



townhall.virginia.gov

Proposed Regulation Agency Background Document

Agency name	Department for Aging and Rehabilitative Services
Virginia Administrative Code (VAC) citation(s)	22VAC30-80
Regulation title(s)	Auxiliary Grant Program
Action title	Amend Auxiliary Grant (AG) Regulation
Date this document prepared	December 14, 2017

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary (preferably no more than 2 or 3 paragraphs) of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

This proposed stage replaces the emergency regulations that addressed supportive housing as new residential option for AG eligible individuals. The text in the emergency regulation will appear as the proposed regulation text and includes: (1) the requirements to participate in the supportive housing setting, (2) providers' responsibility for each AG setting, and (3) updated terminology and guidelines for the AG Program.

It should also be noted that since the emergency regulations became effective via action #4637 in January 2017, a separate regulatory action (#4035) affecting the AG regulations also became final on October 4, 2017. This second regulatory action incorporated language about the receipt of third party payments on behalf of AG recipients. The Department for Aging and Rehabilitative Services is highlighting this change and ensure that individuals reading the proposed language are not confused as to why this language did not appear in the emergency text, but is present in the proposed text.

Acronyms and Definitions

Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the “Definition” section of the regulations.

Adult Foster Care Home (AFCH)
 Assisted Living Facility (ALF)
 Auxiliary Grant (AG)
 Department for Aging and Rehabilitative Services (DARS)
 Department of Behavioral Health and Developmental Services (DBHDS)
 Department of Social Services (DSS)
 Local Departments of Social Services (LDSS)
 Social Security Administration (SSA)
 Supportive Housing (SH)

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including: 1) the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable; and 2) promulgating entity, i.e., agency, board, or person. Your citation should include a specific provision authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency/board/person’s overall regulatory authority.

The legal basis for this regulatory action is § 51.5-160 of the Code of Virginia, which authorizes the DARS Commissioner to adopt regulations for the administration of the AG program. In addition, § 51.5-131 of the Code of Virginia authorized the DARS Commissioner to promulgate regulations necessary to carry out the provisions of the laws of the Commonwealth administered by the Department.

Purpose

Please explain the need for the new or amended regulation. Describe the rationale or justification of the proposed regulatory action. Describe the specific reasons the regulation is essential to protect the health, safety or welfare of citizens. Discuss the goals of the proposal and the problems the proposal is intended to solve.

The regulation needs to be amended to incorporate the changes in the emergency regulation which provides guidance regarding the SH setting. The regulation is essential to protecting the health, safety or welfare of citizens. The proposed regulatory content outlines standards for providers who provide care to individuals with AG. Additionally, regulation content clarifies the range of person centered housing options available to AG eligible individuals.

Substance

Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the “Detail of changes” section below.

This regulatory action will: (1) address definitions related to SH and clarify existing definitions that were part of the AG regulation, (2) explain evaluation and assessment procedures, (3) detail requirements for the SH provider agreement, (4) address basic SH services, and (5) amend any outdated or obsolete language.

Issues

Please identify the issues associated with the proposed regulatory action, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please indicate.

The primary advantages to the public will be that eligible individuals will have an additional choice in their living arrangement. Having SH as an option may also help address the shortages of AG beds in certain communities. There are no disadvantages to the public or the Commonwealth regarding the proposed regulatory action.

Requirements more restrictive than federal

Please identify and describe any requirement of the proposal which is more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

This proposal does not have any requirements which are more restrictive than federal requirements.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

While the AG Program is available in all jurisdictions of Virginia, SH providers are currently available in localities that are served by three entities: Blue Ridge Behavioral Health, Mount Rogers Community Services Board, and Richmond Behavioral Health Authority.

Public participation

Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.

In addition to any other comments, DARS is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include

1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments for the public comment file may do so by mail, email or fax to Tishaun Harris-Ugworji, DARS 8004 Franklin Farms Drive, Henrico, Virginia 23229, phone 804-662-7531, 804-662-9335 fax, or Tishaun.harrisugworji@dars.virginia.gov.

Comments may also be submitted through the Public Forum feature of the Virginia Regulatory Town Hall web site at: <http://www.townhall.virginia.gov>. Written comments must include the name and address of the commenter. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

A public hearing will not be held following the publication of this stage of this regulatory action.

Economic impact

Please identify the anticipated economic impact of the proposed new regulations or amendments to the existing regulation. When describing a particular economic impact, please specify which new requirement or change in requirement creates the anticipated economic impact.

