

Virginia Administrative Code

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CHAPTER 20

POLICY AND PROCEDURE MANUAL

Part I

General Provisions

24VAC35-20-10. Definitions.

The terms used in this chapter shall have the following meanings unless the context indicates otherwise.

"ASAP" means Alcohol Safety Action Program formed by political subdivisions or by the commission as a criminal justice program that uses community and state services to address the problem of driving under the influence of alcohol and other drugs. ASAPs receive referrals from local courts or the commission. ASAPs deliver intervention services within locally-administered programs to specific municipal jurisdictions within the Commonwealth of Virginia pursuant to §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

"ASAP components" means the separation of actions into specifically defined areas which the VASAP system uses to offset and deter the actions of Driving Under the Influence (DUI) and potential DUI offenders. They comprise a systemic approach to educate the general public, reduce the incidence of impaired driving and to prevent drunk driving. There are five specific components defined and utilized by the VASAP system.

"ASAP Regional Council" means one of the three geographical areas of the Commonwealth of Virginia in which the ASAPs have been organized (Colonial, Blue Ridge, and Battlefield ASAP Councils).

"BAC" means blood alcohol concentration, which is determined by law-enforcement or other licensed personnel in accordance with procedures established in § 18.2-268.

"Budget" means a written financial plan for expenditures of a program or accounting entity for a given period.

"Certification" means the process whereby the commission evaluates an ASAP for its organization, management, fiscal standing, and overall operation. Certification also includes on the ASAP's ability to

receive referrals from courts of persons convicted of DUI.

"Classification" means a process involving the assessment of an offender's personal involvement with alcohol or other drugs which results in referral to an appropriate intervention service (education or treatment).

"Commission" means the state agency established as the Commission on the Virginia Alcohol Safety Action Program. It is composed of two members from the House Committee for Courts of Justice, two members from the Senate Committee for Courts of Justice, two sitting or retired district court judges who regularly hear or heard cases involving DUI and who are familiar with local ASAPs, two directors of ASAPs, one representative from the law-enforcement profession, one citizen at large, one representative from the Department of Motor Vehicles and one representative from the Department of Mental Health, Mental Retardation and Substance Abuse Services.

The commission establishes and certifies ASAPs and requires them to be operated in accordance with commission standards and § 18.2-271.1 of the Code of Virginia.

"Deficit" means that the ASAP, in order to conduct its program, expects to or projects that it will expend more funds than it will receive from offenders or other sources in a fiscal year. Deficit means an excess of expenditures over revenue.

"Director of ASAP" means the person who is in charge of and accountable for the operation of an ASAP. The ASAP director reports to the ASAP policy board.

"DMV" means the Commonwealth of Virginia Department of Motor Vehicles.

"DUI" means operating or driving a motor vehicle or boat under the influence of alcohol or drugs (§§ 18.2-266, 29.1-738 and 46.2-341.24 of the Code of Virginia.)

"Education" means commission-approved classes provided to some offenders following classification. This intervention service may include alcoholic or drug education, young offenders education, and intensive education.

"Enrollment" means the process by which the offender reports to the ASAP, obtains an intake appointment, arranges to pay the ASAP fee, and signs an enrollment agreement as provided in §§ 18.2-266 through 18.2-273 of the Code of Virginia.

"Executive director" means the executive director of the commission. This person is appointed by the commission and carries out the purposes of §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

"Finance committee" means a fiscal review committee composed of the executive director, two committee members, and such other persons as the commission designates.

"Intervention services" means direct service activities to offenders entering a program which provides direct services. Such activities include assessment services, crisis intervention, case management services and exit activities.

"Joint exercise of powers" means the process by which ASAPs can be organized as provided in §§ 15.1-20 and 15.1-21 of the Code of Virginia.

"Policy board" means a group established by the ASAP which controls and gives direction to the ASAP's activities and provides input of local needs. This board may also be established in accordance with §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia by the commission.

"Program fiscal agent" means a unit of local government or a combination of units of local government which possess the legal authority to receive funds and to transact business throughout its jurisdiction, and the administrative capability to perform these services for an ASAP.

"Regular board meeting" means those meetings of the policy board which are held quarterly. These meetings shall be open to the public.

"Treatment" means intervention services provided to offenders subsequent to a recommendation for referral by an ASAP to outpatient, inpatient or residential service treatment and provided by a certified agent or licensed program.

"VASAPDA" means the Virginia Alcohol Safety Action Program Directors' Association, a group composed of the directors of the various ASAPs established and operating in the Commonwealth.

"VASAP" means the Virginia Alcohol Safety Action Program, a probation intervention system providing services to offenders referred to the program by the courts. VASAP consists of the Commission on VASAP, the Advisory Board to the Commission on VASAP, local ASAP policy boards and local Alcohol Safety Action Programs established in §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

"VMIS" means VASAP Management Information System, and automated management information system; a computer network which provides offender profiles to the ASAPs and mechanism for the transfer of cases and information between the ASAPs and the VASAP office.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 1.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-20. Virginia Alcohol Safety Action Program System.

