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Fast-Track Regulation
Agency Background Document

Agency name	Board for Hearing Aid Specialists and Opticians
Virginia Administrative Code (VAC) Chapter citation(s)	18 VAC 80-20
VAC Chapter title(s)	Hearing Aid Specialists Regulations
Action title	Hearing Aid Specialists License Expiration Provisions Amendment
Date this document prepared	July 20, 2026

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code.*

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The Board for Hearing Aid Specialists and Opticians (the Board) is proposing an amendment to the license expiration provision in the regulation to align the regulation with standards for other regulatory boards. The current regulation specifies that licenses expire two years from the effective date (i.e. the date the license is issued). While this maintains a two-year licensure period, it requires the Department of Professional and Occupational Regulation (DPOR) to generate and track renewal notices daily to preserve the two-year license duration. This has resulted in an administrative burden on DPOR staff and impacts the efficient operation of the licensing program, as well as confusion for licensees.

The amended language stipulates that licenses will expire two years from the last day of the month in which the license was issued. This change allows DPOR to replace daily renewal reminders with a more efficient monthly tracking and notification system. This aligns with standard agency practices and reduces administrative burden without impacting public safety. The update aligns the renewal cycle for Hearing

Aid Specialists with other DPOR regulated professions. It also allows the Hearing Aid Specialists licensee additional days of licensure in their initial cycle.

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.

"DPOR" means Department of Professional and Occupational Regulation.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has "adopted final amendments" to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, "On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)]."

On March 4, 2026, the Board for Hearing Aid Specialists and Opticians adopted final amendments to the Hearing Aid Specialists Regulations.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

Consistent with Virginia Code § 2.2-4012.1, also explain why this rulemaking is expected to be noncontroversial and therefore appropriate for the fast-track rulemaking process.

The primary impetus for this regulatory change is to standardize administrative operations across DPOR. The current renewal process for Hearing Aid Specialists, due to the existing license expiration provision, creates an unintended administrative burden. Changing the process to align with other DPOR regulatory boards will significantly reduce the strain on staff and DPOR's automated licensing system. Adjusting the expiration to the last day of the month allows more flexibility and additional days for Hearing Aid Specialists to submit their renewal payments in their initial cycle.

This rulemaking is expected to be noncontroversial because the change will be beneficial to licensees as the two-year license term remains intact and should reduce the potential for confusion regarding expiration of licenses.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

The promulgating agency is the Board for Hearing Aid Specialists and Opticians.

Section 54.1-201 of the Code of Virginia provides, in part:

> A. The powers and duties of regulatory boards shall be as follows:
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> 1. To establish the qualifications of applicants for certification or licensure by any such board, provided that all qualifications shall be necessary to ensure either competence or integrity to engage in such profession or occupation.
>
> 5. To promulgate regulations in accordance with the Administrative Process Act (§ 2.24000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by practitioners and to effectively administer the regulatory system administered by the regulatory board. The regulations shall not be in conflict with the purposes and intent of this chapter or of Chapters 1 (§ 54.1-100 et seq.) and 3 (§ 54.1-300 et seq.) of this title.

Purpose

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.

The current regulation requires licenses to expire two years from the license's effective date (i.e. the date the license is issued). This creates a fragmented administrative workflow where DPOR monitors Hearing Aid Specialists license expirations to generate renewal notices daily. All other professions regulated by DPOR utilize an end-of-month expiration, allowing for a consolidated monthly production cycle, which significantly streamlines the administrative workflow. By aligning Hearing Aid Specialists with this established model, the agency can take advantage of automated monthly batch processing. This justification guarantees a more predictable schedule for the agency and the regulants.

The rationale for this amendment is to standardize the renewal process across the agency by replacing an inefficient, high-frequency tracking system for generating renewal notices. The current renewal provision forces DPOR's database to track Hearing Aid Specialists expiration dates and send renewal notices to licensees daily. This change allows DPOR to replace daily renewal reminders with a more efficient monthly tracking and notification system. It aligns the Hearing Aid Specialists with other DPOR regulated professions.

Substance

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.

18 VAC80-20.90. License renewal required. Changes the license expiration provision from two years from the license effective date (date of license issuance) to two years from the last day of the month in which the license was issued.

Issues

Identify the issues associated with the regulatory change, 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, include a specific statement to that effect.

