

How to File Revised Model PPGs as a Fast-Track Regulation through Town Hall:

1. Check the individual sections in the RIS project to confirm that the following variables used in preparing your model PPGs project are correct:
 - a. VAC title, chapter and section numbers;
 - b. Chapter number in chapter number/name section;
 - b. Agency name in sections 10 and 20; and
 - d. Cross reference section number in section 40 A or its equivalent section; and
 - c. Statutory authorities in each section (if you have more than two sections or the sections are out of numerical order, please make corrections in each new section).
2. Make desired changes to sections. If you choose to add sections, you may have to delete some sections and re-create them using new numbers. Make sure the section descriptions on the Project Details page match any changes made to the section catchlines. Clicking on the text of the description will open the area so that changes can be made. Click "Update" to load the changes onto the RIS server.
3. To bring your current PPGs into the **same** project for repeal:
 - a. Open the project and click on "Create Entry";
 - b. Select "Repeal" from the dropdown list at the bottom of the page;
 - c. Using the dropdown list, select the chapter of your current PPGs;
 - d. Click on the chapter name, hold down the shift key and click on the last section in the chapter to mark all sections in the chapter. If any sections have been repealed in the past, hold down the Ctrl button and click on those sections to deselect them;
 - e. Make sure the "Select action" button says "Repeal"; and
 - f. Click on "Submit."
4. For the chapter name being repealed, open the section and using the "edit" button, add "(REPEALED)" to the end of the chapter title and click RIS Update. Do not strike the chapter number or the chapter title.

CHAPTER 10

PUBLIC PARTICIPATION GUIDELINES (REPEALED)

5. For each section being repealed, open the section and using the "edit" button:
 - a. Place the cursor at the end of the catchline and click "(Repealed.)" in the RIS Toolbar. This will place (Repealed.) at the end of the catchline.
 - b. Highlight the catchline and click on the strikethrough icon in the RIS Toolbar.
 - c. Highlight all text in the section and the two lines of the Statutory Authority and click on the strikethrough icon in the RIS Toolbar.
 - d. If there is a part number and name, strike through it as well.

The only text not stricken at this point will be the section number and the Historical Notes plus the underlined (Repealed.) at the end of the catchline. The integrity check feature should work for each section being repealed in this manner. See the example on page 4.

6. To create an action in Town Hall that will be linked to this project, you will need to (a) create a new chapter in TH, (b) create a new action for that chapter and add the repealed PPGs chapter as a secondary chapter affected by the action, and then (c) select the stage as "fast-track." **From Town Hall:/**

a. Create a new chapter.

- Click on the link "Create a New Chapter." The new chapter name is "Public Participation Guidelines" and the new number is the number as provided in the new chapter in RIS.
- The description can be copied from the TH description of the current PPGs. (If you open TH in a separate window, you can copy this from the current PPGs chapter.) This is the short description of chapters provided to the public in TH.
- The Statutory Authority inserted here should match what you file in RIS. See subdivisions 1 e and 9 of this document for additional information.
- Indicate whether the new chapter is exempt from the APA. This refers to the chapter itself not the action we are working on based on Chapter 321 of the 2008 Acts of Assembly so the answer for most agencies is "no," the new chapter is not exempt from the APA as a matter of course.
- Click SAVE.

b. Create a new action.

- From the Actions tab, click "Start a New Action."
- Choose the Model PPGs project from the dropdown list of RIS projects that are not currently linked to TH.
- Fill in the Action Title as "Revised Model Public Participation Guidelines."
- Select "promulgate a new regulation."
- Write a short "Action Summary" that TH viewers will see about this action.
- Indicate that the action will affect other chapters by clicking "yes" and choosing your current PPGs chapter.
- "Is the action exempt from executive review?" "No."
- Click CREATE ACTION.

c. Create a stage for this action.

- Choose "Fast-Track."
- Click CREATE STAGE.

7. In Town Hall, under the Documents tab, create and upload the appropriate TH document for fast-track regulations. Choose "Get latest RIS text" to ensure the latest text is available in the TH action area for public viewing.

8. For fast-track revised model PPGs, use the following summary for the TH agency background document with your changes included as appropriate in the last sentence:

Public participation guidelines exist to promote public involvement in the development, amendment, or repeal of an agency's regulations. Under §2.2-4007.02 of the Code of Virginia, every rulemaking body in Virginia is required to adopt public participation guidelines and to use these guidelines in the development of its regulations. Chapter 321 of the 2008 Acts of Assembly (effective July 1, 2008) mandates that by December 1, 2008, agencies either adopt model public participation guidelines issued by the Department of Planning and Budget or if they need to make significant changes to the model guidelines, promulgate new public participation guidelines as fast-track regulations.

The amendments repeal the current public participation guidelines and promulgate revised model public participation guidelines. Highlights of the model public participation guidelines include the addition of negotiated rulemaking panels and regulatory advisory panels and instructions for notification lists. Changes from the model PPGs include (i) ____, (ii), ____ and (iii) ____.

9. Use the Statutory Authority sections from the project in the TH agency background document. If you think the sections included in the automated project are incorrect, please let the Registrar's Office know. The Statutory Authority sections on the transmittal sheet and in the project should match.