VASP is a criminal justice program that uses community and state services to reduce the problem of driving under the influence of alcohol or other drugs. VASAP identifies and provides appropriate services to offenders convicted of driving under the influence. Services may consist of driver awareness training (DAT), alcohol and other drug education, and referral to treatment pursuant to a court order or upon leave of the court. Such programs serve a probation, intervention function through offender monitoring and follow-up.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 1.2, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-30. Purpose of manual.

This manual, promulgated under the authority of §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia, establishes, records, maintains, and updates policies and procedures for the Virginia Alcohol Safety Action Program (VASAP) and for local Alcohol Safety Action Programs (ASAPs).

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 1.3, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-40. Introduction.

The Commission on VASAP shall establish and ensure compliance with minimum standards and criteria for ASAP performance and operations, accounting, auditing, public information and administration for the local alcohol safety action programs. The commission shall also oversee ASAP plans, operations

and performance and a system for allocating funds to cover any deficits in ASAP budgets.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 1.4, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-50. VASAP (Virginia Alcohol Safety Action Program) components.

ASAP responds to the problems of alcohol or other drug-related transportation incidents through five component areas.

1. Case management and offender intervention
2. Enforcement
3. Adjudication
4. Public information
5. Evaluation and certification

Each component is oriented specifically to the problem of driving under the influence and attempts to prevent DUI behavior or reeducate those who are convicted of DUI.

The specific components and their directives are as follows:

1. Enforcement.
 - a. Deter incidents of impaired driving.
 - b. Increase the number of arrests and convictions of motorists driving under the influence.
 - c. Reduce the blood alcohol concentration (BAC).
 - d. Improve the accuracy of reporting of alcohol and other drug involvement in transportation crashes.
2. Adjudication.
 - a. Raise the conviction rate of DUI offenders.
 - b. Maintain a consistent rate of DUI referrals.
 - c. Decrease recidivism among offenders previously involved in VASAP.

3. Case management and offender intervention.
 - a. Establish and maintain a standard classification procedure for offenders.
 - b. Establish standard methods of reporting offender status to referring courts and the Executive Director of the Commission on VASAP.
 - c. Implement and maintain an offender tracking system (VADD) (see Case Management Manual, 24VAC35-30-10 et seq.).
 - d. Implement and maintain a standard curriculum to education offenders.
 - e. Identify resources for offender referral to properly licensed facilities or properly licensed private practitioners.
4. Public information.
 - a. Prevent and reduce incidents of DUI.
 - b. Increase public knowledge of VASAP and transportation dangers caused by alcohol or other drugs.
5. Evaluation and certification.
 - a. Utilize the VASAP Commission certification manual to conduct evaluations of ASAP operations every three years.
 - b. Develop a system for evaluating the impact of the VASAP system on DUI problems.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 1.5, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-60. Goal and objectives.

A. VASAP goal. Improve transportation safety by decreasing the incidence of driving under the influence of alcohol or other drugs and thereby reducing the number of alcohol and other drug-related crashes.

B. VASAP objectives.

1. Deter the motoring public from driving under the influence.

2. Deter those arrested and convicted of DUI from again driving under the influence.
3. Increase awareness to facilitate the identification, apprehension and conviction of offenders driving under the influence of alcohol and other drugs.
4. Raise the conviction rate for offenders and the number of appropriate referrals to Alcohol Safety Action Programs.
5. Ensure appropriate probationary control of offenders.
6. Ensure the delivery of appropriate education or treatment services for offenders.
7. Provide statewide offender tracking services for all ASAPs.
8. Increase public awareness of the civil and legal consequences of DUI arrest; public perception of transportation crash risks; and public activities to reduce DUI incidents.
9. Assess and maintain the effectiveness and self-supporting status of both the commission and local Alcohol Safety Action Programs.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 1.6, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part II

Organization and Administration

24VAC35-20-70. VASAP (Virginia Alcohol Safety Action Program) organizational structure.

Professional staff shall include a full-time executive director, who is responsible to the commission and such other staff designated by the commission to carry out the mandates of §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia as well as policies established by the commission. Each employee shall have responsibilities for areas of ASAP operations and components as assigned by the executive director. Each shall be accountable to the executive director.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 2.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part III
Certification

24VAC35-20-80. Certification.

Certification of Alcohol Safety Action Programs (ASAPs) within the Commonwealth of Virginia was established to ensure administrative consistency within the system and the quality of services provided to DUI offenders, the courts and the community. One-third of the ASAPs shall be certified each year by region. The regions are Battlefield, Blue Ridge and Colonial ASAP Councils.

