

## Federal Register – August 2018

<p><a href="#">Notice of Request for Information: Establishing a Government Effectiveness Advanced Research (GEAR) Center, 83 Federal Register 38183, August 13, 2018</a></p>	<p><b>REQUEST FOR INFORMATION:</b> The Federal Government intends to pursue a Government Effectiveness Advanced Research (GEAR) Center, which would be a public-private partnership focused on applied research that improves mission delivery, citizen services, and stewardship of public resources, as proposed in Delivering Government Solutions for the 21st Century: Reform Plan and Reorganization Recommendations. This non-governmental, public-private partnership would address operational and strategic challenges facing the Federal Government, both now and into the future, by engaging researchers, academics, non-profits, and private industry across an array of disciplines, such as data science, organizational behavior, and user-centered design. The Executive Office of the President seeks input from across sectors and disciplines on capabilities that already exist as well as key considerations in pursuing the Government Effectiveness Advanced Research (GEAR) Center initiative through a request for information (RFI) now available on <a href="http://www.Performance.gov/GEARcenter">www.Performance.gov/GEARcenter</a>.</p> <p><b>INFORMATION DUE:</b> September 14, 2018</p>
<p><a href="#">Short-Term, Limited-Duration Insurance, 83 Federal Register 38212, August 3, 2018</a></p>	<p><b>FINAL RULE:</b> This final rule amends the definition of short-term, limited-duration insurance for purposes of its exclusion from the definition of individual health insurance coverage. This action is being taken to lengthen the maximum duration of short-term, limited-duration insurance, which will provide more affordable consumer choices for health coverage.</p> <p><b>EFFECTIVE DATE:</b> October 2, 2018</p>
<p><a href="#">ED Program Integrity: Gainful Employment Regulation Rescission, 83 Federal Register 40167, August 14, 2018</a></p>	<p><b>NOTICE OF PROPOSED RULEMAKING:</b> The Secretary proposes to rescind the gainful employment (GE) regulations, which added to the Student Assistance General Provisions requirements for programs that prepare students for gainful employment in a recognized occupation. The Department plans to update the College Scorecard, or a similar web-based tool, to provide program-level outcomes for all higher education programs, at all institutions that participate in the programs authorized by title IV of the Higher Education Act of 1965, which would improve transparency and inform student enrollment decisions through a market-based accountability system.</p> <p><b>COMMENTS DUE:</b> September 13, 2018</p>
<p><a href="#">IRS Additional First Year Depreciation Deduction, 83 Federal Register 39292, August 8, 2018</a></p>	<p><b>NOTICE OF PROPOSED RULEMAKING:</b> Proposed guidance regarding the additional first year depreciation deduction under section 168(k) of the Internal Revenue Code (Code). These proposed regulations reflect changes made by the Tax Cuts and Jobs Act. These proposed regulations affect taxpayers who deduct depreciation for qualified property acquired and placed in service after September 27, 2017.</p> <p><b>COMMENTS DUE:</b> October 9, 2018</p>

