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Exempt Action: Final Regulation Agency Background Document

Agency name	Virginia Department of Health
Virginia Administrative Code (VAC) Chapter citation(s)	12 VAC 5-31
VAC Chapter title(s)	Virginia Emergency Medical Services Regulations
Action title	Amend Regulations after Enactment of Chapter 459 of the 2025 Acts of Assembly
Final agency action date	08/26/2025
Date this document prepared	07/21/2025

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

This regulatory action amends the Virginia Emergency Medical Services Regulations (12VAC5-31), to comply with the provisions of Chapter 459 of the 2025 Acts of Assembly. The amendments to these regulations allow for greater flexibility in the marking and identification of EMS vehicles operated by combination fire and EMS agencies by authorizing these agencies, when operating under a single EMS license or certification, to display the fire department's logo and lettering in a size larger than that used to identify the EMS agency name. The intent is to align regulatory requirements with legislatively mandated provisions.

This action is exempt from the provisions of the Administrative Process Act pursuant to § 2.2-4002(A)(4) of the Code of Virginia because these amendments are being adopted as required by the provisions of Chapter 459 of the 2025 Acts of Assembly, without additional agency discretion.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, “mandate” has the same meaning as defined in the ORM procedures, “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”

This regulatory change is mandated by the General Assembly through Chapter 459 of the 2025 Acts of Assembly, which directs the State Board of Health to promulgate amendments to the Emergency Medical Services Regulations pursuant to § 32.1-111.4 of the Code of Virginia. The impetus for this action is the newly enacted requirements from Chapter 459 of the 2025 Acts of Assembly.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has “adopted final amendments” to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, “On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)].”

On August 26, 2025, the State Health Commissioner adopted the final amendments to the Virginia Emergency Medical Services Regulations (12VAC5-31) on behalf of the State Board of Health while the Board was not in session.