All ASAPs operating under §§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia are required to be certified by the commission in conjunction with standards set out in the Commission Certification Requirements Manual, 24VAC35-40-10 et seq.

All ASAPs operating on the initial effective date of these regulations and holding a current certification shall continue under that certification until scheduled for review. All noncertified ASAPs and new ASAPs established after the initial effective date shall obtain certification. The commission certifies Alcohol Safety Action Programs (ASAPs) in accordance with procedures set forth in the Commission on VASAP Certification Manual, 24VAC35-40-10 et seq. See § 18.2-271.2 B of the Code of Virginia.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 3.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-90. Period of certification.

All certifications shall be for a period of three years and shall expire on June 30 in the last year of the certification period.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 3.2, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-100. Action on certification.

An ASAP (Alcohol Safety Action Program) shall be certified by the Commission on VASAP (Virginia Alcohol Safety Action Program). When an ASAP is found out of compliance in a review area by the certification team, the ASAP will complete a plan of action setting out the procedures to be followed to attain compliance. This submission must be within 10 days of notification by the review team. A follow-up team representing the commission shall then make an additional visit to validate that corrective action has been taken and make a recommendation for certification if the program is found to be compliant, a program may seek a waiver from a certification standard as provided in Category 8 of the Certification Manual, 24VAC35-40-10 et seq.

Certification shall be revoked if an ASAP fails to continue to meet any standard for certification.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 3.3, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-110. Revocation of certification.

The commission on its own motion, upon receipt of information that indicates an ASAP (Alcohol Safety Action Program) may no longer meet certification requirements or that other irregularities may exist within the ASAP, may send a certification review team to investigate the ASAP. Notice of the intended investigation by the certification review team shall be given to the ASAP director and the chairperson of the policy board. Upon completion of the investigation, the certification review team shall submit a report to the executive director, who may call a special meeting of the commission to review the report, giving notice to the local ASAP director.

The commission may vote to revoke the certification of the ASAP based on the report. The revocation shall become effective on the date of the vote. If revocation is voted, the executive director shall notify the ASAP director, chairperson of the policy board, political subdivisions, and the courts the ASAP serves within 10 days.

If the ASAP corrects its deficiencies within 30 days, its certification may be reinstated by the commission. If the deficiencies are not corrected, the commission may establish a new ASAP.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 3.4, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-120. Final certification decision.

A report shall be filed with the commission 30 days prior to the next regularly scheduled meeting of the commission which details all programs reviewed since the last commission meeting. The commission shall review the document presented and make a certification decision. The executive director shall notify in writing the director of each ASAP (Alcohol Safety Action Program) as well as the chairperson of that ASAP's policy board.

The commission may certify, revoke certification or decline to certify an ASAP.

If the commission fails to certify or revokes an ASAP's certification, the commission may establish a new ASAP.

The commission's certification decision shall be sent to the ASAP director, the ASAP policy board chairperson, political subdivisions, and the courts the ASAP serves or would serve.

In the event of certification disputes with the certification review team, or the denial of a request for waiver of certification requirements by the executive director, the ASAP director may request a hearing before the commission. The request for the hearing must be in written form from the ASAP director and submitted to the commission 30 days prior to the next regularly scheduled meeting of the commission. Upon receipt of a written request, the commission or its designee shall schedule a hearing.

Failure to file such a request or to appear as scheduled shall be deemed a settlement of the certification dispute or acceptance of the executive director's waiver decision.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 3.5, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part IV

Offender Tracking System

24VAC35-20-130. System.

The commission, or its designee, shall operate an offender tracking system capable of providing records to the ASAP (Alcohol Safety Action Program) of participation by offenders. This system shall be capable of responding to record checks within five working days of receipt of the request.

The commission, or its designee, shall submit statistical reports to ASAPs on a quarterly basis detailing the volume and characteristics of offenders arrested, classified, referred and disposed of during the reporting quarter. These reports shall be provided within 15 calendar days of the close of the report quarter.

The commission, or its designee, shall submit to each ASAP statistical reports on a monthly basis detailing the specific offenders referred and classified for the reporting month. These reports shall be provided within six working days of the close of the report month.

The commission, or its designee, shall conduct or support research necessary to ensure the operations of the local and state system and ensure that objectives are being met.

ASAPs shall secure written approval of the commission prior to dissemination of research using offender records. Approval shall be based on compliance with current applicable privacy and security regulations.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 4.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part V

Local Administrative Structure

24VAC35-20-140. Local staff.

ASAPs (Alcohol Safety Action Programs) shall consist of at least a director and such staff deemed

necessary by the Commission on VASAP and the local policy board. The staff shall be available to cover administrative, clerical, and component activities of the ASAP.

ASAP staff shall conform to equal opportunity minimum hiring standards established by the Commonwealth of Virginia.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 5.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-150. Local organization.

