

## Detail of Changes Made Since the Previous Stage

List all changes made to the text since the previous stage was published in the Virginia Register of Regulations and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. \* Put an asterisk next to any substantive changes.

Current chapter-	New chapter-section	New requirement from previous stage	Updated new requirement since previous stage	Change, intent, rationale, and likely impact of updated requirements
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section number	number, if applicable			
12 VAC 30-50-440			<p>*****</p> <p>A. Updated "state law" to specific Code of Virginia reference.</p> <p>A1. Added VAC reference to define ISP. Billing consistent with ISP.</p> <p>D1. Added VAC and federal citations.</p> <p>D3. Changing developing to identifying.</p> <p>E1. Removing mental illness references.</p> <p>E2e, f, g. Requirements for ISPs, health and safety, federal rules</p> <p>E2j Correction from "intellectual" to "developmental"</p> <p>E3 Correction from "or" to "and"</p> <p>E3a2; E3b5, 6, 7, and 8; c1 F, F1, F2</p>	<p>*****</p> <p>Provides more specific reference.</p> <p>Provides specific VAC reference. Clarifies that billing must be consistent with ISP.</p> <p>Provides specific VAC and federal requirements.</p> <p>Clarifying the requirement.</p> <p>MI references are not applicable to this service.</p> <p>Clarifying requirements.</p> <p>Correction</p> <p>Correction</p> <p>Changes made to reflect current practice and remove outdated language.</p>
12VAC30-50-490			<p>*****</p> <p>A. Reference to "six years of age" is removed and definition is added</p> <p>The order of paragraphs A1 and A2 is switched.</p> <p>A1. Text added relating to individuals meeting criteria.</p>	<p>*****</p> <p>Change in response to public comment – text is out of date. Definition added for clarity.</p> <p>Change in response to comments requesting clarity.</p>

			<p>A2. Three months changed to 90 calendar days.</p> <p>A3. Text added related to pre-discharge services.</p> <p>D. Added "DD waivers"</p> <p>D1 – added link to definition</p> <p>D7 – Language that had been stricken was returned.</p> <p>D8 – renumbered</p> <p>D9 – benefits planning removed.</p> <p>E4e, f, and g Requirements for ISPs, health and safety, federal rules</p> <p>E5, E6 a, b, and c</p> <p>E8 – Three months changed to 90 calendar days.</p> <p>F, F1, 2, and 3</p>	<p>Change in response to comments requesting consistent use of terms.</p> <p>Change in response to comments requesting clarity.</p> <p>Change made for clarity.</p> <p>This element is a required component of the service.</p> <p>This is not a component of the service.</p> <p>Clarifying requirements.</p> <p>Changes made to reflect current practice and remove outdated language.</p> <p>Change in response to comments requesting consistent use of terms.</p> <p>Clarifications and changes to reflect current practice.</p>
<p>12VAC30-122-10</p>			<p>A5 removed</p> <p>C2, 7, 19 – sections are no longer reserved</p> <p>C18 and 25 name updated</p> <p>C6 and 7 – incorrect citations were fixed.</p> <p>E, E1, E3</p>	<p>Unnecessary language removed.</p> <p>Correction.</p> <p>Correction.</p> <p>Clarifications.</p>

