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

**2023 LEGISLATIVE TRACKING – Virginia General Assembly, February 1, 2023 11:00am**

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  (SB1339, Barker) | Sets staffing requirements for nursing facilities, imposes administrative sanctions on a certified nursing facility if it does not comply with the staffing requirements | Passed House |
| 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 reported, referred to Appropriations Sub Compensation & Retirement |
| HB1461, Wiley | Dept of Ed work group to make recommendations to the General Assembly regarding feasibility of implementing a uniform system of classroom discipline whereby a teacher is required to remove a student if the student repeats or continues nonviolent disruptive behavior after the teacher provides two warnings to the student, giving due consideration to the need for appropriate exceptions for students with disabilities. | Passed House |
| HB1492, Davis | State regs would allow an LEA to shorten the deadline of 65 business days for an initial or reevaluation of IDEA eligibility. | Education reported |
| 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. | Appropriations reported |
| HB1554, Brewer | High school websites required to identify the faculty member responsible for special education transition planning and coordination at the school | Passed House. Senate Education & Health |
| HB1573, Walker | Dept of Health Professions to amend its licensure, certification, and registration applications to remove questions pertaining to mental health conditions | Passed House |
| 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 | Passed House. Senate Education & Health |
| HB1596, Delaney  (SB957, Peterson) | Prescription Drug Affordability Board and Fund established to address the high of prescription drugs | Commerce & Energy, Sub #4 recommends tabling |
| HB1599, Wachsmann  (SB831, Favola) | DMAS to pursue a medical spend down provision for the 3 DD Waivers | Appropriations, Sub Health and Human Resources recommends tabling |
| HB1602, Robinson | Medicaid providers not required to maintain a physical presence in the Commonwealth, including telemedicine service providers | Passed House. Senate Education & Health |
| HB1609, Tata | Transit Ridership Incentive Program; on-demand microtransit operations | Transportation, Sub #2 recommends striking |
| 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 reported |
| 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 | Passed House. Senate Education & Health |
| HB1681, Robinson  (SB1457, Lewis) | Nursing facilities permitted to conduct screening for individuals not screened before admission to the facility | Health, Welfare & Institutions reported |
| HB1725, VanValkenburg | Misrepresentation of need for assistance animal in a dwelling | Passed House. Senate General Laws & Tech |
| 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 |
| 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 | Courts of Justice |
| 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 reported |
| 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 develop an implementation plan to provide auxiliary grants to eligible recipients residing in independent community living, as defined in the bill, under conditions set forth in the bill. Pursuant to future funding. | Appropriations, Health & Human Resources recommends tabling |
| HB1909, Batten | Establishment of opportunity classrooms, in which an alternative curriculum is offered in agreement with local school board. | Education reported |
| 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 reported |
| 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. | In House |
| HB1963, Runion  (SB945, Suetterlein) | 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 | Appropriations, Sub Health & Human Resources recommends reporting |
| 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, Sub Pre-K-12, failed to recommend reporting |
| HB2027, Roem | Guardian may restrict an incapacitated person's ability to communicate with, visit, or interact with other persons with whom the incapacitated person has an established relationship. Specific notice requirements. | In House |
| HB2028, Roem | Guardian required to visit an incapacitated person at least 3 times per year: 1 every 120 days, 2 by guardian (1 in person and no more than 1 virtual), 1 by someone else who submits a report. | In House |
| 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, Sub #1 failed to report |
| 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 |
| HB2087, Mundon King | Home healthcare workers to be paid sick leave regardless of the number of hours they work | Commerce & Energy, Sub #4 recommends tabling |
| 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 reported and referred to Appropriations, Sub Commerce Agriculture & Natural Resources |
| HB2153, Guzman | Department of Human Resource Management to allow current state employees to obtain a Certification of Disability. | General Laws reported |
| 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 reported and referred to Appropriations Sub General Government & Capital Outlay |
