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Exempt Action: Final Regulation Agency Background Document

Agency name	Department of Behavioral Health and Developmental Services (DBHDS)
Virginia Administrative Code (VAC) Chapter citation(s)	12VAC35-46 and 12VAC35-105
VAC Chapter title(s)	Regulations for Children's Residential Facilities and Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services
Action title	Emergency medical simulations
Final agency action date	9/23/2026
Date this document prepared	9/9/2026

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.

The 2026 Session of the General Assembly through [HB 1370](#) directed the State Board of Behavioral Health and Developmental Services to amend its regulations to require providers to conduct regular emergency medical simulations and train employees that regularly engage with people receiving services. The bill requires that such emergency medical simulations and training shall prepare employees of the provider to recognize and respond to situations where individuals receiving require emergency medical treatment. The amendments within this action implement the provisions of the bill and were created with input from stakeholders.

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."

The 2026 Session of the General Assembly passed [HB 1370](#), requires the State Board of Behavioral Health and Developmental Services to amend its regulations to require providers to conduct regular emergency medical simulations and train employees that regularly engage with people receiving services. The bill requires that such emergency medical simulations and training shall prepare employees of the provider to recognize and respond to situations where individuals receiving require emergency medical treatment. The bill states the initial adoption of regulations shall be exempt from the requirements of the Administrative Process Act.

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)]."

Through its statutory authority in § [37.2-203](#) of the Code of Virginia, the mandated amendments were approved by the State Board of Behavioral Health and Developmental Services at its meeting on September 23rd, 2026.