<p><a href="#">Revision of an Approved Information Collection Request: Commercial Driver Licensing and Test Standards, 83 Federal Register 39496, August 9, 2018</a></p>	<p><b>NOTICE AND REQUEST FOR INFORMATION:</b> The FMCSA requests approval to revise and renew an ICR titled, “Commercial Driver Licensing and Test Standards,” due to an increase in the number of commercial driver's license records and the addition of one information collection item: “Driver completion of knowledge and skills tests 49 CFR 384.201.” This ICR is needed to ensure that drivers, motor carriers and the States are complying with notification and recordkeeping requirements for information related to testing, licensing, violations, convictions and disqualifications and that the information is accurate, complete and transmitted and recorded within certain time periods as required by the Commercial Motor Vehicle Safety Act of 1986 (CMVSA), as amended.</p> <p><b>COMMENTS DUE:</b> October 9, 2018</p>
<p><a href="#">Public Information, Freedom of Information Act and Privacy Act Regulations, 83 Federal Register 39588, August 10, 2018</a></p>	<p><b>FINAL RULE:</b> This rule amends the Department of Commerce's (Department) regulations under the Freedom of Information Act (FOIA) and Privacy Act. The FOIA regulations are being revised to clarify, update and streamline the language of several procedural provisions, including methods for submitting FOIA requests and appeals and the time limits for filing an administrative appeal, and to incorporate certain changes brought about by the amendments to the FOIA under the FOIA Improvement Act of 2016. Additionally, the FOIA regulations are being updated to reflect developments in the case law.</p> <p><b>EFFECTIVE DATE:</b> August 10, 2018</p>
<p><a href="#">FCC Emergency Alert System; Wireless Emergency Alerts, 83 Federal Register 39648, August 10, 2018</a></p>	<p><b>FURTHER NOTICE OF PROPOSED RULEMAKING:</b> The FCC seeks comment on whether additional alert reporting measures are needed; whether State EAS Plans should be required to include procedures to help prevent false alerts, or to swiftly mitigate their consequences should a false alert occur; and on factors that might delay or prevent delivery of Wireless Emergency Alerts (WEA) to members of the public and measures the Commission could take to address inconsistent WEA delivery.</p> <p><b>COMMENTS DUE:</b> September 10, 2018</p>
<p><a href="#">FCC Emergency Alert System; Wireless Emergency Alerts, 83 Federal Register 39648, August 10, 2018</a></p>	<p><b>FINAL RULE:</b> The FCC adopts changes to its rules governing the Emergency Alert System (EAS) to facilitate “Live Code Tests” of the EAS; permit use of the EAS Attention Signal and EAS Header CodeStart Printed Page 39611 tones in Public Service Announcements; implement certain alert authentication and validation procedures; and require reporting of false alerts.</p> <p><b>EFFECTIVE DATES:</b> September 10, 2018</p>
<p><a href="#">Cumulative Report of Rescissions Proposals Pursuant to the Congressional Budget and Impoundment Control Act of 1974, 83 Federal Register 40571, August 15, 2018</a></p>	<p><b>NOTICE:</b> OMB is issuing a monthly cumulative report (for August, 2018) from the Director detailing the status of rescission proposals that were previously transmitted to the Congress on May 8, 2018, and amended by the supplementary message transmitted on June 5, 2018. The August, 2018 cumulative report is available on-line on the OMB website at: <a href="https://www.whitehouse.gov/omb/budget-rescissions-deferrals/">https://www.whitehouse.gov/omb/budget-rescissions-deferrals/</a>.</p>
<p><a href="#">National Institutes of Health (NIH) Office of Science Policy (OSP) Recombinant or Synthetic Nucleic Acid Research: Proposed Changes to the NIH Guidelines for Research</a></p>	<p><b>NOTICE:</b> The National Institutes of Health (NIH) seeks public comment on its proposal to amend the NIH Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid</p>

<p><a href="#">Involving Recombinant or Synthetic Nucleic Acid Molecules (NIH Guidelines) , 83 Federal Register 41082, August 16, 2018</a></p>	<p>Molecules (NIH Guidelines) to streamline oversight for human gene transfer clinical research protocols and reduce duplicative reporting requirements already captured within the existing regulatory framework. Specifically, NIH proposes amendments to: Delete the NIH protocol registration submission and reporting requirements under Appendix M of the NIH Guidelines, and modify the roles and responsibilities of entities that involve human gene transfer or the Recombinant DNA Advisory Committee (RAC). <b>COMMENTS DUE:</b> October 16, 2018</p>
<p><a href="#">Proposed Consolidation of Information Collection for Tax-Exempt Organizations, 83 Federal Register 42559, August 22, 2018</a></p>	<p><b>NOTICE:</b> IRS is seeking OMB approval of all 58-tax-exempt organization-related tax forms as a single “collection of information.” The aggregate burden of these tax forms will be accounted for under OMB Control Number 1545-0047, which is currently assigned to Form 990 and its schedules. <b>COMMENTS DUE:</b> October 22, 2018</p>
<p><a href="#">Defense Federal Acquisition Regulation Supplement: Antiterrorism Training Requirements for Contractors (DFARS Case 2017-D034), 83 Federal Register 42820, August 24, 2018</a></p>	<p><b>PROPOSED RULE:</b> DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to implement the requirement for contractors to complete Level I antiterrorism awareness training. <b>COMMENTS DUE:</b> October 23, 2018</p>
<p><a href="#">Performance-Based Payments and Progress Payments (DFARS Case 2017-D019), 83 Federal Register 42831, August 24, 2018</a></p>	<p><b>PROPOSED RULE:</b> DoD is proposing to amend DFARS parts 232, 242, and 252 to revise how contract financing, in the form of progress payments and performance-based payments, is calculated and determined for DoD contracts. <b>COMMENTS DUE:</b> October 23, 2018</p>
<p><a href="#">Truth in Lending (Regulation Z) Annual Threshold Adjustments (Credit Cards, HOEPA, and Qualified Mortgages), 83 Federal Register 43503, August 27, 2018</a></p>	<p><b>FINAL RULE:</b> The Bureau of Consumer Financial Protection (Bureau) is issuing this final rule amending the regulation text and official interpretations for Regulation Z, which implements the Truth in Lending Act (TILA). The Bureau is required to calculate annually the dollar amounts for several provisions in Regulation Z; this final rule revises, as applicable, the dollar amounts for provisions implementing TILA and amendments to TILA, including under the Credit Card Accountability Responsibility and Disclosure Act of 2009 (CARD Act), the Home Ownership and Equity Protection Act of 1994 (HOEPA), and the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act). The Bureau is adjusting these amounts, where appropriate, based on the annual percentage change reflected in the Consumer Price Index (CPI) in effect on June 1, 2018. <b>EFFECTIVE DATE:</b> January 1, 2019</p>
<p><a href="#">Contributions in Exchange for State or Local Tax Credits, 83 Federal Register 43563, August 27, 2018</a></p>	<p><b>PROPOSED RULE:</b> This document contains proposed amendments to regulations under section 170 of the Internal Revenue Code (Code). The proposed amendments provide rules governing the availability of charitable contribution deductions under section 170 when a taxpayer receives or expects to receive a corresponding state or local tax credit. This document also proposes amendments to the regulations under section 642(c) to apply similar rules to payments made by a trust or decedent's estate. <b>COMMENTS DUE:</b> October 11, 2018</p>