<p>Projected cost to the state to implement and enforce the proposed regulation, including: a) fund source / fund detail; and b) a delineation of one-time versus on-going expenditures</p>	<p>There is no projected cost to the state to implement the proposed regulation.</p>
<p>Projected cost of the new regulations or changes to existing regulations on localities.</p>	<p>There are currently a limited number of ALFs that accept AG. This new setting only allows 60 individuals to participate with each catchment area accepting 20 individuals each, so any financial impact will likely be quite small. Individuals who enter SH must reside in an ALF for one year before being accepted into a SH setting. This means that SH recipients have already been counted as part of the 4,900 individuals who received AG in SFY 2017. The total number of AG recipients has decreased by more than 1,700 or 3.4% annually since 2006. Given the low reimbursement rate, it is unlikely that the statewide trend of declining AG recipients will be reversed soon. However, if an individual relocates from an ALF bed to an SH setting, another AG recipient may fill that empty ALF bed. Should all 60 ALF beds previously used by individuals in SH be filled, there would be an estimated cost of \$468,000 (\$347,400 GF and local match of \$93,600). Even with this possible cost, the declining AG caseload has meant that the full AG budget appropriated by the Virginia General Assembly has not be used for several years.</p> <p>If an AG recipient relocates to SH in another</p>

	<p>jurisdiction, then the locality originally responsible for the individual's AG payment will have transferred the AG case to the new locality where the SH client is located. Therefore, the new locality will be responsible for the 20% local match. In addition, the new locality may also have an increase in their SNAP caseload because SH is considered a community setting. Any increase in administrative cost to the LDSS would be minimal.</p>
<p>Description of the individuals, businesses, or other entities likely to be affected by the new regulations or changes to existing regulations.</p>	<p>This new regulation affects individuals who have AG and want to select SH as an option. The three CSBs that are assisting individuals in transitioning to SH will also be affected. ALF providers would have to discharge a resident who selects SH but other individuals may be admitted to that facility to fill available beds. There is currently a statewide shortage of ALF beds designated for AG recipients so the impact to providers is expected to be minimal.</p>
<p>Agency's best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that: a) is independently owned and operated and; b) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>This will only impact 60 individuals who currently live in ALFs. Three CSBs are affected. It is unlikely that ALF providers will be affected by the loss of 60 individuals in three SH catchment areas since there is a statewide shortage of ALF beds for AG recipients.</p>
<p>All projected costs of the new regulations or changes to existing regulations for affected individuals, businesses, or other entities. Please be specific and include all costs including: a) the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses; and b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the proposed regulatory changes or new regulations.</p>	<p>There is no additional cost in implementing these new regulations. SH is only available to 60 individuals who currently have AG and have resided in an ALF for one year. Once the cap of 60 is reached, no new SH individuals could be accepted until the SH cap falls below 60.</p>
<p>Beneficial impact the regulation is designed to produce.</p>	<p>This new setting offers choice to AG recipients regarding their living arrangement.</p>

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

There are no alternatives to this proposed regulatory action. Acts of Assembly chapter 567 required DARS to promulgate proposed regulations to replace the emergency regulations.

Regulatory flexibility analysis

Pursuant to § 2.2-4007.1B of the Code of Virginia, please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

There are no alternative regulatory methods for implementing this change.

Periodic review and small business impact review report of findings

If you are using this form to report the result of a periodic review/small business impact review that was announced during the NOIRA stage, please indicate whether the regulation meets the criteria set out in Executive Order 17 (2014), e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable. In addition, as required by 2.2-4007.1 E and F, please include a discussion of the agency’s consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation.

This change is not the result of a periodic review.

Public comment

Please summarize all comments received during the public comment period following the publication of the NOIRA, and provide the agency response.

