulatory action, staff will engage with stakeholders and the regulated community regarding any proposed amendments to minimize the economic impact of regulations on small businesses while maintaining appropriate regulatory standards to ensure the safety, health, and welfare of the public. A reduction in regulatory requirements cannot be determined at this time.
Expected Date	January 2023

Title of Proposed Regulatory Action Amend Regulations as a Result of Periodic Review (12VAC5-460)	
Brief Overview The Regulations Governing Tourist Establishment Swimming Pools and Other Public Pools (12VAC5-460) protect public health and safety at public swimming pools, saunas, and other similar water recreational facilities located at tourist establishments (campgrounds, hotels, and summer camps). The proposed regulation action is in response to a periodic review.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This proposed action is currently in the Notice of Intended Regulation Action stage. During the proposed rulemaking stage, staff will engage with stakeholders and the regulated community regarding any proposed amendments to minimize

	the economic impact of regulations on small businesses while maintaining appropriate regulatory standards to ensure the safety, health, and welfare of the public. A reduction in regulatory requirements cannot be determined at this time.
Expected Date	January 2023

Title of Proposed Regulatory Action	
Amend Regulations Pursuant to Periodic Review (12VAC5-501)	
Brief Overview	
<p>The Rules and Regulations Governing the Construction and Maintenance of Migrant Labor Camps ensure that safe and healthy living conditions are provided for migrant workers and their families while they are employed and living in the Commonwealth of Virginia. In addition, the regulations establish standards and procedures for the issuance, denial, revocation, or suspension of a permit, in addition to migrant camp standards such as water supply, storage and disposal of solid waste, disposal of sewage, and maintenance and construction of campgrounds.</p> <p>The proposed regulation action is a result of the conclusion of a periodic review. These regulations have not undergone a comprehensive review in over 20 years and in its current form, does not reflect existing industry standards, changes in technology or safety, or best practices related to agricultural worker housing.</p>	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute x Discretionary action <input type="checkbox"/> Action required by state statute
Deregulatory Component	<p>The proposed action is a Notice of Intended Regulation Action and is designed to inform the public that a regulatory change is being considered. During the course of this regulatory action, staff will engage with stakeholders and the regulated community regarding any proposed amendments to minimize the economic impact of regulations on small businesses while maintaining appropriate regulatory standards to ensure the safety, health, and welfare of the public. A reduction in regulatory requirements cannot be determined at this time.</p>
Expected Date	January 2023

Title of Proposed Regulatory Action Amendments to Regulations Governing Vital Records (12VAC5-550)	
Brief Overview The purpose of the amendments being considered is to conform the regulatory requirements to the provisions of the Code of Virginia. In addition, the regulatory action is essential to improving the clarity of language and protecting the integrity of the vital records system.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	The changes proposed for this Chapter will eliminate requirements such as the fee for a Certificate of Birth Resulting in a Stillbirth, collecting the individual race on the marriage records and requiring medical evidence to change the gender on a birth certificate.
Expected Date	January 2023

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

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

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

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

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

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

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

Title of Guidance Document	
PRM-002. Virginia Conrad 30 Waiver Program 2019-2022 Guidelines.	
Brief Overview	
VDH intends to amend this guidance document. Virginia's Conrad 30 Waiver Program sponsors J-1 Physicians who agree to serve in medically underserved areas of the Commonwealth by waiving the "two-year home country physical presence requirement" (the "J-1 visa waiver") which would otherwise be required once their graduate medical education or residency training in the U.S. is	

complete. Through the Conrad 30 Waiver Program, VDH may request up to 30 J-1 visa waivers per year. The Virginia Conrad 30 Waiver Program 2019-2022 Guidelines provide guidance on program eligibility and requirements as administered by the Virginia Department of Health, Office of Health Equity (VDH-OHE).		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.	
Expected Date	February 2023	

Title of Proposed Regulatory Action or Guidance Document		
12VAC5-66 Regulations Governing Durable Do Not Resuscitate Orders. Amend for style and procedure manual compliance.		
Brief Overview		
This current chapter will be amended for compliance with the <i>Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code</i> manual.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.	
Expected Date	March 2023	

Title of Proposed Regulatory Action		
12VAC5-510. Regulations for General Assembly Nursing Scholarships. Amend following periodic review.		
Brief Overview		
The Board of Health is required by Va. Code § 32.1-122.6:01 to establish the Nursing Scholarship and Loan Repayment Program and promulgate regulations by which the program is administered. VDH has decided to amend the Regulations for General Assembly Nursing Scholarships (12VAC5-510-10 et seq.) to ensure that the language is readable, clear, and consistent for the public.		
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule

Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.	
Expected Date	March 2023	

Title of Proposed Regulatory Action		
12VAC5-540. Rules and Regulations for the Identification of Medically Underserved Areas in Virginia. Amend following periodic review.		
Brief Overview		
The Board of Health is authorized to make, adopt, promulgate, and enforce regulations pursuant to § § 32.1-122.5 of the Code of Virginia to identify medically underserved areas within the Commonwealth is to establish geographic areas in need of additional primary health care services. The Rules and Regulations for the Identification of Medically Underserved Areas in Virginia needs to be updated to ensure that it is more comprehensible, clear, and consistent for the public.		
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.	
Expected Date	March 2023	

Title of Proposed Regulatory Action		
Fast Track Amendment: Regulations Governing Application Fees for Construction Permits for Onsite Sewage Disposal Systems and Private Wells (12VAC5-620)		
Brief Overview		
This action will incorporate fees for onsite sewage system repair permits, voluntary upgrade permits, and safe, adequate, and proper evaluations. The fees are not discretionary and are specified in Item 294 of Chapter 2 of the 2022 Acts of Assembly, Special Session I (Appropriation Act). VDH will work with stakeholders to ensure the action is noncontroversial.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input type="checkbox"/> Discretionary action

Deregulatory Component	This action will only include non-discretionary revisions.
Expected Date	March 2023

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

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

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

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

Title of Guidance Document WTR-2020-02. Enforcement Manual.	
Brief Overview The Office of Drinking Water's Enforcement Manual provides guidance to ODW staff with a methodology for carrying out enforcement actions to ensure that the approach to enforcement is logical and consistent. The Office of Drinking Water intends to amend the Enforcement Manual to refine best practices, account for recommendations contained in a 2021 performance audit report by the Office of the Inspector General, and make other needed improvements identified since the Enforcement Manual was issued in October 2020.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule

	<input type="checkbox"/> Final Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input type="checkbox"/> Action required by state statute
Deregulatory Component	To be determined.
Expected Date	March 2023

Title of Proposed Regulatory Action 12VAC5-71. Regulations Governing Virginia Newborn Screening Services. Amend following periodic review.	
Brief Overview VDH intends to amend the regulations 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. A workgroup of the Virginia Newborn Screening Advisory Committee will convene to review the regulation and propose amendments to the regulatory text.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Fast-Track Rule <input type="checkbox"/> Final Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	To be determined.
Expected Date	April 2023

Title of Proposed Regulatory Action 12VAC5-80. Regulations for Administration of the Virginia Hearing Impairment Identification and Monitoring System. Amend following periodic review.	
Brief Overview VDH intends to amend the regulations to remove outdated information; reflect recommended national best practices based on the Joint Committee on Infant Hearing, which makes recommendations concerning the early identification of children with, or at-risk for hearing loss and newborn hearing screening; 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)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Fast-Track Rule <input type="checkbox"/> Final Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule

Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	To be determined.
Expected Date	April 2023

Title of Proposed Regulatory Action	
12VAC5-90. Disease Reporting and Control Regulations. Amendment to comply with changes in public health practice.	
Brief Overview	
This chapter will be updated to align with current public health practices and to improve the ability of VDH to conduct surveillance and implement disease control for conditions of public health concern. The changes will position the agency to better detect and respond to these illnesses to protect the health of the public.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Fast-Track Rule <input checked="" type="checkbox"/> Final Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input type="checkbox"/> Action required by state statute
Deregulatory Component	To be determined.
Expected Date	April 2023

Title of Proposed Regulatory Action	
12VAC5-230. State Medical Facilities Plan Amend Regulation Following Enactment of Chapter 1271 (2020 Acts of Assembly) and Meetings of the State Health Services Plan Task Force	
Brief Overview	
Any decision to issue a certificate of public need (COPN) shall be consistent with the most recent applicable provisions of the State Health Services Plan (SHSP), formerly the State Medical Facilities Plan (SMFP). The SHSP/SMFP is a set of regulations providing service/facility specific criteria for determining public need. In making a determination of need for a requested project, the State Health Commissioner must take into consideration each of eight statutory criteria for determining need, including consistency with the SHSP/SMFP. This action fulfills the statutory mandate to complete a review to update or validate the existing criteria in the SHSP/SMFP at least every two years.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Fast-Track Rule <input type="checkbox"/> Final Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input checked="" type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute

Deregulatory Component	To be determined.
Expected Date	April 2023

Title of Proposed Regulatory Action 12VAC5-371. Regulations for the Licensure of Nursing Facilities Amend Regulations Following Periodic Review and Petitions for Rulemaking	
Brief Overview The intent of this regulatory change is to repeal the chapter governing nursing home licensure and replace it with a new chapter to more closely align state licensing requirements with federal certification requirements. The current chapter is outdated and in need of significant style and structure updates as well. The new chapter will conform the regulatory language to the Code of Virginia, the Virginia Register of Regulation's Form, Style and Procedure Manual for Publication of Virginia Regulations, and changes in the regulated industry. Further, the new chapter will be easier to administer by the department, will be more easily understood by regulated entities, and will reduce differences between federal certification standards and state licensing requirements.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <div style="float: right;"> <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule </div>
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <div style="float: right;"> <input type="checkbox"/> Guidance Document </div>
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <div style="float: right;"> <input checked="" type="checkbox"/> Discretionary action </div>
Deregulatory Component	To be determined.
Expected Date	April 2023

Title of Proposed Regulatory Action 12VAC5-381. Regulations for the Licensure of Home Care Organizations Amend the Regulation after Enactment of Chapter 470 (2021 Acts of Assembly, Special Session I)	
Brief Overview Chapter 470 of the 2021 Acts of Assembly, Special Session I amended Code of Virginia § 32.1-162.12 to direct the State Board of Health to promulgate regulations for home care organizations that govern the delivery of personal care services shall provide for supervision of home care attendants providing personal care services by a licensed nurse through use of interactive audio or video technology. This regulatory action will be used to amend 12VAC5-381-10 et seq. to address remote supervision of personal care services by home care organizations.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <div style="float: right;"> <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule </div>
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <div style="float: right;"> <input type="checkbox"/> Guidance Document </div>
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <div style="float: right;"> <input checked="" type="checkbox"/> Discretionary action </div>

Deregulatory Component	To be determined.
Expected Date	April 2023

Title of Proposed Regulatory Action 12VAC5-402. Certification of Community Health Workers	
Brief Overview The 2020 Regular Session directed the Board of Health to adopt regulations for certified community health workers. Chapter 363 (2020 Acts of Assembly) requires regulations promulgated by the Board setting forth requirements for (i) use of the title "certified community health worker" and (ii) education and training programs necessary to meet the requirements for certification as a certified community health worker. As required by the legislation, VDH is developing regulations outlining the appropriate use of the title "certified community health worker" and the education and training necessary to obtain certification.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.
Expected Date	April 2023

Title of Proposed Regulatory Action 12VAC5-410. Regulations for the Licensure of Hospitals in Virginia. Amend Regulations Following Periodic Review	
Brief Overview The intent of this regulatory change is to repeal the chapter governing hospital licensure and replace it with three new chapters to more closely align state licensing requirements with federal certification requirements. The current chapter is outdated and in need of significant style and structure updates as well. The new chapters will conform the regulatory language to the Code of Virginia, the Virginia Register of Regulation's Form, Style and Procedure Manual for Publication of Virginia Regulations, and changes in the regulated industry. Further, the new chapters will be easier to administer by the department, will be more easily understood by regulated entities, and will reduce differences between federal certification standards and state licensing requirements.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action

Deregulatory Component	To be determined.
Expected Date	April 2023

Title of Proposed Regulatory Action 12VAC5-508. Regulations Governing the Virginia Physician Loan Repayment Program. Amend following periodic review.	
Brief Overview Section 32.1-122.6:1 of the Code of Virginia requires the Board of Health to "...award to eligible medical students from the physician loan repayment program established in § 54.1-3011.2 pursuant to the procedures for the administration of the loan repayment awarded" and to "establish a Physician Loan Repayment Program for allopathic (M.D.) or osteopathic (D.O.) physician who is enrolled in the final year of an approved residency program in allopathic medicine or osteopathic medicine, or already in practice, and who will have completed post-graduate training in an approved residency or be employed or accepted in a geriatrics fellowship when the period of obligated service begins..." The Regulations Governing the Virginia Physician Loan Repayment Program need to be updated to ensure that they is more comprehensible, clear, and consistent for the public.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.
Expected Date	April 2023

