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

**2023 LEGISLATIVE TRACKING – Virginia General Assembly, January 24, 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** |
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| 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, Sub Early Childhood/Innovation |
| HB1446, Orrock | Sets staffing requirements for nursing facilities, imposes administrative sanctions on a certified nursing facility if it does not comply with the staffing requirements | Appropriations, Sub Health and Human Resources recommends reporting |
| HB1450, Orrock | Replaces the terms "handicap," "handicapped," and similar variations throughout the Code with alternative terms, such as "disability" and "impairment." | Health, Welfare & Institutions |
| 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 recommends reporting substitute and referring to Appropriations |
| 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, Sub K-12 |
| HB1492, Davis  Fiscal impact states would be a violation of IDEA | 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, Sub Early Childhood/Innovation |
| HB1512, Adams | Medicaid to cover “complex rehabilitative technology manual and power wheelchair bases and related accessories” for people in nursing facilities. Patron says cost is $2.6M. | Health, Welfare & Institutions reported and referred to Appropriations |
| HB1554, Brewer | High school websites required to identify the faculty member responsible for special education transition planning and coordination at the school | Education reported |
| 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 reported |
| HB1592, Davis  (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 | In House |
| HB1596, Delaney | Prescription Drug Affordability Board and Fund established to address the high of prescription drugs | Commerce & Energy, Sub #4 recommends laying on the table |
| HB1599, Wachsmann  (SB831, Favola) | DMAS to pursue a medical spend down provision for the 3 DD Waivers | Appropriations, Sub Health and Human Resources tabled |
| HB1602, Robinson | Medicaid providers not required to maintain a physical presence in the Commonwealth, including telemedicine service providers | Health, Welfare & Institutions reported |
| HB1609, Tata | Transit Ridership Incentive Program; on-demand microtransit operations | Transportation, Sub #2 |
| HB1640, Kilgore  (SB1409, Barker) | Medicare supplement policies for individuals under age 65, insurer cannot charge people under 65 more than they charge those over 65 | Commerce & Energy, Sub #2 |
| HB1652, Price  Incorporated HB1830 | 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 recommends tabling |
| 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 reported |
| HB1681, Robinson | Nursing facilities permitted to conduct screening for individuals not screened before admission to the facility | Health, Welfare & Institutions |
| HB1725, VanValkenburg | Misrepresentation of need for assistance animal in a dwelling | General Laws reported |
| HB1794, Simonds | High school student transcripts to include scores of tests used for college admission, such as SAT and ACT, only if the student or parent requests it to be included. | Education, Sub Higher Education recommends tabling |
| 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 | Health, Welfare & Institutions, Sub #3 |
| 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 recommends tabling |
| 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. | General Laws, Sub #1 |
| HB1906, Hope  (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. | Health, Welfare & Institutions, Sub #3 |
| 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. | Commerce and Energy |
| 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, Sub #1 recommends reporting and rereferring to Appropriations |
| HB1981, Kory | Board of Education's Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia to apply to school security officers and school resource officers | Education |
| 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 | Courts of Justice, Sub #2 |
| 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. | Courts of Justice, Sub #2 |
| 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. | Privileges & Elections |
| 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. | Courts of Justice |
| 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 | Health, Welfare & Institutions |
| HB2087, King | Home healthcare workers to be paid sick leave regardless of the number of hours they work | Commerce & Energy |
| 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, Sub #1 recommends reporting and referring to Appropriations |
| 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. | General Laws, Sub 1 |
| 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. | Health, Welfare & Institutions |
| 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. | Communications, Technology and Innovation |
| 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 recommends reporting |
| 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. | Education, Sub K-12 failed to recommend reporting |
| HB2315, Kory | DMAS and DBHDS to convene a workgroup to study methods for and develop recommendations for disseminating information about DD services. | Health, Welfare & Institutions, Sub #3 |
| HB2424, Seibold  (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. | Courts of Justice, Sub #2 recommends reporting |
| HB2437, Roem  (SB1140, McPike) | Training for court-appointed guardians | Health, Welfare & Institutions, Sub 1 |
| HB2453, Tran | Pilot program to enhance accessibility in state parks by providing all-terrain power wheelchairs that may be used by people with mobility disabilities during their visits | Agriculture, Chesapeake and Natural Resources, Sub Natural Reouces |
| 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." | Passed Senate |
| SB814, Surovell  (HB2424, Seibold) | Allows a court to appoint interpreters for persons who are deaf without using the VDDHH procurement if another certified interpreter is readily available. Amended to only allow if VDDHH “cannot procure such services”. | In House |
| 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, Sub Public Education recommends passing by indefinitely |
| 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  (HB1599, Wachsmann) | 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, Sub Health Professions, recommends passing by indefinitely |
| SB943, Suetterlein | High school websites required to identify the faculty member responsible for special education transition planning and coordination at the school | Passed Senate |
| SB945, Suetterlein | DMAS to pursue a medical spend down provision for the 3 DD Waivers | Education & Health reported and referred to Finance and Appropriations |
| SB970, Mason | Dept of Health Professions to amend its licensure, certification, and registration applications to remove questions pertaining to mental health conditions | Education & Health, Sub Health Professions |
| 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, referred 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, reported and referred to Finance & Appropriations |
| SB1049, McPike | Development of a five year plan regarding affordable housing | General Laws & Technology |
| SB1072, Bell  (HB1592, Davis) | 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 | Education & Health, Sub Public Education recommends reporting |
| 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 reported and referred to Finance |
| SB1140, McPike  (HB2437, Roem) | Training for court-appointed guardians | Rehabilitation & Social Services |
| 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 reported |
| 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, Sub Public Education recommends passing by indefinitely |
| SB1269, Edwards  (HB1906, Hope) | 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 reported substitute to develop guidelines but not fund in fiscal year 2024 |
| 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, Sub Public Education recommends passing by indefinitely |
| 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 referred to Education and Health |
| 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, Sub Health |
| SB1409, Barker  (HB1640, Kilgore) | Medicare supplement policies for individuals under age 65, insurer cannot charge people under 65 more than they charge those over 65 | Commerce & Labor |
| SB1457, Lewis | Nursing facilities permitted to conduct screening for individuals not screened before admission to the facility | Education & Health, Sub Health |