Commenter	Comment	Agency response
Malaina Poore	<p>22VAC30-80 The regulations provide that the Universal Assessment Instrument will determine eligibility for AGSH, and “eligible individuals shall be notified of the SH setting option and the availability of approved</p>	<p>Section 51.5-160 (E) of the Code of Virginia states, “At the time of the first or any subsequent annual reassessment, the individual may select supportive housing or an assisted living facility,</p>

	<p>SH providers at the time of their annual level of care assessment,” Under this process, AGSH is offered to qualified individuals at the time of annual assessment. The regulations appear to restrict this process to individuals currently residing in assisted living facilities. There is no reason to limit access to the AGSH only to those qualified individuals who reside in the ALFs. The Uniform Assessment Instrument has been adopted for use by all publicly funded long-term care services, according to the official User’s Manual for the UAI. Therefore, the regulations should recognize a process for the identification of supportive housing in the UAI while an individual is residing in a state mental health facility prior to discharge. This process would be consistent with the language of Virginia Code, Section 51.5-160 (E) stating that an individual may select supportive housing at the time of the first annual assessment.”</p>	<p>subject to the evaluation and reassessment of the individual and availability of the selected housing option.” The “first annual reassessment” refers to the first reassessment that occurs 12 months after the initial assessment was conducted.</p> <p>The regulation is written in accordance to the Code of Virginia 51.5 -160. A code change would be required to permit individuals to select supportive housing at the time of their initial assessment.</p>
<p>Jennifer Faison, Virginia Association of Community Services Boards</p>	<p>22VAC30-80 VACSB would like to call your attention to one provision; however, that seems unnecessary given the pathway to qualifying for the Auxiliary Grant in Supportive Housing program. The regulation provide that the Universal Assessment Instrument will determine eligibility for AGSH, and “eligible individuals shall be notified of the SH setting option and the availability of approved SH providers at the time of their annual level of care assessment.” Under this process, AGSH is offered to qualified individuals at the time of annual assessment. The regulations appear to restrict this process to individuals currently residing in assisted living facilities. There is no reason to limit access to the AGSH only to those qualified individuals who reside in</p>	<p>Section 51.5-160 (E) of the Code of Virginia states, “At the time of the first or any subsequent annual reassessment, the individual may select supportive housing or an assisted living facility, subject to the evaluation and reassessment of the individual and availability of the selected housing option.” The “first annual reassessment” refers to the first reassessment that occurs 12 months after the initial assessment was conducted.</p> <p>The regulation is written in accordance to the Code of Virginia 51.5 -160. A code change would be required to permit individuals to select supportive housing at the time of their initial assessment.</p>

	<p>ALFs. The Uniform Assessment Instrument has been adopted for use by all publicly funded long-term care services, according to the official User’s Manual for the UAI. Therefore, the regulations should recognize a process for the identification of supportive housing in the UAI while an individual is residing in a state mental health facility prior to discharge. This process would be consistent with the language of Virginia Code, Section 51.5-160(E), stating that an individual may select supportive housing at the time of the first annual assessment.</p>	
<p>Bruce Crusier, Mental Health America of Virginia</p>	<p>22VAC30-80 As the Virginia affiliate of Mental Health America, with 80 years of advocacy for the least restrictive community supports for people living with mental health conditions, we urge flexibility in supportive housing options. The draft regulations seem to unnecessarily limit eligibility for an Auxiliary Grant in Supportive Housing to qualified individuals residing in assisted living facilities. The disAbility Law Center of Virginia has offered suggestions that regulations should recognize a process for identifying supportive housing in the Uniform Assessment Instrument while an individual is residing in a state mental health facility prior to discharge. As they have noted, this process would be consistent with the language of Virginia Code, Section 51.5-160 (E), stating that an individual may select supportive housing at the time of the first annual assessment. We agree with this analysis, and encourage its adoption.</p>	<p>Section 51.5-160 (E) of the Code of Virginia states, “At the time of the first or any subsequent annual reassessment, the individual may select supportive housing or an assisted living facility, subject to the evaluation and reassessment of the individual and availability of the selected housing option.” The “<u>first annual reassessment</u>” refers to the first reassessment that occurs 12 months after the initial assessment was conducted.</p> <p>The regulation is written in accordance to the Code of Virginia 51.5 -160. A code change would be required to permit individuals to select supportive housing at the time of their initial assessment.</p>
<p>Mira Signer, National Alliance on Mental (NAMI) Virginia</p>	<p>22VAC30-80 Upon review of the draft regulations and guidelines developed by the Department of Behavioral Health and Developmental Services (DBHDS) and Auxiliary Grant in</p>	<p>DARS agrees that the content addressing application of the auxiliary grant program standards to DBHDS licensed supportive housing providers and including licensed community based mental health</p>