<p>12VAC30-122-20</p>			<p>Changes to “assistive technology”</p> <p>“Back-up plan” added</p> <p>Changes to “barrier crime” and “behavioral health authority:”</p> <p>“Benefits planning” added</p> <p>Changes to “center based crisis support services” and “community based crisis supports”</p> <p>Changes to “community engagement”</p> <p>“Community guide” added</p> <p>Changes to “companion services”</p> <p>Changes in “customized rate and “DD Waivers”</p> <p>“Electronic visit verification” added</p> <p>“Employment and community transportation” added</p> <p>“Employment services organization” added</p> <p>Changes to face-to-face visit</p> <p>Changes to “family”</p> <p>Changes to “general supports”</p>	<p>Changes in response to comment for clarity that services are not limited to where individuals live.</p> <p>Definition added for clarity.</p> <p>Corrections</p> <p>This service is no longer “reserved”</p> <p>Clarifications.</p> <p>Changes in response to comment requesting clarity.</p> <p>This service is no longer “reserved”</p> <p>Correcting error.</p> <p>Clarifications</p> <p>EVV is a new federal requirement.</p> <p>Name change for transportation service</p> <p>Term added for clarity.</p> <p>Changed to match the term used in the text.</p> <p>Change in response to comment requesting clarity</p> <p>Clarification of definition</p>
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			<p>Changes to “group home residential services”</p> <p>Changes to “immediate family member”</p> <p>Changes to “ISP”</p> <p>Added “independent living”</p> <p>Fixed typos in “individual”</p> <p>Changes to “individual’s responses to services”; “in home support services”; and “IADLs”</p> <p>Citation in “LMHP” changed.</p> <p>Added definition for “medically necessary”</p> <p>“Peer mentor supports” added</p> <p>Change to “personal assistance service”</p> <p>Changes to “personal assistant”</p> <p>Changes to “positive behavior supports”</p> <p>Changes to “private duty nursing”</p> <p>Changes to “progress notes”</p> <p>Changes to “skilled nursing service”</p>	<p>Updated to include relevant information.</p> <p>Broadens definition to cover all services.</p> <p>Removed vague term.</p> <p>Added for clarity when that term is used.</p> <p>Clarifications</p> <p>Linked to DMAS definition.</p> <p>Added for clarity when that term is used.</p> <p>This service is no longer reserved.</p> <p>Clarification requested in comments.</p> <p>Clarification requested in comments</p> <p>Clarification requested in comments</p> <p>Changes made to synchronize with non-waiver services</p> <p>Change requested in comments</p> <p>Changes made to synchronize with non-waiver services</p>
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			Fixed incorrect references in "support coordinator"  Changes in "supported living residential"  Added: "tiers of reimbursement", "VIDES", "workplace assistance"	Clarification requested in comments  To provide clarity on terms used in regulatory text.
12VAC30-122-30			A – added "medically"	Added so that term is consistent throughout.
12VAC30-122-40			B – changes made  C	Transition services may be provided within hospitals and other facilities. Also clarification and correction of citation.  Clarification
12VAC30-122-50			Changes in paragraphs 1, 2, and 3.  Changes in paragraphs 4 and 5.	Changes to clarify role of VIDES.  Changes to clarify steps taken after slot assignment
12VAC30-122-60			Changes to B 3 a (1)	Remove bottom limit of 8 hours for employment.
12VAC30-122-70			B2 and D - corrections  Edits to F  New paragraph I	Corrections  Clarifying relationship to 12 VAC 30-122-90  Clarification
12VAC30-122-80			***** New paragraph A, B, C, D, and E Remove F1 and F2 Edits to I and J, J2, J3, K1	***** Changes made in response to public comment.
12VAC30-122-90			***** New paragraph C  Paragraphs re-lettered  Changes to D, D1a  Changes to D1b (1) and (2)	***** Accounts for individuals who accompany a parent or guardian who is deployed.  Corrections

			<p>Changes to D1d</p> <p>Changes to E2 and 3, F1c, F2b, G, G1, G1b, G3</p>	<p>Remove primary caregiver as individual who cannot manage the behaviors.</p> <p>Broadens language to include individuals who have expressed a desire to live independently.</p> <p>Changes made in response to public comment</p>
12VAC30-122-100			<p>A - clarification</p> <p>B3 – remove suspend</p> <p>D – corrections, added confidentiality rules</p> <p>F – added to comply with HB925</p> <p>G - VIDES</p>	<p>Clarification</p> <p>Clarification – there are no appeal rights for suspensions</p> <p>Corrections and clarification</p> <p>For clarification</p>
12 VAC 30-122-110			<p>Changes to first paragraph</p>	<p>Added at request of OAG</p>
12VAC30-122-120			<p>*****</p> <p>New paragraphs 5, 6, and 7</p> <p>A 8 and 9</p> <p>A10d – late entries for progress notes clarified</p> <p>New A10e</p> <p>Paragraph A10g</p> <p>Old paragraph 13h moved up to be paragraph 13d</p> <p>A13e and f and A16 A16a and b</p> <p>New paragraphs A 20, 21, and 22</p>	<p>*****</p> <p>Requested by sister agency</p> <p>For clarification</p> <p>For consistency, in response to comments.</p> <p>For consistency across services</p> <p>Attendance log requirements clarified</p> <p>For clarification Updated to match barrier crime requirements</p> <p>Changes requested by sister agency</p>