Each ASAP (Alcohol Safety Action Program) is organized under the administration of political subdivisions or the Joint Exercise of Powers Statutes §§ 15.1-20 and 15.1-21 of the Code of Virginia.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 5.2, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-160. Administrative agent.

Each ASAP (Alcohol Safety Action Program) shall be administered by a policy board that complies with 24VAC35-20-180 to serve as its administrative agent. The administrative agent may also serve as the fiscal agent of the ASAP.

The commission, or any county, city, town or any combination thereof may establish, and if established, shall operate in accordance with the standards and criteria required under § 18.2-271 of the Code of Virginia an Alcohol Safety Action Program.

Each ASAP shall provide direct services to a specific set of political subdivisions as defined in the planning study or designated by the Commission on VASAP. These subdivisions shall be approved by the commission.

Any anticipated changes of political subdivisions falling within the service area of an ASAP shall be

reported by that ASAP to the commission through the executive director for review and approval at least 60 days prior to the initiation.

Changes in the included political subdivisions of an ASAP or, in the absence of a planning study, the initial establishment of political subdivisions, shall be made in a written agreement with the ASAP policy board and the commission.

Any changes to the administrative or organizational structure of an ASAP, or any operational component subject to certification review, must be reported to the commission, through the executive director, for review and approval at least 60 days prior to initiation.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 5.3, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-170. Fiscal agent.

Each ASAP (Alcohol Safety Action Program) may use a local political subdivision as a fiscal agent unless the commission approves an alternative.

Any anticipated changes in the fiscal agent shall be reported by the ASAP to the commission, through the executive director, for review and approval at least 60 days prior to initiation.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 5.4, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-180. Policy board.

A. Each ASAP (Alcohol Safety Action Program) shall have a policy board which will control and give direction to the ASAP's activities and shall develop policies for the operation of the ASAP. These boards shall convey ASAP needs and direction to the ASAP, and board members shall be chosen to serve as set out below. The board of any ASAP operated by the commission under § 18.2-271.1 H of the Code of

Virginia may be selected by the commission if the locality cannot agree on the selections. Persons serving on any policy board shall serve without compensation.

B. The policy board shall consist of five to 15 members. The governing bodies of each participating jurisdiction shall appoint one member for a term of three years. The remaining members shall be elected for a term of three years by majority vote of those members selected by each represented locality unless these are the first appointments to the policy board. When a local policy board is first appointed, one third of the members shall be appointed for one year, one third for two years, and one third for three years. In addition to the members so selected, the director of the ASAP shall also be an ex-officio member without voting power. The membership not appointed by the governing bodies of represented jurisdictions, at the discretion of the board, shall be selected or elected from but not limited to, the judiciary, the Bar, law enforcement, education and treatment professionals, and other interested groups such as local transportation safety commissions. The designated terms of office may, with commission approval, be modified. Vacancies which occur on the board shall be filled by majority vote of the remaining board members from nomination of other board members and the participating governing bodies of the jurisdiction.

C. The board shall perform these duties:

1. Oversight of operations of the ASAP within the participating localities, supervise a director.
2. Approval of a fiscal year operational budget prepared by the director.
3. Approval of the director's annual report, which shall include ASAP activities and financial status.
4. Completion of an annual independent audit which shall be conducted at the end of each fiscal year.
5. Adoption of written guidelines and bylaws structured similarly as set out in subsection C of this section.
6. Establishment of operational policies and procedures for the ASAP.

D. Policy board guidelines and bylaws.

1. Officers. The officers of the policy board shall consist of a chairperson, and such subordinate officers as the board may elect or appoint. The secretary-treasurer (If elected) shall not be the director of the ASAP. Each officer shall serve without compensation. The offices of chairperson and vice-chairperson if elected shall be held by members from different participating jurisdictions.

2. Terms of office. Except for the original officers, (who shall be elected at the second meeting after the formation of the board) each officer shall be elected at the annual meeting of the board to serve a term of three years. Deviation except as provided in subsection B of this section must be approved by the Commission on VASAP. Any vacancy occurring in any office shall be filled by the board for the unexpired term.

3. Election of officers. A majority of the members shall be present and voting in order to constitute an election. Members who are unable to attend may vote in any election by letter directed to the chairman and delivered prior to or at the meeting. At the regular meeting of the policy board immediately preceding the annual meeting, the chairman shall appoint a nominating committee. This committee shall present to the board at its annual meeting a slate of nominees for election as officers and a slate of nominees to fill any vacancies on the board. All board members and officers shall take office on the first day of the month following their election and shall serve until their successors take office. No officer shall serve more than two consecutive terms in the same office.

4. Annual meetings. The annual meeting of the board is that meeting so designated in the bylaws for the purpose of electing officers, filling expired terms of member and shall be open to the public.