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

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

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

Title of Proposed Regulatory Action Amend Regulations Pursuant to Periodic Review (12VAC5-150)		
Brief Overview The Virginia Department of Health's Regulations for the Sanitary Control of Storing, Processing, Packing or Repacking of Oysters, Clam and other Shellfish (12VAC5-150) are intended to protect the public's health and safety by preventing disease outbreaks attributed to shellfish contamination. The regulation has not undergone a comprehensive review in over 20 years, and in its current form, does not reflect existing industry standards, changes in technology or safety, and no longer align with other regulations that govern shellfish sanitation.		
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule	
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document	
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute x Discretionary action	
Deregulatory Component	During the course of this regulatory action, staff will engage with stakeholders and the regulated community regarding any proposed amendments to minimize the economic impact of regulations on small businesses while maintaining appropriate regulatory standards to ensure the safety, health, and welfare of the public. A reduction in regulatory requirements cannot be determined at this time.	
Expected Date	May 2023	

Title of Proposed Regulatory Action Amend Regulations Pursuant to Periodic Review (12VAC5-160)		
Brief Overview The Regulations for the Sanitary Control of the Picking, Packing and Marketing of Crab Meat for Human Consumption (12VAC5-160) outline sanitary practices for the handling, storing, packing and distribution of crab meat intended for wholesale distribution and human consumption. The regulation has not undergone a comprehensive review in over 30 years, and in its current form, does not reflect existing industry standards, changes in technology or safety, and no longer align with other regulations that govern crab meat processing and sanitation.		
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule	
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document	
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action	

Deregulatory Component	During the course of this regulatory action, staff will engage with stakeholders and the regulated community regarding any proposed amendments to minimize the economic impact of regulations on small businesses while maintaining appropriate regulatory standards to ensure the safety, health, and welfare of the public. A reduction in regulatory requirements cannot be determined at this time.
Expected Date	May 2023

Title of Proposed Regulatory Action Amend Regulations as a Result of Periodic Review (12VAC5-462)	
Brief Overview The Swimming Pool Regulations Governing the Posting of Water Quality Results (12VAC5-462) protect public health by providing effective guidance in complying with Code of Virginia § 32.1-248.1 that requires the daily posting of water quality test results at swimming pools and other water recreational facilities operated for public use or in conjunction with a tourist facility or health spa.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This proposed action is currently in the Notice of Intended Regulation Action stage. During the proposed rulemaking stage, staff will engage with stakeholders and the regulated community regarding any proposed amendments to minimize the economic impact of regulations on small businesses while maintaining appropriate regulatory standards to ensure the safety, health, and welfare of the public. A reduction in regulatory requirements cannot be determined at this time.
Expected Date	May 2023

Title of Guidance Document WTR-2019-01. Source Water Manual.	
Brief Overview The Office of Drinking Water's Source Water Manual serves as procedural guidance for Office of Drinking Water staff as an informational resource for waterworks owners and operators. It describes actions ODW staff will complete in order to monitor and protect source water and provides information to aid ODW and waterworks to prevent and respond to source water contamination events. The Office of Drinking Water plans to amend the Source Water Manual to update procedures.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action

	<input type="checkbox"/> Action required by state statute
Deregulatory Component	To be determined..
Expected Date	May 2023

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

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

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

Title of Proposed Regulatory Action Repeal 12VAC5-31 Virginia Emergency Medical Services Regulations and replace with 12VAC5-32	
Brief Overview The current chapter will be repealed and replaced by a new chapter (12VAC5-32) for the Virginia Emergency Medical Services Regulations. This chapter requires amendments to remain current and relevant to the changing environment in the delivery of EMS within the Commonwealth.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.
Expected Date	June 2023

Title of Proposed Regulatory Action 12VAC5-115. Virginia Immunization Information System. Amendment to Address System Access.	
Brief Overview During the pandemic, there was increased interest from employers wanting to receive their employees' immunization records from VIIS. This regulation will be amended to include clarifying information about appropriate use and access for employers trying to access records for their employees.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule

Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input type="checkbox"/> Discretionary action
Deregulatory Component	To be determined.	
Expected Date	June 2023	