	<p>Supportive Housing (AGSH) Advisory Workgroup, NAMI Virginia submits the following comments on the emergency draft regulations and guidelines: We support the application of auxiliary grant program standards to DBHDS licensed supportive housing providers and including licensed community based mental health supports services in the AGSH rate. Requiring that individuals in the AGSH receive an equivalent level of services to those in assisted living, in conjunction with the Housing First principles adopted by the AGSH advisory workgroup, demonstrates effort to adopt best practices and support recovery.</p> <p>The regulations provide that the Universal Assessment instrument will determine eligibility for AGSH, and “eligible individuals shall be notified of the SH setting option and the availability of approved SH providers at the time of their annual level of care assessment”. Under this process, AGSH is offered to qualified individuals at the time of annual assessment. The regulations appear to restrict this process to individuals currently residing in assisted living facilities. There is no reason to limit access to the AGSH only to those qualified individuals who reside in ALFS. The Uniform Assessment Instrument has been adopted for use by all publicly funded long-term care services, according to the official user’s Manual for the UAI. Therefore, should recognize a process for identification of supportive housing in the UAI while an individual is residing in a state mental health facility prior to discharge. This process would be consistent with the language of Virginia Code, Section 51.5-160 (E), stating that an individual may select supportive housing at the</p>	<p>support services in the AGSH rate demonstrates a commitment to supporting an individual’s independence.</p> <p>Section 51.5-160 (E) of the Code of Virginia states, “At the time of the first or any subsequent annual reassessment, the individual may select supportive housing or an assisted living facility, subject to the evaluation and reassessment of the individual and availability of the selected housing option.” The “<u>first annual reassessment</u>” refers to the first reassessment that occurs 12 months after the initial assessment was conducted.</p> <p>The regulation is written in accordance to the Code of Virginia 51.5 -160. A code change would be required to permit individuals to select supportive housing at the time of their initial assessment.</p>
--	--	---

	<p>time of the first annual assessment.</p>	
<p>V Colleen Miller, Executive Director, DisAbility Law Center of Virginia</p>	<p>22VAC30-80 After reviewing the draft regulations and program guidelines developed by the Department of Behavioral Health and Developmental Services (DBHDS) and Auxiliary Grant in Supportive Housing (AGSH) Advisory work group, dLCV respectfully submits the following comment on the emergency draft regulations and guidelines: dLCV supports the application of auxiliary grant program standards to DBHDS Licensed supportive housing providers and including license community based mental health support services. Requiring that individuals in the AGSH receive an equivalent level of services to those in assisted living, in conjunction with the Housing First principles adopted by the AGSH advisory workgroup, demonstrates effort to adopt best practices and support recovery. The regulations provide that the Universal Assessment instrument will determine eligibility for AGSH, and “eligible individuals shall be notified of the SH setting option and the availability of approved SH providers at the time of their annual level of care assessment”. Under this process, AGSH is offered to qualified individuals at the time of annual assessment.</p> <p>The regulations appear to restrict this process to individuals currently residing in assisted living facilities. There is no reason to limit access to the AGSH only to those qualified individuals who reside in ALFS. The Uniform Assessment Instrument has been adopted for use by all publicly funded long-term care services, according to the official user’s Manual for the UAI. Therefore,</p>	<p>The regulation is written in accordance to the Code of Virginia 51.5 -160. A code change would be required for individuals to be assessed at their initial (first) UAI assessment.</p> <p>The interpretation of 51.5-160 (E) is referring to the individual’s reassessment, “first <u>annual</u> assessment” means 12 months after the initial (first) assessment and not the initial (first) assessment.</p>

	<p>should recognize a process for identification of supportive housing in the UAI while an individual is residing in a state mental health facility prior to discharge. This process would be consistent with the language of Virginia Code, Section 51.5-160 (E), stating that an individual may select supportive housing at the time of the first annual assessment.</p> <p>If the regulations create an artificial limitation, not warranted by state or federal law, establishing a preference for institutionalization in an Alf prior to receiving an auxiliary grant for supportive housing, they will run the risk of being in violation of the Americans with Disabilities Act (specifically, 28 CFR 35.130(d)). The ability to elect an AGSH placement should not be conditioned on prior residence in an ALF placement, particularly if the individual is institutionalized in state custody, where the UAI can be administered by qualified state facility staff or by relevant Community Service Board. We urge you to create understanding of this available process in the regulations. Additionally, individuals receiving licensed community based mental health support services from AGSH providers will have a right to utilize the DBHDS Office of Human Rights and licensing complaint processes. It is important that the regulations or guidelines clarify this right, particularly for those individuals' form assisted living facilities who lack familiarity with the DBHDS Human Rights system.</p> <p>Finally, individuals interested in AGSH services must understand the eligibility requirements and role of each agency in the application process. Many of those eligibility requirements will likely be developed in the provider contracting process. A transparent and uniform</p>	<p>The AGSH provider selection process is being developed by the Department of Behavioral Health and Developmental Services (DBHDS). dLCV comments will be forwarded to them to consider.</p>
--	--	---

	contracting process will provide clarity for participants, providers and state agencies.	
--	--	--