[Use of Electronic Signatures by Medical Licensees on Internal Documents, 83 Federal Register 44247, August 30, 2018](#)

**DRAFT REGULATORY ISSUE:** The draft Regulatory Issue Summary (RIS) describes one means by which medical licensees can use electronic signatures to satisfy NRC's signature requirements on internal records that the NRC requires the licensee to maintain. The draft RIS is addressed to medical licensees, NRC master materials licensees, Agreement State Radiation Control Program Directors, and State Liaison Officers. The NRC provides this RIS to the Agreement States for their information and for distribution to their licensees, as they deem appropriate.

**COMMENTS DUE:** October 29, 2018

## Virginia Register – August 2018

[18VAC140-20, Regulations Governing the Practice of Social Work- Professional and Occupational Licensing, Virginia Register of Regulations, Volume 34, Issue 25, August 6, 2018](#)

**NOTICE OF INTENDED REGULATORY ACTION:** The purpose of the proposed action is to add hours in ethics or standards of practice to address a concern about complaints against social workers, almost all of which stem from an ethical issue or a failure to adhere to professional standards of practice. Currently, 30 hours of continuing education are required every two years for renewal of a clinical social work license and 15 hours of continuing education are required for renewal of a social work license. A minimum of two of those hours must pertain to ethics or the standards of practice for the behavioral health professions or to laws governing the practice of social work in Virginia. The proposed action increases continuing education in ethics or the standards of practice for behavioral health professions from a minimum of two hours to a minimum of six hours every two years. The total hours of required continuing education would not change.

**COMMENTS DUE:** September 5, 2018

[18VAC30-21. Regulations Governing Audiology and Speech-Language Pathology \(amending 18VAC30-21-50, 18VAC30-21-80\), Virginia Register of Regulations, Volume 34, Issue 25, August 6, 2018](#)

**FAST-TRACK REGULATION:** The purpose of the amended regulation is to clarify that licensure by endorsement is intended for applicants who have already been licensed in another state so that the board is assured of current competency and has information about whether disciplinary action has been imposed by the other state. Evidence of competency (continuing education hours and active practice or practice with a provisional license) is necessary to ensure that the licensee can practice audiology or speech-language pathology in a manner to protect the health and welfare of the licensee's clients or patients. Licensure by examination is intended for recent graduates whose competency has been demonstrated by passage of the licensure examination and attainment of the certification of competency. In the case of the application amendment in 18VAC30-21-50, the result will be a reduced fee for applicants who have had a provisional license and are applying for full licensure.

**COMMENTS DUE:** September 5, 2018

**EFFECTIVE DATE:** September 20, 2018

[18VAC85-50. Regulations Governing the Practice of Physician Assistants \(amending 18VAC85-50-10, 18VAC85-50-101, 18VAC85-50-110, 18VAC85-50-115,](#)

**FAST-TRACK REGULATION:** Relating to the use of supervision, the proposed amendments (i) change the definition of "supervision" by combining the meanings of general and continuous supervision; (ii) eliminate definitions of "direct