Regular meetings. Regular meetings of the board shall be held quarterly and shall be open to the public. The board or its executive committee may, where legally appropriate, go into executive session.

Time and place. The board may change the date and time of any regular meeting at any prior meeting and may adjourn any meeting to another place if notice of the change is provided to interested parties.

5. Each policy board shall adopt Robert's Rule of Order (or similarly acceptable) as operational guidelines for actions not specifically defined in the board's bylaws.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 5.5, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-190. Personnel policy guidelines.

Personnel of each ASAP (Alcohol Safety Action Program) are subject to the conflict of interests law (§ 2.1-639.1 et seq. of the Code of Virginia). Each ASAP shall establish personnel policy guidelines no less stringent than those set forth in this section.

ASAP employees may not engage in any activity deemed to be in conflict with the interests of the ASAP as provided in the Code of Virginia.

Conflicts of interests include but are not limited to the following:

1. ASAP employees shall not disclose to any person, not entitled thereto, information gained through their office or employment, or otherwise use such information for their personal gain or benefit.
2. ASAP employees shall not accept any gifts, gratuities, favors or services from clients or any individual or agency who may seek to supply goods or services to the commission or the ASAP. The terms "gifts, gratuities, favors or services" include but are not limited to: moneys, credits, discounts, seasonal or special occasion presents, eatables, drinks, household appliances, furnishings, clothes, loans of goods or money, tickets to sporting or cultural events, transportation, vacations, travel or hotel expenses or any form of entertainment.
3. ASAP employees shall not contract for, or provide supplemental services to an ASAP for which they are employed on a full-time basis.

In the event of a violation of the personnel policy guidelines, the ASAP director or chairperson of the ASAP policy board shall execute a review procedure.

ASAP directors shall initiate, conduct and complete a thorough review of any alleged breach of personnel policy guidelines by an employee of the ASAP they administer. Such review shall be initiated within 10 working days from the date of receipt of the allegation. Upon both initiation and termination of the review the ASAP director shall notify the executive director and the policy board in writing. A complete report of the review shall be filed no later than 30 days after the date of the initiation of the review.

Employees of an ASAP found in violation of these personnel policy guidelines shall be dealt with by the ASAP director in accordance with ASAP personnel policy or state law as applicable.

If an ASAP director is subject to review for a breach of any conflict of interest personnel policy guidelines, the executive director shall execute the review procedure unless such review is undertaken by the policy board. The executive director shall inform the commission of any such review initiated within 30

days of initiation of the review.

When conducting a review the policy board shall adhere to the same time parameters established for reviews conducted by the ASAP director. The policy board shall file a completed report within 30 days of initiation with the executive director of the results of that review. A director found in violation of these personnel policy guidelines shall be dealt with in accordance with ASAP policy or state law where applicable.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 5.6, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-200. Travel.

All work-related travel by ASAP (Alcohol Safety Action Program) personnel shall comply with the local policy board's travel regulations. In the absence of local policy regulations, travel must be in accordance with the Commonwealth of Virginia travel policies.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 5.7, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-210. Training.

Each ASAP (Alcohol Safety Action Program) shall send appropriate representatives to training sessions conducted or directed by the commission unless prior written exemption is secured from the executive director.

All locally conducted training, other than staff in-service, shall be reported to the executive director. ASAPS are encouraged to implement local in-service staff training. To make such training cost effective, such training may be done on a regional basis.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 5.8, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-220. Security and confidentiality.

Each ASAP (Alcohol Safety Action Program) shall have written policy for maintaining the security and confidentiality of offenders' records. Such policies should include, at a minimum, research projects, release of information to the courts and law enforcement and policies for protecting, communicating and acquiring offender information.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 5.9, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part VI

ASAP (Alcohol Safety Action Program) Fiscal Policy

24VAC35-20-230. ASAP (Alcohol Safety Action Program) finance.

On or before June 1, all ASAPs shall submit before review, and approval a budget to the commission office through the executive director following approval and review by its policy board and administrative or fiscal agent, where applicable. If deficit funding is sought, the commission shall review and shall approve the budget.

Budgets utilizing federal or state funds shall be submitted to the commission for approval at least 60 days prior to their effective date.

Revisions within appropriated authority establishing new line items require policy board approval and notification shall be submitted to the commission to update budget status.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 6.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-240. Offender fee distribution.

All ASAPs, on a monthly basis shall forward 10% of each collected offender fee to the Treasurer of Virginia in accordance with § 18.2-271.1 of the Code of Virginia. Money not expended from year to year after deficit funding has been satisfied shall be expended for the direct benefit of the ASAP or be refunded to such ASAPs in accordance with commission directive.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 6.2, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-250. Deficit funds.

Twenty percent of the fee paid to the Commonwealth by the ASAP shall be set aside for deficit funding.