			Paragraph B Paragraph C	Clarifications  Clarifying that "hospitals" includes psychiatric hospitals. Clarifies that services provided during ECOs and TDOs are not covered.
			Paragraph D	Clarifications
12VAC30-122-150			A1  A2a, b, c  A2e and f changes	Correction and unnecessary language removed  Clarifications  Changed to help prevent conflicts of interest
12VAC30-122-160			Changes to 1 <sup>st</sup> paragraph and 2 b, c, d, 3c  Paragraph 4 removed	Corrections and clarifications  Vague language removed
12VAC30-122-170			***** Changes to A and B, removing B1-B8, removing C, D, E, and F	***** Changes made to match requirements
12VAC30-122-180			***** A, A1, A3 edited, A1d added, B removed, changes to new B1, B2, B4, B5, B6, remove D, changes to new C, C1-4, C7-9	***** Clarifications to DSP competency process, including adding deemed competency, clarification of personnel record documentation, replacing Levels 6 or 7 with Tier 4, and timelines for competency
12VAC30-122-190			A6 and 7  A8 changes  B2 changes  C1, C2c, C2f changes	Clarifications  Clarification that support coordinators provide a copy of ISP.  Insert paragraph letters, correction of citation  Clarifications
12VAC30-122-200			***** A1 changes	***** Remove max age, clarify for younger than 5



			A2 changes	Add frequency for 22 and up. Re-letter paragraphs. Clarify for ages 16-21. Clarifications for SIS.
			New paragraphs A2d and e	Clarifications
			A3 and A4 changes	Clarifications and removal of chart, which had caused confusion
			B1 and 2 changes	Add fall risk and clarify exceptional levels
			Changes to D	Clarification of supports packages.
12VAC30-122-210			A3 changes	Clarification and shortened text
			A4, A4a, and A4e changes	Clarification on customized rates.
			C3 and 4 changes	Correction
12VAC 30-122-230			C	Language from 12 VAC 30-60-5 copied into this section to make it clear that this language applies to waiver services.
12VAC30-122-240			B2, 7, 14, 15, and 17 changes	Corrections
			Changes in C	Changes requested by OAG
12VAC30-122-250			B2, 7, 13, 16, 17, and 23 changes	Corrections
			C	Clarification
12VAC30-122-260			B2, 7, 16, 17, 22-28	Corrections
			C	Clarification
12VAC30-122-270			A changes	Clarifications
			B1 changes	Clarification
			C2 changes	Clarification
			D4 and D5 changes	Removal of redundancy – already stated in C3 and C1
			Renumbering in D	
			E changes	Clarifications
12VAC30-122-280			*****	*****

			Benefits planning service text added	This service was implemented in 2018, and public commenters have requested that it be added to regulations.
12VAC30-122-290			A changes D5 and D6 changes E1c changes E2 changes	Correction Clarification of role and training of DSP Clarification – link to 120 Clarification of documentation
12VAC30-122-300			A changes B5 changes C1 changes D changes E1c changes E1 d changes	Clarifications Clarification Clarification Clarification Clarification – link to 120 Removal of redundancy
12VAC30-122-310			B5 changes B6 added D4 changes E1c changes E1e changes E2 changes E2e changes	Clarification Clarification Rewording Clarification – link to 120 Clarification Clarification of documentation Covered in E1e
12VAC30-122-320			B2 changes B2c C3 changes D4 changes E1c changes E1e changes E2 changes	Rewording Clarification Clarification of community settings and groups Rewording Clarification – link to 120. Clarification Clarification of documentation

			E2e changes	Covered in E1e
12VAC30-122-330			***** Community guide service text added	***** This service was implemented in 2018, and public commenters have requested that it be added to regulations.
12VAC30-122-340			A, B2 changes  C2, C3, D2 changes D3g, D4b and c changes  D4g  D5 changes  E1c changes  E1e changes  E1i (5) changes	Clarification  Clarification Clarification  Clarification about backup plan  Rewording  Clarification – link to 120  Clarification  Covered in E1e
12VAC30-122-350			B1 changes  C1 and C1a, b, and c changes  D3 changes  D4 changes  E1e changes  E2 changes	Clarification  Clarification  Correction and clarification  Clarification  Clarification – link to 120  Clarification of documentation
12VAC30-122-360			B changes  C3 changes  D changes  E1a changes	Clarification  Clarification  Clarification  Clarification
12VAC30-122-370			A changes  E1a changes	Clarification  Clarification
12VAC30-122-380			B1e changes  B1h  D5 changes  D5 changes	Clarification of allowable activities.  Clarification of safety supports  Correction

