**Virginia Association of Centers for Independent Living (VACIL)**

**2023 LEGISLATIVE TRACKING – Virginia General Assembly, January 13, 2023**

All legislation and current status: <http://lis.virginia.gov/>

Upcoming legislative meetings: https://lis.virginia.gov/cgi-bin/legp604.exe?231+oth+MTG&231+oth+MTG

Delegate contact info: <http://virginiageneralassembly.gov/house/members/members.php>

Senator contact info: <https://apps.senate.virginia.gov/Senator/index.php>

Budget information: <https://budget.lis.virginia.gov/>

HB-House Bill, SB-Senate Bill, HJ-House Joint Resolution, SJ-Senate Joint Resolution

| **Legislation, Patron** | **Description** | **Committee Status** |
| --- | --- | --- |
| HB1371, Scott, P | Establishes Education Savings Accounts including certain state and local funds and from which parents can use for qualifying expenses for a child in a setting and a manner other than full-time education in a public school. Students with disabilities would be considered a “parental placement”. The bill also makes modifications to the established Education Improvement Scholarships. | Education |
| HB1450, Orrock | Replaces the terms "handicap," "handicapped," and similar variations throughout the Code with alternative terms, such as "disability" and "impairment." | pending |
| HB1452, Orrock | Attorney General to designate up to 30 persons in the Medicaid Fraud Control Unit as sworn unit investigators and law enforcement officers, with the power to investigate allegations of Medicaid fraud, abuse and neglect, misappropriation private funds of people in care & custody of others, and criminal offense ancillary to such allegations. | Courts of Justice, Sub #1 |
| HB1461, Wiley | Dept of Ed to establish regulations requiring local schools boards to adhere to, a uniform system of discipline for disruptive behavior. Would include removal of violent students and a 3-strike system for nonviolent disruptive behavior. Maintains current IDEA provisions for students with disabilities. | Education |
| HB1492, Davis | State regs would allow an LEA to shorten the deadline of 65 business days for an initial or reevaluation of IDEA eligibility. Would also extend the timeline an LEA has to ensure an IEP is developed from 30 calendar days to 30 business days. | Education |
| HB1512, Adams | Medicaid to cover “complex rehabilitative technology manual and power wheelchair bases and related accessories” for people in nursing facilities | Health, Welfare & Institutions, Sub #1 |
| HB1554, Brewer | High school websites required to identify the faculty member responsible for special education transition planning and coordination at the school | Education |
| HB1573, Walker | Dept of Health Professions to amend its licensure, certification, and registration applications to remove questions pertaining to mental health conditions | Health, Welfare & Institutions |
| HB1596, Delaney | Prescription Drug Affordability Board and Fund established to address the high of prescription drugs | pending |
| HB1599, Wachsmann | DMAS to pursue a medical spend down provision for the 3 DD Waivers | Appropriations, Sub Health and Human Resources |
| HB1602, Robinson | Medicaid providers not required to maintain a physical presence in the Commonwealth, including telemedicine service providers | Health, Welfare & Institutions, Sub #1 |
| HB1609, Tata | Transit Ridership Incentive Program; on-demand microtransit operations | Transportation, Sub #2 |
| HB1640, Kilgore | Medicare supplement policies for individuals under age 65 | Commerce & Energy |
| HB1659, Bell | DBHDS and Dept of Ed to establish standards for the transition of records and transfer of services for students with disabilities at the age of majority | Health, Welfare & Institutions, Sub #2 |
| HB1681, Robinson | Nursing facilities permitted to conduct screening for individuals not screened before admission to the facility | pending |
| HB1725, VanValkenburg | Misrepresentation of need for assistance animal in a dwelling | General Laws |
| HB1830, Torian | Waiting period increase from 5 days to 14 days after written notice to terminate lease for nonpayment of rent before landlord may pursue remedies for termination of lease | General Laws, Sub #2 |
| HB1831, Torian | Long-term care screening teams may share screenings (UAI) with other local DSS if received within 30 days of application for long-term services | pending |
| HB1845, Taylor | Where a child or mentally or physically incapacitated elderly person lives, landlords with an intention to terminate a lease due to tenant noncompliance must notify the tenant of the option to contact DSS to determine if other housing is available. If landlord gets a court order to evict, the landlord shall notify the local DSS. | General Laws, Sub #2 |
| HB1865, Scott | Except in a medical emergency, abortion prohibited unless there is confirmation that the abortion is not being sought on the basis of a disability, sex or ethnicity | pending |
