



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION  
P.O. BOX 2120  
RICHMOND, VA 23218-2120

**DATE:** November 17, 2025

**TO:** Licensed Child Day Centers, Licensed Family Day Homes, Voluntarily Registered Family Day Homes, and Child Day Centers and Family Day Homes Participating in the Child Care Subsidy Program

**FROM:** Jeffrey S. Williams, Assistant Superintendent of Child Care Health and Safety, Virginia Department of Education

**SUBJECT:** Notice of Public Comment Period for Fast-Track Actions Related to Stock or Undesignated Epinephrine, November 17-December 17

The Virginia Department of Education is seeking public comment on four proposed amendments to regulations regarding policies, training, and possession and administration of stock or undesignated epinephrine. Public comment will be accepted between November 17 and December 17, 2025. All comments must be received by 11:59 p.m. on the last day of the public comment period.

The Fast-Track actions affect regulations for **all** licensed child day centers, licensed family day homes, voluntarily registered family day homes, and **all** child day centers and family day homes that participate in the child care subsidy program.

These changes are in response to new state law ([§ 22.1-289.059 of the Code of Virginia](#)).

Key proposed changes include:

- Requiring each child day center to implement policies for the possession and administration of epinephrine that requires at least one school nurse, employee at the center, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine has the means to access at all times during regular facility hours any such appropriate weight-based dosage of epinephrine that is stored in a locked or otherwise generally inaccessible container or area.
- Requiring each family day home provider or at least one other caregiver employed by such provider to be trained in epinephrine administration and to notify the parents of each child who receives care in such family day home whether the provider stores an appropriate weight-based dosage of epinephrine in the residence or home in which the family day home operates.

Here are other important things to know:

- The VDOE is working with a partner agency to offer training in the administration of epinephrine **free of charge** to centers and family day homes.
- To implement the revised regulations, licensed child day centers and unlicensed subsidy center-based programs would be required to obtain appropriate weight-based dosage of stock or undesignated epinephrine based upon **market cost**, which ranges from \$290-\$850 per device at this time.
- There is **no** available federal or state funding to support implementation at this time.

In general, in Virginia, Fast-Track actions are not expected to be controversial. The public comment period provides an opportunity to address support or opposition to the Fast-Track process and/or to the revised regulations.

Written comments will be accepted November 17 through December 17, 2025. If you would like to ask questions or indicate your support or opposition to the Fast-Track process or proposed regulations, please submit your comments via Regulatory Town Hall. To be considered, comments must be received by 11:59 p.m. on the last day of the public comment period.

More information about the regulatory packages that will be published in the [Virginia Register of Regulations \(Volume 42, Issue 7\)](#) on November 17 may be viewed below and commented on using the Virginia Town Hall website.

### **Affected Regulations:**

- [8VAC20-780: Standards for Licensed Child Day Centers](#): Amend the regulation to require each licensed child day center to implement policies for the possession and administration of epinephrine to be administered by any nurse at the center, employee at the center, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to any child believed to be having an anaphylactic reaction. The policies must require that a person indicated above has the means to access at all times during regular facility hours any such appropriate weight-based dosage of epinephrine that is stored in a locked or otherwise generally inaccessible container or area.
- [8VAC20-790: Child Care Program](#): Amend the regulation for programs that participate in the child care subsidy program to require:
  - Each child day center to implement policies for the possession and administration of epinephrine to be administered by any nurse at the center, employee at the center, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to any child believed to be having an anaphylactic reaction. The policies must require that a person indicated above has the means to access at all times during regular facility hours any such appropriate weight-based dosage of epinephrine that is stored in a locked or otherwise generally inaccessible container or area.

- Each family day home provider or at least one other caregiver employed by such provider in the home to be trained in the administration of epinephrine and to notify the parents of each child who receives care whether the provider stores an appropriate weight-based dosage of epinephrine in the residence or home in which the family day home operates.
- [8VAC20-800: Standards for Licensed Family Day Homes](#): Amend the regulation to require each licensed family day home provider or at least one other caregiver employed by such provider in the home to be trained in epinephrine administration and to notify the parents of each child who receives care in such family day home whether the provider stores an appropriate weight-based dosage of epinephrine in the residence or home in which the family day home operates.
- [8VAC20-850: Voluntary Registration of Family Day Homes – Requirements for Providers](#): Amend the regulation to require each voluntarily registered family day home provider or at least one other caregiver employed by such provider in the home to be trained in epinephrine administration and to notify the parents of each child who receives care in such family day home whether the provider stores an appropriate weight-based dosage of epinephrine in the residence or home in which the family day home operates.

**Providers do not need to implement the statutory requirements at this time.** The Office of Child Care Health and Safety will share implementation procedures and compliance timelines through memos, webinars, and other resources when any changes become effective.

Please note that these amended regulations are not the only changes happening at this time. It is important that all providers stay informed as other regulations are also being amended. You are encouraged to:

- Check your program’s email regularly for memos from the Department.
- Subscribe to [Readiness Connections](#) to receive updates.
- Check the [What’s New page](#) frequently to locate updates and resources.
- Be aware that a repeal and replacement of 8VAC20-780, *Standards for Licensed Child Day Centers*, is underway to support the agency’s effort to streamline regulatory requirements; to improve understanding and interpretation leading to enhanced compliance and enforcement by adjusted structure, format, and simplified language; and to incorporate updates to address ever-changing national health and safety guidelines and practices. The Department anticipates the [proposed new chapter](#) will be published for a 60-day public comment on December 1.
- Be aware that a repeal and replacement of 8VAC20-820, *General Procedures and Information for Licensure*, is underway to support the agency’s effort to streamline regulatory requirements; clarifies existing regulatory requirements; updates practices and procedures; and incorporates *Background Checks for Child Day Programs and Family Day Systems* (8VAC20-770) and *Fee Requirements for Processing Applications* (8VAC20-830). The Department anticipates the [final new chapter](#) will be published on December 1 with an effective date of February 1, 2026. Training on the new chapter will be provided in-person and virtually prior to the effective date.

Thank you for your continued efforts to ensure that Virginia's children are on track to succeed through access to safe and healthy child care. Please send any questions to [childcarelicensing@doe.virginia.gov](mailto:childcarelicensing@doe.virginia.gov).