			D6 changes E1b E1c changes E1 e changes	Clarification of documentation Rewording Correction Clarification – link to 120 Clarification
12VAC30-122-390			A changes C3 changes D4 changes D5 changes E1c changes E1e changes	Clarification on number of licensed beds Clarification re: leases Rewording Clarification on documentation Clarification – link to 120 Clarification
12VAC30-122-400			A2 and A3a changes B1 changes C3 changes C4 changes C6a, C7 changes After D4 E1c changes E1e changes E1f and I changes	Clarification Clarification Clarification Clarification Clarification Definition is not needed here Clarification – link to 120 Clarification Clarification
12VAC30-122-410			A changes B4 changes Re-lettering C2 changes C5 changes D3 changes D4 changes	Clarification This is not the only service that provides episodic supports Rewording Clarification re: backup plan Rewording

			E1c changes E1e changes	Clarification on documentation Clarification – link to 120 Clarification
12VAC30-122-420			A changes B1 changes Renumbering D4 changes D5 changes E1c changes E1e changes	Clarifications Clarification Rewording Clarification re: documentation Clarification – link to 120 Clarification
12VAC30-122-430			B2 changes	Clarification – link to 20
12VAC30-122-440			***** Employment and community transportation service text added	***** This service was implemented in 2018, and public commenters have requested that it be added to regulations.
12VAC30-122-450			***** Peer support service text added	***** This service was implemented in 2018, and public commenters have requested that it be added to regulations.
12VAC30-122-460			A1 changes A3 changes B1 changes B4e changes B4g changes B4i C2 C3, C5 changes C7 a and b changes C10 removed	Clarification Clarification re: supported employment Clarification Correction Clarification Clarification re: forms Clarification re: max hours Clarification Clarifications Unnecessary text

			D4b changes D6, D7 D7d1 D8 changes D9 changes E1 changes	Correction Clarification re: backup plan Clarification: service auth Rewording Clarification of requirements Clarification
12VAC30-122-470			E1a changes	Clarification
12VAC30-122-480			A changes B3 changes E1b, d, e, g, i changes	Clarifications re: overlap with other services Clarification re: activities Clarification
12VAC30-122-490			***** A1-3 changes B3 – allowable activities paragraph moved up B5 changes C2, C3 changes, remove C5 D2, D3 changes D4 changes D5, D6 changes D7 changes D9 changes D10 changes D12, D13	***** Clarifications in service description Clarifications on role of parent caregiver Clarification on limits Clarifications Clarifications re: documentation Clarification re: qualifications Clarification re: supervision Clarification re: agency directed services in the home Requirements simplified Clarification re: safety and backup plans

			E2 b and d changes, E3, 4, 5, and H1, H2	Clarifications re: documentation
12VAC30-122-500			Title of section A changes B2 changes B3, B4, B8, C1 changes D2c2, D2d E2	Correction Clarification of which waivers can participate Clarification re: training Clarification Clarification re: background checks Clarification re: documentation
12VAC30-122-510			Title of section and A B1 changes B4a changes B6, E3 changes C2,C5, D3, D4 changes D5 changes E2 and E5 changes	Correction Clarification Added definition Clarification re: roommate Clarification Clarification re: backup Clarifications
12VAC30-122-520			***** A changes B changes C1 changes C4 changes D4 changes E changes	***** Clarification re: hours per week, overlap with private duty nursing Clarification re: allowable activities Clarification re: documentation Removal of EPSDT - doesn't apply here Clarification re: foster care Clarification re: documentation
12VAC30-122-530			D4 changes D5 changes D6 changes	Rewording Clarification re: supervision Clarification re: lease

			E1c changes	Clarification – link to 120
			E1e changes	Clarification – made similar to other services
12VAC30-122-540			A changes	Clarification
			C2 changes	Already in section 120
			D2 and 3 changes	Rewording
			D4 changes	Clarification re: supervision
			D5 changes	Clarification re: lease
			E1c changes	Clarification – link to 120
12VAC30-122-550			A changes	Correction
			B2e changes	Clarification re: plan
			B2i changes	Clarification re: video feed
			C2 and 3 changes	Clarification
			C5 a, b, and c	Clarification of requirements
			D1 changes	Correction
			E1b changes	Clarification re: plan for supports
			E1c(1) and E1d changes	Clarification of requirements
			E1e(1) and (2) changes	Clarification of requirements
12VAC30-122-560			B, C, D, and E changes	Corrections
12VAC30-122-570			A2 changes	Correction
			A3 changes	Clarification
			D3 changes	Rewording
			E1c changes	Clarification – link to 120
			E1d changes	Clarification – made similar to other services

**Detail of All Changes Proposed in this Regulatory Action**