The primary advantage of revising the license expiration provision is that it creates consistency with most other DPOR professions. The amendment to the regulation also adjusts the expiration date to the last day of the month, providing Hearing Aid Specialists with more flexibility and additional time to submit renewal payments in their initial renewal cycle. Transitioning to a monthly notification system allows for batch processing alongside other DPOR regulated professions, optimizing the agency's workflow and reducing the administrative burden. The proposed change improves administrative efficiency without altering the length of licensure or impacting public protection.

There are no identifiable disadvantages to the public.

There are no identifiable advantages or disadvantages to the agency or Commonwealth.

There are no other matters of interest to the regulated community, government officials, and the public that have been identified.

Requirements More Restrictive than Federal

Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and 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 specific statement to that effect.

There are no applicable federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

Consistent with § 2.2-4007.04 of the Code of Virginia, identify any other state agencies, localities, or other entities particularly affected by the regulatory change. Other entities could include local partners such as tribal governments, school boards, community services boards, and similar regional organizations. "Particularly affected" are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.

Other State Agencies Particularly Affected

No other state agencies are particularly affected.

Localities Particularly Affected

No localities are particularly affected.

Other Entities Particularly Affected

No other entities are particularly affected.

Economic Impact

Consistent with § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits), anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo.

Impact on State Agencies

For your agency: projected costs, savings, fees or revenues resulting from the regulatory change, including: a) fund source / fund detail; b) delineation of one-time versus on-going expenditures; and c) whether any costs or revenue loss can be absorbed within existing resources	There is no anticipated impact to DPOR resulting from the proposed regulatory change.
For other state agencies: projected costs, savings, fees or revenues resulting from the regulatory change, including a delineation of one-time versus on-going expenditures.	There are no anticipated impacts to other state agencies resulting from the proposed regulatory change.
For all agencies: Benefits the regulatory change is designed to produce.	The regulatory change would allow for the batch processing of renewal notifications alongside other DPOR regulated professions, optimizing workflow, and reducing administrative burden.

Impact on Localities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a or 2) on which it was reported. Information provided on that form need not be repeated here.

Projected costs, savings, fees or revenues resulting from the regulatory change.	There are no anticipated impacts to localities regulation from the regulatory change.
Benefits the regulatory change is designed to produce.	The regulatory change is not anticipated to produce any benefits for localities.

Impact on Other Entities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a, 3, or 4) on which it was reported. Information provided on that form need not be repeated here.

Description of the individuals, businesses, or other entities likely to be affected by the regulatory change. If no other entities will be affected, include a specific statement to that effect.	This regulatory change will affect all hearing aid specialists licensed by the Board. No other entities are anticipated to be affected.
Agency's best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small	As of July 1, 2026, there were 888 licensed Hearing Aid Specialists. The number affected by this regulatory change will be less than the current licensed population, as many licensees

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.	renew in a timely manner and do not allow their license to expire for over two years, causing a requirement for reinstatement. Licenses issued under this regulation are issued to individuals, and not to business entities. However, many licensees are likely owners or employees of business entities that meet the definition of "small business" in § 2.2-4007.1 of the Code of Virginia. This regulatory change will not have impact on small business entities owned by licensees or that employ licensees.
All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to: a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses; b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change; c) fees; d) purchases of equipment or services; and e) time required to comply with the requirements.	The regulatory change is not anticipated to result in any costs to individuals, businesses, or other entities.
Benefits the regulatory change is designed to produce.	The amended language stipulates that licenses will expire two years from the last day of the month in which the license was issued. This change allows DPOR to replace daily renewal reminders with a more efficient monthly tracking and notification system. This aligns with standard agency practices and reduces administrative burden without impacting public safety. The update aligns the renewal cycle for Hearing Aid Specialists with other DPOR regulated professions to provide efficiencies for licensing staff and EAGLES (licensing system) support functions. It also allows the Hearing Aid Specialists licensee additional days of licensure in their initial cycle.

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. 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 regulatory change.

Retaining the current license expiration language, where licenses expire exactly two years from the effective date, is the most burdensome alternative for the agency. It requires manual oversight and constant mailing cycles. It also creates confusion for licensees who may miss a mid-month deadline, leading to unnecessary late fees or lapses in licensure. Accordingly, retaining the status quo is not a

viable alternative. No other viable alternatives were identified. No less intrusive or less costly alternatives to small businesses achieve the purpose of the regulatory change were identified.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Regulatory Flexibility Analysis

Consistent with § 2.2-4007.1 B of the Code of Virginia, 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) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing 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 regulatory change.