| HB2255, Hodges | DBHDS to review regulations that impact providers licensed by DBHDS in order to identify reforms to increase efficiency, reduce redundancy, and decrease regulatory burdens on providers. Initial bill had specific requirements that were being changed. | Health, Welfare & Institutions reported |
| HB2307, Simonds  (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. | Education, Sub K-12 failed to report |
| 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 reported and referred to Appropriations |
| 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. | In House |
| HB2437, Roem  (SB1140, McPike) | Training for court-appointed guardians | Health, Welfare & Institutions, Sub 1 recommends reporting and referring to Appropriations |
| 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 Resources recommends reporting and referring to Appropriations |
| HJ490, VanValkenburg  HJ529, Guzman | Study ways to increase affordable housing options for public servants on publicly owned property | Rules, Sub Studies recommends tabling both |
| 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”. | Passed Senate |
| 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 |
| SB839, Locke | Development of a five-year plan regarding affordable housing and availability of housing that is accessible to people with disabilities. Incorporated SB1049 and SB1190 | Finance and Appropriations reported |
| 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 MEETS WEDNESDAY AFTERNOON | Judiciary |
| 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  (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 | Finance and Appropriations reported |
| SB957, Peterson  (HB1596, Delaney) | Prescription Drug Affordability Board and Fund established to address the high of prescription drugs | Finance and Appropriations reported |
| SB970, Mason | Dept of Health Professions to amend its licensure, certification, and registration applications to remove questions pertaining to mental health conditions | In Senate |
| SB987, Mason | Court to conduct periodic reviews in the order of appointment of a guardian or conservator, exceptions apply | Finance & Appropriations reported |
| SB1003, DeSteph | Health insurers required to provide coverage for hearing aids and related services for children 18 years of age or younger | Finance & Appropriations reported |
| 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 | Passed Senate. |
| SB1124, Stanley  (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. | Finance & Appropriations reported |
| SB1140, McPike  (HB2437, Roem) | Training for court-appointed guardians | Finance & Appropriations reported |
| 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. | At reading in the Senate recommitted back to Education & Health, Sub Health |
| SB1269, Edwards  (HB1906, Hope) | DARS to develop an implementation plan to provide auxiliary grants to eligible recipients residing in independent community living, as defined in the bill, under conditions set forth in the bill. Pursuant to future funding. | Passed Senate |
| 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 |
| 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, Sub Public Ed recommended reporting with amendments |
| SB1339, Barker  (HB1446, Orrock) | 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 recommends reporting |
| 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 reported |
| SB1457, Lewis  (HB1681, Robinson) | Nursing facilities permitted to conduct screening for individuals not screened before admission to the facility | Finance & Appropriations reported |

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| **FAILED LEGISLATION** | | |
| **Legislation, Patron** | **Description** | **Committee** |
| 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 | Stricken at request of patron |
| HB2083, Mundon King | Medicaid to cover anesthetics for dental care in a hospital or surgical center for people with disabilities who require hospitalization or general anesthesia | Stricken at request of patron |
| HJ534, Wampler | Study enhancing the usage of augmented reality and virtual reality technology in K-12 classrooms and curricula for students with disabilities. | Stricken at request of patron |
| 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. | Passed by indefinitely in Senate Education & Health |
| SB930, Hashmi | Assisted suicide | Passed by indefinitely in Senate Education & Health |
| SB1179, DeSteph | Education improvement scholarships tax credits; expands eligibility to students with an IEP and several other changes. | Passed by indefinitely in Senate Finance & Appropriations |
| SB1191, Reeves | Establish Parental Choice Education Savings Accounts for education outside of the LEA. The bill would release the LEA from IDEA obligations for the student. | Passed by indefinitely in Senate Education & Health |
| SB1290, DeSteph | Establish School Choice Educational Savings Accounts. Student forfeits IDEA provisions as if the parents privately placed the student. | Passed by indefinitely in Senate Education & Health |