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

This action will not impact the authority and rights of parents in the education, nurturing and supervision of children. It will not discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse or one’s children and/or elderly parents. This action will not erode the marital commitment, or increase or decrease disposable family income.

Detail of changes

Please list all changes that are being proposed and the consequences of the proposed changes; explain the new requirements and what they mean rather than merely quoting the proposed text of the regulation. If the proposed regulation is a new chapter, describe the intent of the language and the expected impact. Please describe the difference between existing regulation(s) and/or agency practice(s) and what is being proposed in this regulatory action. If the proposed regulation is intended to replace an emergency regulation, please follow the instructions in the text following the three chart templates below.

For changes to existing regulation(s), please use the following chart:

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change, intent, rationale, and likely impact of proposed requirements
10		Define terms used throughout the regulation	Added acronym SH to several definitions. Ensured that acronym AG replaces Auxiliary Grant in a consistent manner in all definitions. Added information that number of individuals who may be served in SH may not exceed the number delineated in the signed agreement between DARS and SSA. Clarified definition of certification.

			Defined acronym for DBHDS and SH. Clarified that provider includes an SH provider. Clarified definition of qualified assessor. Added definition of SH. Made minor grammatical changes.
20		Describes procedures for assessing individuals in AFCH or ALF settings.	Added evaluation and assessment procedures for individuals in SH.
30		Describes basic services to be provided to individuals in AFCH or ALF settings.	Used acronyms in the section heading. Amended obsolete reference to USDA food pyramid. Clarified basic services in an ALF or AFCH. Clarified that the AFC provider shall adhere to standards in 22 VAC30-120-40.
	22VAC30-80-35		Added basic services for SH setting.
45		Describes conditions for providers to participate in AG Program	Added a heading "Provider Agreement for Supportive Housing." Listed requirements for the SH provider agreement. Added acronym SH to content where appropriate.
50		Describes how the AG rate is established.	Added references to SH where appropriate.
60		Describes reimbursement procedures.	Added references to other sections of the regulation. Added references to SH where appropriate.
70		Describes the requirements for ALFs to submit certification forms.	Clarified section heading. Clarified certification requirements for ALF and SH providers.

Changes to the Emergency Regulations

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change, intent, rationale, and likely impact of proposed requirements
20		Describes procedures for assessing individuals in AFCH, ALF, or SH settings	Added additional language in the evaluation and assessment procedures for individuals in SH. This language enables the individual to change his mind about his choice of housing option after the annual reassessment has been completed. Current language did not allow the individual to exercise choice. Even if the individual selects ALF after the reassessment, he may change his

			mind at a later date and not have to wait until the next annual assessment.
45		Conditions of participation in the program	The language in C did not change but was numbered to make the content easier to read.
60		Reimbursement	Added a reference to authorized payee. A definition of authorized payee was added as part of a separate regulatory action and the term needed to be included in this section.
Forms		Lists various forms used by DARS and providers.	Updated the AG Provider Agreement, 032-02-0747-06 (7/17) Updated the AG Certification form, 032-02-0745-10, (7/17) Added new form called AGSH Certification Form, 032-15-0012-00, (2/17)

If the proposed regulation is intended to replace an emergency regulation, and the proposed regulation is identical to the emergency regulation, please choose and fill out the appropriate chart template from the choices above. In this case “current section number” or “current chapter-section number” would refer to the **pre-emergency** regulation.

If the proposed regulation is intended to replace an emergency regulation, and the proposed regulation includes changes since the emergency regulation, please create two charts: 1) a chart describing changes from the **pre-emergency** regulation to the proposed regulation as described in the paragraph above, and 2) a chart describing changes from the **emergency** regulation to the proposed regulation. For the second chart please use the following title: “Changes from the Emergency Regulation.” In this case “current section number” or “current chapter-section number” would refer to the **emergency** regulation.