<p><a href="#">18VAC85-50-181), Virginia Register of Regulations, Volume 34, Issue 25, August 6, 2018</a></p>	<p>supervision" and "personal supervision" and move the definitions of "alternative supervising physician" and "supervising physician" to the appropriate places in the chapter; (iii) delete the examples of various levels of supervision that may be spelled out in the practice agreement between the parties; and (iv) change the word "supervising" to "observing" to clarify the responsibility of the physician in attesting to the competency of a physician assistant to perform invasive procedures.</p> <p>Relating to provisions on pharmacotherapy for weight loss, the amendments add language similar to that in regulations for physicians to read, "If specifically authorized in his practice agreement with a supervising physician, a physician assistant may perform the physical examination, review tests, and prescribe Schedules III through VI controlled substances for treatment of obesity, as specified in subsection B of this section."</p> <p><b>COMMENTS DUE:</b> September 5, 2018  <b>EFFECTIVE DATE:</b> September 20, 2018</p>
<p><a href="#">18VAC90-27. Regulations for Nursing Education Programs (amending 18VAC90-27-10, 18VAC90-27-70), Virginia Register of Regulations, Volume 34, Issue 25, August 6, 2018</a></p>	<p><b>FAST-TRACK REGULATION:</b> By requiring a background check prior to the clinical experience rather than prior to admission, any prior or subsequent criminal activity will be known, and there is more protection for patient health and safety. The board is adding a definition for "full approval" of a nursing education program and changing the timing of a criminal background check for nursing students from requiring the check prior to admission to prior to the clinical experience involving direct patient care.</p> <p><b>COMMENTS DUE:</b> September 5, 2018  <b>EFFECTIVE DATE:</b> September 20, 2018</p>
<p><a href="#">18VAC115-20. Regulations Governing the Practice of Professional Counseling (amending 18VAC115-20-52), Virginia Register of Regulations, Volume 34, Issue 25, August 6, 2018</a></p>	<p><b>PROPOSED REGULATION:</b> The proposed regulatory action will allow persons who have obtained a doctoral degree in counseling to become licensed with a smaller number of postgraduate hours in a supervised residency. It will accelerate the licensure process for those candidates and will allow them to provide counseling services in independent practice more quickly. Since the practicum or internship hours are within a Council for Accreditation of Counseling and Related Educational Programs (CACREP) program and under the supervision of credentialed faculty, the board is assured of appropriate oversight to protect the health, safety, and welfare of the public.</p> <p>The proposed amendments, requested per a petition for rulemaking, provide that supervised practicum and internship hours in a CACREP-accredited doctoral counseling program may be accepted for up to 900 direct or indirect hours and up to 100 supervision hours if the professor or supervisor has an active professional counselor license.</p> <p><b>COMMENTS DUE:</b> October 5, 2018</p>
<p><a href="#">18VAC140-20. Regulations Governing the Practice of Social Work (amending 18VAC140-20-70), Virginia</a></p>	<p><b>FAST-TRACK REGULATION:</b> The purpose of the amended regulation is to make the process of licensure less burdensome</p>

<p><a href="#">Register of Regulations, Volume 34, Issue 25, August 6, 2018</a></p>	<p>for a few applicants who have difficulty in passing the examination, but the amended regulation will continue to protect the public by requiring oversight and supervised practice after repeated failures. The board has amended 18VAC140-20-70 to revise the requirement that an applicant who has failed the licensure examination twice must register for supervision and complete another year as a supervisee before approval to retake the examination is granted. The revised regulation will allow an applicant to retake the examination as many times as he wishes within two two-year periods before he has to complete an extra year of supervised practice. The examination may be taken up to four times in a year, so an applicant would potentially be able to take it 16 times before he is required to have an additional year of supervised practice.</p> <p><b>COMMENTS DUE:</b> September 5, 2018  <b>EFFECTIVE DATE:</b> September 20, 2018</p>
<p><a href="#">13VAC5-63. Virginia Uniform Statewide Building Code (amending 13VAC5-63-470, 13VAC5-63-485), Virginia Register of Regulations, Volume 34, Issue 26, August 20, 2018</a></p>	<p><b>FINAL REGULATION:</b> The Virginia Uniform Statewide Building Code (USBC) governs the construction, maintenance, and rehabilitation of new and existing building and structures. The readopted code with changes allows the code official to request legal proceedings when a property owner is served with three or more separate notices of violation for the same property within any five consecutive years for specific types of violations.</p> <p><b>EFFECTIVE DATE:</b> September 4, 2018</p>
<p><a href="#">23VAC10-110. Individual Income Tax (adding 23VAC10-110-145) and 23VAC10-120. Corporation Income Tax (adding 23VAC10-120-103), Virginia Register of Regulations, Volume 34, Issue 26, August 20, 2018</a></p>	<p><b>FAST-TRACK REGULATION:</b> Chapter 762 of the 2017 Acts of Assembly requires the Department of Taxation to promulgate regulations regarding the newly established individual and corporate income tax subtraction for income attributable to an investment in a Virginia venture capital account prior to December 31, 2017. To the extent that this regulatory action sets forth the process that an investment fund will use to apply for certification as a Virginia venture capital account, the authority for this regulatory action is mandatory.</p> <p><b>EFFECTIVE DATE:</b> November 3, 2018</p>