The executive director shall submit a quarterly account and report of these funds to the commission finance committee members.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 6.3, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-260. Deficit eligibility.

In order to be declared eligible for deficit funding an ASAP (Alcohol Safety Action Program) must meet the following criteria:

1. The ASAP is operating on an approved budget which has been reviewed by the commission and approved by the policy board.
2. The ASAP will expend all available funds, including such funds as savings, certificates of

deposit and any other savings program, during the budget year.

3. The ASAP is operating within all standards established by the commission.

4. The ASAP is willing to revise its budget consistent with the recommendations for the commission's finance committee or the commission.

5. The ASAP has filed a request and submitted all data requested by the finance committee and commission within the time frame allotted.

6. The ASAP is in compliance with state fee policy and report requirements.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 6.4, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-270. Budgetary deficits.

A. All ASAPs requesting deficit funding shall complete a request for deficit funding and submit it to the executive director.

B. ASAPs must submit current budget and finance reports to the executive director with the request.

C. Budget reviews shall be conducted by the finance committee. The finance committee will meet regarding the ASAP request within 30 days of receipt of request to review information submitted and formulate a plan of action.

D. The ASAP director will meet with the finance committee to present the ASAP's situation and to answer questions. No ASAP director will be allowed to participate in deliberations of the finance committee regarding the ASAP he directs.

E. An on-site review of the ASAP shall be made by the finance committee, commission, or their designee.

F. Upon final review the finance committee shall determine the amount to be funded via commission funds. Funds up to \$10,000 may be authorized by the finance committee. Larger amounts shall require a review by the full commission.

G. Not more than 10 working days after the review, the director and board chairperson of the ASAP

shall be notified of the ASAP's eligibility. ASAPs that meet the requirements shall receive funding. Those not qualified shall receive recommended changes for eligibility.

H. For the remainder of the fiscal year, the ASAP director shall submit to the commission monthly reports of expenditures with comments on any significant change in the fiscal status of the ASAP.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 6.5, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-280. Audits and financial reports.

Each ASAP's financial records and accounts shall be subject to local, state and, when applicable, federal audits.

All financial records shall be maintained in an orderly fashion using generally-accepted accounting procedures. The financial records shall be retained for three years after audit unless specifically authorized by the commission for a shorter period of time.

Within 60 days after the close of the reporting period, all ASAPs shall submit to the commission an annual income statement outlining the ASAP's expenditures and revenues for the reporting period. The report periods shall run from July 1 to June 30 of each year.

The commission shall retain the authority to review and approve the accounting methods used by ASAPs. Each ASAP shall submit annually to the commission the results of a private audit by a CPA or the results of an audit performed under the unified standards in connection with a local governmental unit. The commission in its discretion may perform audits of local program in addition to or in lieu of this annual audit.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 6.6, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-290. Grant applications.

ASAPs with political subdivisions as fiscal agents may apply for state or federal funding for grants and special projects focusing on the commission components to improve transportation safety.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 6.7, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-300. Offender fee collection.

All offenders referred to the ASAP, except those the court determines to be indigent, are required to pay the fee as required by § 18.2-271.1 of the Code of Virginia. Collection of offender fees in cash is discouraged.

Fees shall be collected at the initial contact or enrollment unless the offender is declared to be indigent, or extreme hardship indicates that payment must be made over a period of time, or unless otherwise directed by the court.

All fees deposited locally shall be in a local account approved by the fiscal agent, administrative agent, or the policy board and deposited in accordance with board procedures. Fees collected by the ASAP shall be deposited daily. Each ASAP shall strive to maintain a separation of duties, ensuring that persons writing receipts are not solely responsible for making daily deposits or reconciling bank records.

No ASAP shall retain over \$300 in cash from offender fees in its office beyond the daily close of business.

Each ASAP shall designate specific staff members to be responsible for collection of offender fees. Those individuals and their designees shall be bonded.

All fees collected by the ASAP shall be documented with prenumbered receipts. All receipts shall be posted in a general ledger that shall be kept in a manner consistent with generally accepted accounting procedures. The receipts, payment cards and receipt books shall be maintained for three years after audit by the ASAP, unless specifically authorized by the commission for a shorter period of time.

Except for those ASAPs whose bookkeeping is provided by their fiscal or administrative agent, each ASAP shall have an appropriate staff member trained to conduct bookkeeping duties. ASAPs are

authorized to contract with a recognized bookkeeping service in lieu of having a staff member perform bookkeeping duties. As recognized by the Auditor of Public Accounts and in generally accepted accounting procedures, the person who authorizes disbursements or executes checks shall not be the same person who conducts bookkeeping duties.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 6.8, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-310. Transfers and fees.

For those offenders who seek to transfer to an out-of-state facility, each ASAP shall inform the offenders in writing (with a copy to remain in their file) of their responsibility for costs incurred out-of-state, unless otherwise directed by the court.

