

Federal Register – January 2022

[Presidential Memorandum: Maximizing Assistance to Respond to COVID-19, 87 Federal Register 27, January 3, 2022](#)

MEMORANDUM: With respect to a request to FEMA from any State, Tribal, or territorial government for direct Federal assistance to establish or expand COVID-19 testing sites, the Administrator of FEMA shall issue a mission assignment to the Department of Health and Human Services (HHS), on a fully reimbursable basis, to provide testing sites, launched and operated by HHS in close coordination with State, local, Tribal, and territorial public health departments. FEMA shall fund 100 percent of the cost of activities associated with the mission assignments to HHS to provide COVID-19 testing sites as described in section 2(a) of this memorandum, as authorized by sections 403 (42 U.S.C. 5170b), 502 (42 U.S.C. 5192), and 503 (42 U.S.C. 5193) of the Stafford Act.

EFFECTIVE DATE: January 3, 2022

[Tenth Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19, 87 Federal Register 982, January 7, 2022](#)

NOTICE: The Secretary issues this amendment pursuant to section 319F-3 of the Public Health Service Act to expand the authority for certain Qualified Persons authorized to prescribe, dispense, and administer seasonal influenza vaccines under section VI of this Declaration.

EFFECTIVE DATE: January 7, 2022

[DOC Incentives, Infrastructure, and Research and Development Needs To Support a Strong Domestic Semiconductor Industry, 87 Federal Register 3497, January 24, 2022](#)

NOTICE: The Department of Commerce (Department), with the assistance of the National Institute of Standards and Technology (NIST), is seeking information in order to inform the planning and design of potential programs to: Incentivize investment in semiconductor manufacturing facilities and associated ecosystems; provide for shared infrastructure to accelerate semiconductor research, development, and prototyping; and support research related to advanced packaging and advanced metrology to ensure a robust domestic semiconductor industry. Responses to this Request for Information (RFI) will inform the planning of the Department of Commerce for the potential implementation of these programs.

COMMENTS DUE: March 25, 2022

[GSA, DOD, NASA Federal Acquisition Regulation; Federal Acquisition Circular 2022-04; Introduction, 87 Federal Register 4116, January 26, 2022](#)

INTERIM RULE: This interim rule amends the Federal Acquisition Regulation (FAR) to implement Executive Order (E.O.) 14026, Increasing the Minimum Wage for Federal Contractors, and a final rule issued by the Department of Labor (DOL). [E.O. 14026](#) seeks to raise the hourly minimum wage paid by contractors to workers performing work on or in connection with covered Federal contracts to \$15.00 per hour beginning January 30, 2022, and beginning January 1, 2023, and annually thereafter, an amount determined by the Secretary of Labor. This rule makes revisions to the existing FAR coverage regarding minimum wage requirements for Federal contractors by increasing the hourly minimum wage paid by certain Federal contractors to workers performing work on or in connection with covered Federal contracts; referencing DOL's new requirements for tipped workers; expanding the geographical

	<p>scope of the minimum wage requirements by defining United States as including U.S. territories and possessions; and removing the exemption for seasonal recreational services or seasonal recreational equipment rental from the minimum wage requirements. DoD, GSA, and NASA do not expect this rule to have a significant economic impact on a substantial number of small entities, because DOL has determined that their rule would not have a significant impact on a substantial number of small entities. DoD, GSA, and NASA agree with this assessment.</p> <p>EFFECTIVE DATE: January 30, 2022</p>
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Virginia Register – January 2022

