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|  | ***Commonwealth of Virginia*** |  |
|  | **Regulations**  **Governing Delegation to an agency subordinate**  **Virginia Board of Counseling**  **Title of Regulations: 18 VAC 115-15-10 et seq.**  **Statutory Authority: §§ 54.1-2400 and Chapter 35 of Title 54.1**  **of the *Code of Virginia***  **Revised Date: December 12, 2019**  9960 Mayland Drive Phone: (804) 367-4610  Henrico, VA 23233 FAX: (804) 527-4435  email: coun@dhp.virginia.gov | |

# TABLE OF CONTENTS

[TABLE OF CONTENTS 2](#_Toc27483066)

[18VAC115-15-10. Decision to delegate. 3](#_Toc27483067)

[18VAC115-15-20. Criteria for delegation. 3](#_Toc27483068)

[18VAC115-15-30. Criteria for an agency subordinate. 3](#_Toc27483069)

## 18VAC115-15-10. Decision to delegate.

In accordance with § 54.1-2400 (10) of the Code of Virginia, the board may delegate an informal fact-finding proceeding to an agency subordinate upon determination that probable cause exists that a practitioner may be subject to a disciplinary action.

## 18VAC115-15-20. Criteria for delegation.

Cases that may not be delegated to an agency subordinate include violations of standards of practice as set forth in regulations governing each profession registered, certified, or licensed by the board, except as may otherwise be determined by the executive director in consultation with the board chair.

## 18VAC115-15-30. Criteria for an agency subordinate.

1. An agency subordinate authorized by the board to conduct an informal fact-finding proceeding may include board members and professional staff or other persons deemed knowledgeable by virtue of their training and experience in administrative proceedings involving the regulation and discipline of health professionals.

2. The executive director shall maintain a list of appropriately qualified persons to whom an informal fact-finding proceeding may be delegated.

3. The board may delegate to the executive director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being heard.