Fees assessed to offenders being transferred intrastate will be collected by the ASAP receiving the transfer.

When an intrastate transfer decision is made following the collection of fees, the originating ASAP shall forward to the receiving ASAP the full fee collected less the portion sent to the Commonwealth. If partial service has been rendered the full fee shall be forwarded unless otherwise agreed upon by the originating and receiving ASAP.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 6.9, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part VII

Communications

24VAC35-20-320. Correspondence.

State level correspondence from the commission to administrative agents, fiscal agents and policy

boards of ASAPs (Alcohol Safety Action Programs) concerning ASAP operation shall also be copied to the ASAP director simultaneously with the issuance of the original correspondence.

Correspondence originating in the ASAP office regarding financial and administrative problems shall be directed to the executive director.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 7.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-330. Reports.

An annual report of ASAP (Alcohol Safety Action Program) activities and financial data shall be completed by the ASAP. Fifteen copies shall be submitted to the executive director within 90 days of the close of the fiscal year, unless prior exception is secured from the executive director. The executive director will disseminate reports to members of the commission, the advisory committee, and other interested persons. These reports shall follow the standard annual report format as established by the commission.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 7.2, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part VIII

Reviews of ASAPs (Alcohol Safety Action Programs)

24VAC35-20-340. Reviews.

In addition to certification review, ASAP reviews shall be periodically directed by the commission in response to ASAP requests, upon identification of substantial ASAP problems, or to update information on ASAP operations. The review may be conducted by the executive director, a representative from VASAPDA and any other persons designated by the executive director or commission. The results of this special review shall be reported by the reviewer to the commission within 30 days of the completion of the

review. Upon approval of the report, a copy shall be submitted to the ASAP.

An ASAP may challenge any portion of the review report through communication to the commission with 30 days of receipt of the report. This will become a part of the official report by the commission.

An ASAP review shall be conducted within 90 days of any change in the ASAP's administrative agent.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 8.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part IX

Service Agreements

24VAC35-20-350. Service agreements.

All ASAPs (Alcohol Safety Action Programs), as referral agencies, shall explicitly outline relationships with vendors for education or treatment services for offenders through formal service agreements. All ASAPs shall utilize the standard service agreement format provided by the commission. Local programs may attach an addendum to the standard agreement as negotiated with the service provider (See forms section).

ASAPs shall be responsible for ensuring that all treatment service agreements are awarded to vendors who are licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services or licensed or certified by the Department of Health Professions.

The ASAP shall be responsible for the negotiation and awarding of service agreements within its area. When the ASAP so requests, the commission or its designee shall assist in negotiations and consultations on such agreements.

Service agreements shall not be entered into with any person or agency who is known not to adhere to state and federal equal opportunity regulations, local, state and federal confidentiality and privacy regulations, or any other applicable rules, regulations or laws.

All service agreements entered into by ASAPs shall be consistent with 24VAC35-20-190.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 9.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part X

Records Management

24VAC35-20-360. Offenders file.

Each ASAP (Alcohol Safety Action Program) shall maintain a file on each offender referred or transferred to it for service. This file shall contain:

1. Court documents indicating referral
2. Final disposition report on those offenders who were noncompliant
3. Consent(s) for release of information signed by the offender
4. Agreement(s) to participate signed by the offender
5. Service provider reports
6. Reports to the court
7. Documentation of offender's absences from class or session
8. Transfer form
9. Record of fee payment showing date of payment, receipt number(s) and amount paid
10. Classification material
11. Record of chronological contact with offender

ASAPs shall not destroy the above offender records or files without a formal records management plan authorized by the Virginia State Archivist.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 10.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-370. Records retention.

Each ASAP (Alcohol Safety Action Program) shall retain its records in accordance with the following schedule in addition to or as part of the agency's records management plan approved by the Virginia State Archivist:

1. Consent for release of information forms - three years.
2. Final report to the court, if required by the court - three years.
3. Court documents indicating referral - three years.

All financial records of the ASAP shall be retained for three years after audit unless specifically authorized by the commission for a shorter period of time.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 10.2, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part XI

Transfer Procedures

24VAC35-20-380. Transfer documentation and procedures.

ASAPs (Alcohol Safety Action Programs) shall not retain offenders who reside outside or are not employed in their service area. In a rare instance an offender may request not to be transferred. Such request from the offender shall be in writing and kept in the offender's case file. In order to be considered for transfer, offenders must have contact with the originating ASAP prior to transfer origination.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 11.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-390. Intrastate transfers.

Cases shall be transferred if the offender's place of residence changes or may be transferred if employment changes to another ASAP area. The offender may request a transfer to the area of his new

residence or employment.

If any ASAP involved fails to transfer a client to the appropriate ASAP, such failure shall be reported to the commission for investigation or action by the commission.