<p>18VAC140-20, Regulations Governing the Practice of Social Work, Virginia Register of Regulations, Volume 38, Issue 10, January 3, 2022</p>	<p>NOTICE: the Board of Social Work intends to consider amending 18VAC140-20, Regulations Governing the Practice of Social Work. The purpose of the proposed action is to amend licensure by endorsement to allow acceptance of a state examination rather than only the national examination, which is a current requirement for licensure in Virginia. A state examination would be acceptable only if another United States jurisdiction did not require the national examination at the time the social worker was initially licensed and if the examination was deemed to be a comparable level for the license being sought.</p> <p>COMMENTS DUE: February 2, 2022</p>
<p>18VAC90-27. Regulations for Nursing Education Programs (amending 18VAC90-27-10, 18VAC90-27-60, 18VAC90-27-100), Virginia Register of Regulations, Volume 38, Issue 10, January 3, 2022</p>	<p>FINAL RULE: The amendments (i) define direct client care and simulation terms used in the amended regulation; (ii) require faculty who supervise clinical practice by simulation demonstrate knowledge and skills in the methodology; (iii) require simulation to account from no more than 50% of the total clinical hours in different clinical specialties and population groups across the life span; and (iv) require knowledgeable faculty to be present during the simulation experience.</p> <p>EFFECTIVE DATE: February 2, 2022</p>
<p>18VAC110-20. Regulations Governing the Practice of Pharmacy (amending 18VAC110-20-150), 18VAC110-21. Regulations Governing the Licensure of Pharmacists and Registration of Pharmacy Technicians (adding 18VAC110-21-46), Virginia Register of Regulations, Volume 38, Issue 10, January 3, 2022</p>	<p>PROPOSED RULE: The substantive provision in the proposed regulation is the addition of 18VAC110-21-46, which sets out the listing of drugs and devices a pharmacist is authorized to initiate under § 54.1-3303.1 of the Code of Virginia and the requirements for such initiation of treatment, including adherence to established protocols, notification to medical providers, maintenance of records, and protection of patient privacy. The advantage to the public will be access to certain prescription drugs and devices directly from a pharmacist rather than being required to go to a health care practitioner with prescriptive authority and incur additional cost.</p> <p>COMMENTS DUE: March 4, 2022</p>
<p>18VAC110-21. Regulations Governing the Licensure of Pharmacists and Registration of Pharmacy Technicians (amending 18VAC110-21-10, 18VAC110-21-20, 18VAC110-21-40, 18VAC110-21-140, 18VAC110-21-150, 18VAC110-21-170, 18VAC110-21-180; adding 18VAC110-21-135, 18VAC110-21-141; repealing 18VAC110-21-160), Virginia Register of Regulations, Volume 38, Issue 10, January 3, 2022</p>	<p>PROPOSED RULE: The purpose of the regulation is to establish the requirements for registration of a pharmacy technician trainee and for the education and examination for persons registered as pharmacy technicians to ensure they can perform dispensing functions with the competency necessary for the safety and integrity of prescription drugs. The substantive provisions of this regulatory action are the addition of (i) 18VAC110-21-135, which establishes the requirements for</p>

	<p>registration as a pharmacy technician trainee for a person enrolled in a training program and engaging in tasks that may be delegated under supervision to a technician, and (ii) 18VAC110-21-141, which sets out the requirements for registration that will be effective on July 1, 2022, including accreditation of training programs.</p> <p>COMMENTS DUE: March 4, 2022</p>
<p>18VAC125-20. Regulations Governing the Practice of Psychology (amending 18VAC125-20-10, 18VAC125-20-150, 18VAC125-20-160), Virginia Register of Regulations, Volume 38, Issue 10, January 3, 2022</p>	<p>PROPOSED RULE: Amendments add definitions consistent with the compact and revise the standards of practice and the grounds for disciplinary action to ensure that they cover persons practicing with an E.Passport or temporary authorization to practice in Virginia through the compact.</p> <p>COMMENTS DUE: March 4, 2022</p>
<p>18VAC140-20. Regulations Governing the Practice of Social Work (amending 18VAC140-20-50), Virginia Register of Regulations, Volume 38, Issue 10, January 3, 2022</p>	<p>PROPOSED RULE: The board proposes amending 18VAC140-20-50 B 2 to reduce the number of continuing education hours necessary for a supervisor of licensed clinical social workers to obtain from 14 hours within five years immediately preceding registration of supervision to seven hours every five years.</p> <p>COMMENTS DUE: March 4, 2022</p>
<p>8VAC40-31. Regulations Governing Certification of Certain Institutions to Confer Degrees, Diplomas and Certificates (amending 8VAC40-31-260), Volume 38, Issue 11, January 17, 2022</p>	<p>PROPOSED RULE: The Private Postsecondary Education (PPE) unit of SCHEV is funded solely by revenue collected from certification application fees, annual recertification fees, agent fees, religious exemption fees, transcript fees, and program approval fees. The unit does not receive money from general funds. SCHEV must establish fees adequate to support the direct and indirect costs of operating the PPE unit. Indirect costs are assessed to the PPE unit via a cost allocation method that ensures an equitable distribution of costs assumed by SCHEV but consumed by the PPE unit. The annual assessment allows SCHEV to collect PPE's share of operating expenses. In order to perform all these duties effectively, the PPE unit must maintain adequate staffing, have sufficient funds to cover the expense of travel and accommodations for its compliance investigators, have adequate resources to pay for the costs of sustaining an online portal and database, and be able to provide crucial and timely training for staff and regulated institutions. The proposed amendments increase certain fees. Consult VA Register entry for proposed fee schedule.</p> <p>COMMENTS DUE: March 18, 2022</p>
<p>8VAC40-31. Regulations Governing Certification of Certain Institutions to Confer Degrees, Diplomas and Certificates (amending 8VAC40-31-10, 8VAC40-31-160), Volume 38, Issue 11, January 17, 2022</p>	<p>FINAL RULE: The amendments add (i) the definition of "enrollment agreement" and (ii) the requirements for the enrollment agreement between students and regulated institutions mandated by Chapter 298 of 2017 Acts of Assembly.</p> <p>EFFECTIVE DATE: February 18, 2022</p>
<p>8VAC20-770, Background Checks for Child Day Programs and Family Day Systems and promulgating 8VAC20-771, Background Checks for Child Day Programs and Family Day Systems, Volume 38, Issue 12, January 31, 2022</p>	<p>NOTICE OF INTENDED REGULATORY ACTION: The purpose of the proposed action is to repeal and replace the current chapter in order to (i) ensure that the regulation aligns with federal and state laws and (ii) clarify and update the regulatory requirements. By repealing the current chapter and promulgating a new chapter in its place, the board anticipates greater flexibility in aligning the regulatory structure to federal and state law, which has changed since the current chapter</p>

