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

**2023 LEGISLATIVE TRACKING – Virginia General Assembly, February 7, 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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| 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. Senate Education & Health |
| HB1450, Orrock | Replaces the terms "handicap," "handicapped," and similar variations throughout the Code with alternative terms, such as "disability" and "impairment." | Passed House. |
| 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. | Passed House. |
| 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. Also requires teachers to remove students for disruptive violent behavior. | Passed House. Senate Education & Health |
| HB1492, Davis | State regs would allow an LEA to shorten the deadline of 65 business days for an initial or reevaluation of IDEA eligibility. | Passed House. Senate Education & Health |
| 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. | Passed House. Senate Education & Health |
| 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. Senate Education & Health |
| 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 |
| HB1602, Robinson | Medicaid providers not required to maintain a physical presence in the Commonwealth, including telemedicine service providers | Passed House. Senate Education & Health |
| 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 | Passed House. |
| 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 | Passed House. |
| HB1725, VanValkenburg | Misrepresentation of need for assistance animal in a dwelling | Passed House. Senate General Laws & Tech |
| HB1884, Wampler | Existing VDOE SOL assessment revision work group to review effectiveness of SOL and alternative assessments for students with disabilities | Passed House. |
| HB1909, Batten | Establishment of opportunity classrooms, in which an alternative curriculum is offered in agreement with local school board. | Passed House. Senate Education & Health. |
| 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. | Passed House. |
| 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. | Passed House. Senate Privileges & Elections |
| 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 | Passed House. |
| 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. | Passed House. Senate Judiciary |
| 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. | Passed House. Senate Judiciary |
| 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. | Passed House. |
| HB2153, Guzman | Department of Human Resource Management to allow current state employees to obtain a Certification of Disability. | Passed House. |
| 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. | Passed House. |
| 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. | Passed House. |
| HB2315, Kory | DMAS and DBHDS to convene a workgroup to study methods for and develop recommendations for disseminating information about DD services. | Passed House. |
| 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. | Passed House. Senate Judiciary |
| 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. House Courts of Justice |
| 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 | Passed Senate. |
| SB831, Favola  (HB1599, Wachsmann) | DMAS to pursue a medical spend down provision for the 3 DD Waivers | Passed Senate. |
| 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 | Passed Senate. |
| SB943, Suetterlein | High school websites required to identify the faculty member responsible for special education transition planning and coordination at the school | Passed Senate. House Education |
| 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 | Passed Senate. |
| SB957, Peterson  (HB1596, Delaney) | Prescription Drug Affordability Board and Fund established to address the high of prescription drugs | Passed Senate. House Commerce & Energy |
| SB970, Mason | Dept of Health Professions to amend its licensure, certification, and registration applications to remove questions pertaining to mental health conditions | Passed Senate. |
| SB987, Mason | Court to conduct periodic reviews in the order of appointment of a guardian or conservator, exceptions apply | Passed Senate. |
| SB1003, DeSteph | Health insurers required to provide coverage for hearing aids and related services for children 18 years of age or younger | Passed Senate. |
| 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. | Passed Senate. House Education |
| SB1140, McPike  (HB2437, Roem) | Training for court-appointed guardians | Passed Senate. |
| 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. | Passed Senate. House Health, Welfare & Institutions |
| 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. | Passed Senate. |
| SB1334, Hashmi | Board of Education to convene a work group provide recommendations for the development of a code of ethics relating to effective collaboration at IEP meetings among school staff, parents, students, and others | Passed Senate. |
| 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. | Passed Senate. |
| 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 | Passed Senate. |
| SB1457, Lewis  (HB1681, Robinson) | Nursing facilities permitted to conduct screening for individuals not screened before admission to the facility | Passed Senate. |

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| **FAILED LEGISLATION** | | |
| **Legislation, Patron** | **Description** | **Committee** |
| 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. | Left in House Education |
| HB1596, Delaney | Prescription Drug Affordability Board and Fund established to address the high of prescription drugs | Left in Commerce & Energy |
| HB1599, Wachsmann | DMAS to pursue a medical spend down provision for the 3 DD Waivers | Left in Appropriations |
| HB1609, Tata | Transit Ridership Incentive Program; on-demand microtransit operations | Left in Transportation |
| 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 | Left in General Laws |
| 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. | Left in Education |
| 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 |
| 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. | Left in General Laws |
| 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 | Left in Courts of Justice |
| 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. | Left in General Laws |
| 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. | Left in 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 | Left in Education |
| 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. | Left in 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. | Left in Courts of Justice |
| HB2087, Mundon King | Home healthcare workers to be paid sick leave regardless of the number of hours they work | Left in Commerce & Energy |
| 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 |
| 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. | Defeated in House. |
| 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. | Left in Education |
| HB2437, Roem  (SB1140, McPike) | Training for court-appointed guardians | Tabled in House 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 | Tabled in House Appropriations |
| HJ490, VanValkenburg  HJ529, Guzman | Study ways to increase affordable housing options for public servants on publicly owned property | Left in Rules |
| 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 |
| 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 | Passed by indefinitely in Senate Judiciary |
| SB930, Hashmi | Assisted suicide | Passed by indefinitely in Senate Education & Health |
| SB998, Mason | 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. With letter. | Passed by indefinitely in Senate Finance & Appropriations |
| SB1148, Marsden | Work group to evaluate options and make recommendations for online 12th grade transition planning and assistance programs for secondary school students | Passed by indefinitely in Rules |
| 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 |