No ASAP shall establish offender services in the geographic service area of another ASAP without written agreement between the ASAPs and notification to the commission.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 11.2, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-400. Interstate transfers.

A. Offender cases may be transferred to an out-of-state agency if either of the following conditions exist:

1. An offender lives or is employed in another state and requests a transfer.
2. An offender is ordered, by the court of proper jurisdiction, to participate in a program out of state.

B. Transfers to states which are members of the Southeastern compact shall be accomplished in accordance with that agreement. In other cases, treatment and education services rendered by out-of-state agencies must meet the same program requirements as determined by the ASAP.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 11.3, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-410. Responsibility of ASAP (Alcohol Safety Action Program) receiving transfer.

The ASAP receiving a transferred offender shall have the following responsibilities with respect to the originating ASAP:

Within 10 days of receipt of the transfer case, the ASAP shall complete and return Part I of the

transfer form (See forms section).

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 11.4, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part XII

Offender Services

24VAC35-20-420. Offender services.

ASAPs (Alcohol Safety Action Programs) shall provide education, intensive education or referral to treatment for the offenders.

Education shall include the minimum hours of alcohol and other drug education incorporated in the standardized education curriculum.

Treatment shall include referring offenders identified as possibly requiring additional services for evaluation and intervention according to their individual needs.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 12.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-430. Financial services.

ASAPs (Alcohol Safety Action Programs) may provide financial assistance for a portion of the costs for treatment as negotiated by the provider. The amount of the fee expended for treatment services shall not exceed 15% of the assessed fee. For purposes of this section the assessed fee shall equal the amount ordered by the court, less the 10% submitted to the Commonwealth.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 12.2, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part XIII

Public Information, Public Education and Prevention

24VAC35-20-440. ASAP (Alcohol Safety Action Program) commitment.

Each ASAP shall have a commitment to public information, public education and prevention which shall be developed at both the state and local level.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 13.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-450. Presentations and communication.

ASAPs (Alcohol Safety Action Programs) shall communicate public information activity needs to the commission designee.

The commission or its designee shall develop and implement annual alcohol, other drugs and transportation safety campaigns, and shall provide campaign materials for state and local use.

ASAPs shall communicate plans of intended public information activities to adjacent ASAPs in advance of implementation if the adjacent ASAP will be affected by this activity.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 13.2, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-460. Surveys.

The commission, or its designee, shall use current research, evidence, and information in the technical design of alcohol or other drug and transportation safety campaigns.

This survey information shall provide the ASAP (Alcohol Safety Action Program) with technical

information on target groups, content areas and proper procedures for ASAP campaigns.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 13.3, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-470. Materials.

Following public information campaigns, the commission or its designee will survey all ASAPs (Alcohol Safety Action Programs) for their opinions of the material content, quality and effectiveness of the campaign. This information shall be distributed to all ASAPs.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 13.4, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part XIV

Evaluations

24VAC35-20-480. Information.

Evaluation provides for the assessment of VASAP's deterrent effort. This is accomplished through the assessment of DUI recidivism of persons completing VASAP, assessment of the prevalence and incidence of DUI-related transportation crashes and the arrest rate of DUI offenders. ASAPs shall maintain accurate offender information and submit requested information in a timely manner.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 14.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

24VAC35-20-490. Data flow.

ASAPs (Alcohol Safety Action Program) shall participate in the commission operated management information system. Data shall be submitted in accordance with standards established by the commission. Any situation which prevents compliance with such standards shall be reported by the ASAP to the commission. The commission may give written approval for exemption if the situation is beyond the control of the ASAP.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 14.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

Part XV

Privacy and Security

24VAC35-20-500. Privacy and security procedures.

All ASAPs (Alcohol Safety Action Program) and the commission shall process offender records and any other confidential information in a manner consistent with federal, state and local guidelines and regulations.

ASAPs shall not include individual offender names, social security numbers or addresses in correspondence unless that correspondence is marked confidential and includes a statement for handling the information.

Statutory Authority

§§ 18.2-271.1 and 18.2-271.2 of the Code of Virginia.

Historical Notes

Derived from VR647-01-02 § 15.1, eff. September 13, 1989; amended, Virginia Register Volume 7, Issue 9, eff. February 28, 1991.

FORMS (24VAC35-20)

Treatment Agency Report, VAS-10 (1/91).

Consent for the Release of Confidential Information, VASAP-34 (Rev. 7/90).

Financial Report.

Request for Deficit Funding.

Proposed Standard Treatment Services Agreement.

Transfer Sheet, VASAP-33 (Rev. 10/89).

VASAP Report Form, VASAP-42 (Rev. 10/89).

Certification Review Instrument/Certification Questionnaire Score Sheet.

VASAP Certification Report.

Classification Guidelines.