	<p>became effective. The board also anticipates changes to format and language.</p> <p>COMMENTS DUE: March 2, 2022</p>
<p>8VAC20-820, General Procedures and Information for Licensure, and promulgating 8VAC20-821, General Procedures and Information for Licensure, Volume 38, Issue 12, January 31, 2022</p>	<p>NOTICE OF INTENDED REGULATORY ACTION: The purpose of the proposed action is to repeal the current chapter and promulgate a new chapter in order to implement statutory requirements, clarify existing regulatory requirements, and update practices and procedures. The General Procedures and Information for Licensure applies to child day centers, family day homes, and family day systems that are licensed by the State Board of Education. The chapter sets out requirements and procedures for the licensure process, including the application process, license maintenance, inspections, and enforcement of violations. The current regulation was originally promulgated by the Virginia Department of Social Services in 1984 and adopted by the board in 2021.</p> <p>COMMENTS DUE: March 2, 2022</p>
<p>8VAC40-31. Regulations Governing Certification of Certain Institutions to Confer Degrees, Diplomas and Certificates (adding 8VAC40-31-125), Volume 38, Issue 12, January 31, 2022</p>	<p>PROPOSED REGULATION: he regulation will provide that any degree-granting postsecondary school providing distance learning to residents of the Commonwealth from a location outside of the Commonwealth shall be certified to operate in the Commonwealth or shall be a participant in a reciprocity agreement to which the Commonwealth belongs. Schools that are members of the NC-SARA reciprocity agreement are not subject to the regulation as according to NC-SARA, Virginia reciprocally honors their home states' authorization.</p> <p>The regulation provides criteria that must be fulfilled by schools that are not members of NC-SARA in order to be certified to operate, addressing (i) aspects of the school's current status, such as accreditation, being in good standing in its home state, and providing certain disclosures to the public and (ii) the school's obligations to the Commonwealth regarding maintenance of student records and payment of fees.</p> <p>COMMENTS DUE: April 1, 2022</p>
<p>12VAC5-90. Regulations for Disease Reporting and Control (amending 12VAC5-90-80, 12VAC5-90-90), Volume 38, Issue 12, January 31, 2022</p>	<p>PROPOSED RULE: Amendments to current regulations will for COVID-19: (i) require all suspect or confirmed COVID-19 case report forms be submitted electronically to VDH; (ii) clarify that the category laboratory directors includes all entities that hold Clinical Laboratory Improvement Amendments Certificates of Waiver so that entities testing for COVID-19 are required to report to VDH; (iii) require all COVID-19 laboratory reports be submitted electronically to VDH; (iv) add the requirement that patient telephone number, email address, and ethnicity be included in the list of fields that are reported by physicians, laboratory directors, and directors of medical care facilities; and (v) add "coronavirus, severe" to the list of infectious diseases that shall be reported to persons practicing funeral services.</p> <p>COMMENTS DUE: April 1, 2022</p>