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1. There are no regulatory alternatives that would be less stringent and still provide protection to the public. Currently, the Hearing Aid Specialists' expiration dates operate on a daily track because licenses expire exactly two years from their effective date. This necessitates daily generation and mailing of renewal notices, creating an unnecessary administrative burden. Aligning the expiration date with the last day of the month is consistent with other DPOR regulatory boards and often provides the licensee with several additional days of licensure during their initial cycle.

2. This regulatory amendment does not change or impact reporting and compliance deadlines.

3. The proposed amendments systematically simplify existing requirements. The Board believes any new requirements are the least stringent that can be promulgated that will still deliver protection to the public.

4. Performance standards are utilized in all cases where the Board believes it can provide an adequate level of protection to the health, safety, and welfare of the public.

5. Licenses issued under this regulation are issued to individuals, and not to business entities. However, many licensees are likely owners or employees of business entities that meet the definition of "small business" in § 2.2-4007.1 of the Code of Virginia. This regulatory change will not have impact on small business entities owned by licensees or that employ licensees.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.

Consistent with § 2.2-4011 of the Code of Virginia, if an objection to the use of the fast-track process is received within the 30-day public comment period from 10 or more persons, any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, the agency shall: 1) file notice of the objections with the Registrar of Regulations for

publication in the Virginia Register and 2) proceed with the normal promulgation process with the initial publication of the fast-track regulation serving as the Notice of Intended Regulatory Action.

If you are objecting to the use of the fast-track process as the means of promulgating this regulation, please clearly indicate your objection in your comment. Please also indicate the nature of, and reason for, your objection to using this process.

The Board for Barbers and Cosmetology is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal and any alternative approaches, (ii) the potential impacts of the regulation, and (iii) the agency's regulatory flexibility analysis stated in this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: https://townhall.virginia.gov. Comments may also be submitted by mail, email or fax to:

Ashley Reed, Executive Director
Board for Barbers and Cosmetology
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233.
Telephone: (804) 367-8590
Fax: (866) 245-9693
Email: hasopt@dpor.virginia.gov

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.

Detail of Changes

List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. 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. Use all tables that apply, but delete inapplicable tables.

If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between existing VAC Chapter(s) and the proposed regulation. If existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.

Table 1: Changes to Existing VAC Chapter(s)

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of new requirements
20-90	N/A	This section provides for the expiration of licenses, renewal requirements, and procedures for renewal.	The section is amended to set the license expiration date to two years from the last day of the month of issue.

		Licenses issued by the Board expire two years from the license's effective date (i.e. the date the license was issued). The Board will send a renewal notice to the licensee. Failure by a licensee to receive the renewal notice does not relieve the regulant of the obligation to renew and the licensee must return to the Board the appropriate fee. If a licensee fails to renew the license within 30 days following its expiration date, the licensee must apply for reinstatement. The Board may deny a license renewal for the same reasons it denies an initial license (under Part II of the regulation) or discipline a licensee (under Part V of the regulation). The licensee has the right to a review of such action under the Administrative Process Act.	Currently, licenses expire two years from the date the license is issued. For example, a license issued on July 8, 2026, would expire on July 8, 2028. However, most DPOR regulatory boards allow for licenses to expire two years from the last day of the month in which the license was issued. For instance, a license issued on July 8, 2026, would not expire until July 31, 2028. The current license expiration provision requires DPOR to generate and track renewal notices daily to ensure that licensees are timely notified of the need to renew. This requires manual oversight and constant mailing cycles. This creates an added administrative burden for staff and impacts the efficient operation of the licensing program. In addition, the current license expiration provision creates confusion for licensees who may miss a mid-month renewal deadline, leading to unnecessary late fees or lapses in licensure. Making this regulatory change would allow DPOR to generate and track renewal notices for licensees on a regular schedule and rely on an automated process for issuing license renewal notices. This allows for the batch processing of renewal notifications alongside other DPOR regulated professions, optimizing workflow, and reducing administrative burden. This change would also provide licensees in their initial renewal cycle more flexibility and additional time to submit renewal payments. This change improves administrative efficiency without altering the length of licensure or impacting public protection.