10. The following is excerpted from the Fast-Track Regulation section of the Form, Style and Procedure Manual for Publication of Virginia Regulations:

"B. Prior to filing a fast-track regulatory action with the Registrar, the agency shall:

1. Obtain the Governor's concurrence that the intended new regulation or amendment or repeal of an existing regulation is noncontroversial and appropriate for promulgation as provided in §2.2-4012.1 of the Administrative Process Act;
2. Provide written notice of intent to promulgate the new regulation or amendment or repeal of an existing regulation using the fast-track exemption to the appropriate House and Senate standing committees as provided in subsection C of this section; and
3. Provide written notice of intent to promulgate the new regulation or amendment or repeal of an existing regulation using the fast-track exemption to the Joint Commission on Administrative Rules."

The subsection C provisions noted in subdivision B 2 can be handled through TH's Fast-Track process. Complete other TH requirements as appropriate for the fast-track regulation and then submit the action for executive branch analysis and review.

11. Complete other TH requirements as appropriate for the fast-track action.

12. When approvals are received, "Submit to Registrar."

13. Deliver the following hard copies to the Registrar's Office:

- a. Two copies of the transmittal sheet from TH.
- b. Two copies of the TH agency background document, which will include the required summary, BPSI statements, rationale for using the FT process, and statement of agency action.
- c. Two copies of the Attorney General's letter.
- d. Two copies of the Governor's concurrence statement and the emails sent to the standing committees and JCAR.
- e. Two copies of the economic impact analysis prepared by the Department of Planning and Budget.
- f. Two copies of the agency's response to the economic impact analysis prepared by the Department of Planning and Budget.
- g. Two copies of the text prepared using the Create Report feature in RIS with the appropriate certification signature. Choose "Sections (Double spaced)" from the dropdown list. Print as is, i.e., from the browser. This will print using your browser settings and should include page numbers and the Certification Statement appended to the end of the document. You may have the appropriate person sign the certification statement on one copy and xerox it for the second copy.

The following chart provides dates for upcoming issues of the Register:

Volume: Issue	Submit by noon on:	Publication Date:	30 days (effective date for Exempt)	45 days (effective date for FTs)
24:26	August 13, 2008	September 1, 2008	October 1, 2008	October 16, 2008
25:1	August 27, 2008	September 15, 2008	October 15, 2008	October 30, 2008
25:2	September 10, 2008	September 29, 2008	October 29, 2008	November 13, 2008
25:3	September 24, 2008	October 13, 2008	November 12, 2008	November 27, 2008
25:4	October 8, 2008	October 27, 2008	November 26, 2008	December 11, 2008
25:5	October 22, 2008	November 10, 2008	December 10, 2008	December 25, 2008
25:6	November 5, 2008	November 24, 2008	December 24, 2008	January 8, 2009

Deadlines that meet the January 1, 2009, requirement are shown in bold.

Example of repealed section:

Part I

General Provisions

18VAC90-10-10. Purpose. (Repealed.)

~~The purpose of this chapter is to provide guidelines for the involvement of the public in the initial formation and development, amendment or repeal of regulations of the Board of Nursing. The guidelines do not apply to regulations exempted or excluded from the provisions of the~~

~~Administrative Process Act. These rules seek to expand participation by providing for electronic exchange with the public and thereby increasing participation, reducing costs, and improving the speed of communication.~~

~~Statutory Authority~~

~~§§2.2-4007.02 and 54.1-2400 of the Code of Virginia.~~

~~Historical Notes~~

~~Derived from VR 495-04-1 §1.1, eff. July 13, 1994; amended, Virginia Register Volume 17, Issue 20, eff. July 18, 2001; Volume 23, Issue 20, eff. August 25, 2007.~~

REGULATION INFORMATION SYSTEM



TownHall

Projects

Tools

Title 18 Agency 90 - BOARD OF NURSING (Project 1481)

X CH 11 Model Public Participation Guidelines

TownHall Regulatory Actions Page

Create Entry Search This Project Create Report Documents within Stage Within Stage: Go All: Go

Sections				
Delete	Chapter	Section	Description	Action
X	10	18VAC90-10	PUBLIC PARTICIPATION GUIDELINES	Repeal
X	10	18VAC90-10-10	Purpose	Repeal
X	10	18VAC90-10-20	Definitions	Repeal
X	10	18VAC90-10-30	Composition of lists	Repeal
X	10	18VAC90-10-40	Documents to be sent to persons on the lists	Repeal
X	10	18VAC90-10-50	Petition for rulemaking	Repeal
X	10	18VAC90-10-60	Notice of Intended Regulatory Action	Repeal
X	10	18VAC90-10-70	Notice of Comment Period	Repeal
X	10	18VAC90-10-80	Notice of meeting	Repeal
X	10	18VAC90-10-90	Public hearings on regulations	Repeal
X	10	18VAC90-10-100	Periodic review of regulations	Repeal
X	10	18VAC90-10-110	Appointment of committees	Repeal
X	10	18VAC90-10-120	Limitation of service	Repeal
X	11	18VAC90-11	PUBLIC PARTICIPATION GUIDELINES	Add
X	11	18VAC90-11-10	Purpose	Add
X	11	18VAC90-11-20	Definitions	Add
X	11	18VAC90-11-30	Notification list	Add
X	11	18VAC90-11-40	Information to be sent to persons on the notification list	Add
X	11	18VAC90-11-50	Public comment	Add
X	11	18VAC90-11-60	Petition for rulemaking	Add
X	11	18VAC90-11-70	Appointment of regulatory advisory panel	Add
X	11	18VAC90-11-80	Appointment of negotiated rulemaking panel	Add
X	11	18VAC90-11-90	Meetings	Add
X	11	18VAC90-11-100	Public hearings on regulations	Add
X	11	18VAC90-11-110	Periodic review of regulations	Add