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

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

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

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

Appendix A. Guidance Documents To Be Removed

Guidance Document ID	Title
COM-501(Reg)	Memo on New Public Participation Guidelines (PPGs)
EMS-1014	Guidelines for the Expenditure of the 26% Return to Locality Share of Four-for-Life Funds
EMS-1015	EMS Surge Planning Template
EMS-1050	Virginia Office of EMS Accreditation of PSAP, Guidelines
EMS-2001	Regional Council Designation Manual
EMS-3010	Medication Kit Storage Clarification Letter
EMS-3012	EVOC Equivalents
EMS-3013	Alternative Site Application for EMS Programs in Virginia
EMS-3014	EMT Accreditation Self Study
EMS-3017	Self Study - Advanced EMT, Accreditation and Application
EMS-3019	CoAEMSP Standards and Guidelines
EMS-3021	Training Program Administration Manual
EMS-3040A	ALS Coordinator Application
EMS-3042F	BLS Student Permission Form
EMS-3043	Clinical Training Record
EMS-3046	Course Roster
EMS-3047A	Initial BLS Student Paperwork
EMS-3047B	BLS Student Last Class Paperwork
EMS-3048B	Initial ALS Student Paperwork
EMS-3049	Scope of Practice - Formulary
EMS-3050	Scope of Practice - Procedures
EMS-6018F	EMS Ground Ambulance Checklist
EMS-6019F	Non Transport EMS Vehicle Checklist
EMS-6020	Oxygen Cylinder Guidance
EMS-6021F	Air Ambulance Checklist
EMS-6027	Local Government Acknowledgement of Compliance with EMS Response Plan *
EMS-6028F	EMS Physician Application for Endorsement
EMS-6036	Criminal History Record Verification, Challenge-Appeal Process
EMS-6038A	Criminal History Record Verification, Frequently Asked Questions (FAQ's)
EMS-7008B	Trauma Center Fund Disbursement Policy
EMS-7015	Virginia Statewide Trauma Registry Reporting Requirements
EMS-7016	VPHIB EMS Admin Security Agreement
EMS-7021	Logon Requests – VPHIB/Hospital Hub/VSTR
EMS-7024	Required Submission of Prehospital Patient Care Reports by Non-transport EMS Agencies
EMS-7101F	Authorized DDNR Form and Instructions *
EMS-7102	How to Purchase Durable Do Not Resuscitate Bracelets and Necklaces

EMS-8001	RSAF Grant Program - Reimbursement Instructions *
EMS-8002	E-Gift Agency Super User Guide *
EMS-8004	E-Gift Financial Officer Guide
EMS-8005	E-Gift Financial Officer User Guide - non-licensed agency
EMS-8006	E-Gift RSAF Grant Application for EMS agency
EMS-8009	E-Gift User Guider for non-EMS agency *
EMS-8010	E-GIFT OMD User Guide *
EMS-8011	E-GIFT Users Guide for Nasal Narcan *
EMS-8012	E-GIFT Financial Officer User Guide for Nasal Narcan *
EMS-8013	E-GIFT OMD User Guide for Nasal Narcan *
ENV-403	ENV-403 Handling Milk and Dairy Product Complaints *
ENV-422	ENV-422 Establishment Fees *
ENV-432	ENV-432 Grade "A" Milk Plant Enforcement Policy
EPI-100	Public Safety Employees and Testing for Blood-borne Pathogens
EPI-102	Memorandum: STD / HIV Interview Periods for HIV Spousal Notification
EPI-103	Memorandum: Bloodborne Pathogen Training for School Personnel and Management of Exposure-Prone Incidents in Schools
EPI-104	Memorandum: Law Enforcement Officer and Deemed Consent
EPI-406	TB Drug Assistance Program Procedures
EPI-407	Drug Assistance Program for Patients Needing Second Line TB Drugs
EPI-409	Screening for TB Infection and Disease *
FAM 401	Policy on State Funding of Certain Abortions
FAM104A	Anaphylaxis School Setting Guidelines
ORH-705	Policy on Bone Densitometry Equipment and Operator Licensure
ORH-706	Guidance on Healing Arts Screening Programs
ORH-708	Guidance for Inspections at Mammography Facilities
ORH-709	Guidance for Mammography Facilities Regarding Patient Notification
ORH-720-N	Gamma Knife Guide
ORH-733	Policy on Lead Aprons used as Protective Barriers in Dentistry
ORH-741	Access to Regulations and Forms, Quality Management Program
ORH-753	Citizens with Complaints against a Radon Professional
QHC-045	Scope and Severity matrix and Definitions for Nursing Facilities
QHC-051	Hospice Advisory regarding Medical Direction
QHC-055	Nursing Facility Emergency Planning Resources
WTR-327	Policy - Requirements to Connect to Water and Sewage Systems
WTR-574	Water Horsepower and Mean Velocity Gradient
WTR-657	Distribution System-Fire Pump For Small Systems
WTR-769	Monitoring of Additives to Drinking Water
WTR-841	Interim Guidance on Waterworks Classification
WTR-842	Board for Water and Wastewater Operators vs. Dept of Health Responsibilities