| HB1884, Wampler | IEP team to determine if student may take SOL or alternative assessments on a less frequent basis than is otherwise required to allow additional learning time | Education |
| HB 1902, Hope | Medicaid, and other appeals, removes the prohibition against appeals regarding the adequacy of standards of need and payment levels. Currently court review is limited to whether the agency relied on evidence to support its decision. | pending |
| HB1909, Batten | Establishment of opportunity classrooms, in which an alternative curriculum is offered in agreement with local school board. | Education |
| HB1924, Hope | Employees with disabilities now paid at subminimum wage have wages increased over a 3-year period with the intent that the Virginia Minimum Wage Act cover such employees by July 2026. | pending |
| HB1948, Bloxom | Removes the witness requirement for absentee ballots and replaces it a requirement to provide the voter’s last four digits of the social security number and date of birth. | Privileges & Elections |
| HB1963, Runion | For the Medicaid DD Waivers, combine the assistive technology and electronic home-based support services limits of $5,000 per service so that an individual can receive one or both of these services for a combined total of $10,000 | Health, Welfare & Institutions |
| HB2027, Roem | Guardian shall not restrict an incapacitated person's ability to communicate with, visit, or interact with other persons with whom the incapacitated person has an established relationship | pending |
| HB2028, Roem | Guardian required to visit an incapacitated person at least four times per year and at least once every 90 days. Allowances for others to make the visit and for virtual visits. | pending |
| HB2049, Bennett-Parker | Curb-side voting limited to those whose disability prevents them from entering the polling place. Expands the definition of disability to any disability, not just physical. | pending |
| HB2074, Murphy | Person with autism, ID, or serious mental illness charged with a simple assault and battery offense shall not be subject to a mandatory minimum punishment if the court finds that the violation was caused by or had a direct and substantial relationship to the person's disorder or disability. | pending |
| HB2083, King | Medicaid to cover anesthetics for dental care in a hospital or surgical center for people with disabilities who require hospitalization or general anesthesia | pending |
| HB2087, King | Home healthcare workers to be paid sick leave regardless of the number of hours they work | pending |
| HB2099, Bulova | Livable home tax credit increase from $5,000 to $6,000 per individual each year. Increase the aggregate from $1 million to $2 million of tax credits allowed by the livable home tax credit in a fiscal year by DHCD. | Finance |
| HB2153, Guzman | Require state agencies to post available state positions on the Alternative Hiring Process webpage of the Recruitment Management System for the Commonwealth and allow current state employees to obtain a Certification of Disability. | pending |
| HB2172, Sickles | Removes from the definition of "mobility-impaired person" the requirement that such person complete training to use a dog for service or support as a prerequisite invoking their right to use a service dog. | pending |
| HB2207, Tran | Makes numerous organizational changes to the Information Technology Access Act. The bill defines "information and communications technology" that is used to promote digital accessibility for all persons with disabilities. | pending |
| HB2255, Hodges | DBHDS licensure unannounced inspections reduced to once during the licensing period from current annual inspection. Removes requirement that inspections evaluate the physical facilities in which services are provided. | Health, Welfare & Institutions, Sub #2 |
| HB2307, Simonds | Board of Education to make recommendations to the General Assembly for amendments to the Standards of Quality to establish standards for the maintenance and operations, renovation, and new construction of school buildings. | pending |
| HB2315, Kory | DMAS and DBHDS to convene a workgroup to study methods for and develop recommendations for disseminating information about DD services. | pending |
| HJ490, VanValkenburg  HJ529, Guzman | Study ways to increase affordable housing options for public servants on publicly owned property | pending |
| HJ534, Wampler | Study enhancing the usage of augmented reality and virtual reality technology in K-12 classrooms and curricula for students with disabilities. | pending |
| SB798, Hashmi | Replaces the terms "handicap," "handicapped," and similar variations throughout the Code with alternative terms, such as "disability" and "impairment." | Reported from Rehabilitation and Social Services |
