

Virginia State Board of Health Public Participation Policy

The Board of Health (Board) encourages public participation in the performance of its duties and responsibilities. To assure that public comment submitted to the Board is properly processed and to assure that all Board actions are made in compliance with the Administrative Process Act, the Board hereby adopts this Public Participation Policy.

A. Public Comments at Board of Health Meetings

These procedures establish the times for the public to provide appropriate comment to the Board for its consideration. In light of these established procedures, the Board accepts public comment on regulatory actions, as well as general comments, at Board meetings.

The Board schedules a public comment period at the beginning of each regular meeting to provide an opportunity for citizens to address the Board. Anyone wishing to speak to the Board during this time should, at the beginning of the Board meeting, indicate his or her desire on the sign-in sheet. Presentations during the Public Forum shall not exceed two minutes per person. The public comment period shall be no more than twenty minutes.

The Board reserves the right to alter the time limitations set forth above without notice and to ensure that comments presented at the meeting conform to this policy.

B. Public Comment submitted to the Board of Health outside of Board of Health Meetings

1. Any member of the public may submit comments concerning pending non-emergency, non-exempt regulatory actions to the Virginia Regulatory Town Hall at www.townhall.virginia.gov.
2. In accordance with the provisions of the Board's Public Participation Guidelines governing public comment (12VAC5-11-50), any member of the public may submit written comments concerning pending non-emergency, non-exempt regulatory actions directly to the Board of Health, care of the Department of Health:
 - in writing to 109 Governor Street, Richmond Virginia 23219,
 - by fax at 804-864-7022, or
 - via email at healthcommissioner@vdh.virginia.gov.

The Board of Health shall accept public comments in writing after the publication of a regulatory action in the Virginia Register of Regulations as follows:

- i. For a minimum of 30 calendar days following the publication of the notice of intended regulatory action.

- ii. For a minimum of 60 calendar days following the publication of a proposed regulation.
- iii. For a minimum of 30 calendar days following the publication of a repropoed regulation.
- iv. For a minimum of 30 calendar days following the publication of a final adopted regulation.
- v. For a minimum of 30 calendar days following the publication of a fast-track regulation.
- vi. For a minimum of 21 calendar days following the publication of a notice of periodic review.
- vii. Not later than 21 calendar days following the publication of a petition for rulemaking.

The Board of Health may determine if any of the comment periods listed in this subsection shall be extended.

3. Whenever a Board member receives written or verbal comment pertaining to the Department of Health's programs or personnel, such as comments or complaints about the implementation of specific health programs, or actions of agency staff, he or she should decline to make a substantive response and should refer the comment to the [Commissioner/ or other agency designee] for appropriate review and handling. A Board member may, in the alternative, inform the author of the public comment that it should be directed to the appropriate agency staff. Comments received through the Town Hall or the above-specified methods will be summarized for the Board and considered by the Board when making a decision on regulatory action.

Adopted October 23, 2003
Revised December 14, 2012