| SB814, Surovell | Allows a court to appoint interpreters for persons who are deaf without using the VDDHH procurement if another certified interpreter is readily available. | Judiciary |
| SB823, Chase | Establish Parental Choice Education Savings Accounts for education outside of the LEA. The bill would release the LEA from IDEA obligations for the student. | Education & Health |
| SB830, Favola | DBHDS and Dept of Ed to establish standards for the transition of records and transfer of services for students with disabilities at the age of majority | Rules |
| SB831, Favola | DMAS to pursue a medical spend down provision for the 3 DD Waivers | Rules |
| SB879, McDougle | Adds child pornography offenses to the list of offenses that are ineligible for a court to apply the deferred disposition provisions where the defendant has been diagnosed with autism or an intellectual disability | Judiciary |
| SB930, Hashmi | Assisted suicide | Education & Health |
| SB943, Suetterlein | High school websites required to identify the faculty member responsible for special education transition planning and coordination at the school | In Senate |
| SB945, Suetterlein | DMAS to pursue a medical spend down provision for the 3 DD Waivers | Education & Health, Sub Health |
| SB970, Mason | Dept of Health Professions to amend its licensure, certification, and registration applications to remove questions pertaining to mental health conditions | Education & Health |
| SB987, Mason | Court to conduct periodic reviews in the order of appointment of a guardian or conservator, exceptions apply | Reported from Rehabilitation and Social Services, rereferred to Finance & Appropriations |
| SB1003, DeSteph | Health insurers required to provide coverage for hearing aids and related services for children 18 years of age or younger | Commerce & Labor |
| SB1049, McPike | Development of a five year plan regarding affordable housing | General Laws & Technology |
| SB1072, Bell | Public schools to notify parent of student involved in an alleged bullying incident of the alleged incident within 24 hours of when the allegation was made | Ed & Health, Sub Public Ed |
| SB1124, Stanley | Board of Education to make recommendations to the General Assembly for amendments to the Standards of Quality to establish standards for the maintenance and operations, renovation, and new construction of school buildings. | Rules |
| SB1140, McPike | Training for court-appointed guardians | Judiciary |
| SB1148, Marsden | Work group to evaluate options and make recommendations for online 12th grade transition planning and assistance programs for secondary school students | Rules |
| SB1155, Mason | DBHDS licensure unannounced inspections reduced to once during the licensing period from current annual inspection. Removes requirement that inspections evaluate the physical facilities in which services are provided. | Education & Health, Sub Health |
| SB1179, DeSteph | Education improvement scholarships tax credits; expands eligibility to students with an IEP and several other changes. | Finance & Appropriations |
| SB1191, Reeves | Establishes Education Savings Accounts including certain state and local funds and from which parents can use for qualifying expenses for a child in a setting and a manner other than full-time education in a public school. Students with disabilities would be considered a “parental placement”. The bill also makes modifications to the established Education Improvement Scholarships. | Education & Health |
| SB1269, Edwards | DARS to provide auxiliary grants to eligible recipients residing in independent community living, as defined in the bill, under conditions set forth in the bill. DMAS to amend services as needed. Limited to 200 people. | Finance & Appropriations |
| SB1272, Boysko | Person with autism, ID, or serious mental illness charged with a simple assault and battery offense shall not be subject to a mandatory minimum punishment if the court finds that the violation was caused by or had a direct and substantial relationship to the person's disorder or disability. | Judiciary |
| SB1290, DeSteph | Establish School Choice Educational Savings Accounts. Student forfeits IDEA provisions as if the student was privately placed by the parents. | Education & Health |
| SB1334, Hashmi | Board of Education to develop and enforce a code of ethics relating to appropriate participation and collaboration at IEP meetings among school staff, parents, students, and any other invited participants. | Rules |
| SB1339, Barker | Sets nursing staffing requirements for nursing facilities imposes administrative sanctions on a certified nursing facility if it does not comply with the requirements. | Education & Health |
| SB1409, Barker | Medicare supplement policies for individuals under age 65 | Commerce & Labor |
| SB1457, Lewis | Nursing facilities permitted to conduct screening for individuals not screened before admission to the facility | Education & Health |