

New Guidance Document Public Comment Feature
FAQs for Agencies
February 22, 2019

1. Are the proposed changes to my guidance document (GD) subject to a 30-day public comment period? If the answer is:

- ✓ *No:* Upload your new or amended GD or delete your existing GD on the Town Hall website as you always have.
- ✓ *Yes:* Go to your Guidance Documents page, select “Manage My Comment Forums” (near the top), and follow the instructions in FAQ #3.
- ✓ *I’m not sure:* Review *Code of Virginia* Sections [2.2-4002.1](#) and [2.2-4101](#) and/or ask your Assistant Attorney General.

2. Do I need to show the proposed changes to a guidance document in the same way that I show proposed changes to a regulation, e.g., by underlining new language and striking through text to be eliminated?

No. Section 2.2-4002.1 of the *Code of Virginia* does not address this topic.

You can just upload the proposed GD on Town Hall or type in the link where the proposed GD resides on your website.

NOTE: At the end of the process, you will be able to easily “promote” your proposed GD (with the click of a button) to be an effective GD that will appear along with your other effective guidance documents.

3. How do I open a public comment forum on a guidance document using the new guidance document feature?

- I. Go to your Guidance Document page and select “Manage My Comment Forums.”
- II. Insert a short description of the changes you will be making in the text box.
- III. Select the GD(s) that you are proposing to change, create, or delete. If a GD is new or will be amended, upload the proposed GD or insert a link.

- IV. Submit the proposed changes to the *Register of Regulations* for publication. The default effective date is the 31st day after publication, but you can make it later if you wish.
- V. Notification will automatically be sent out to Town Hall registered public users ten days prior to publication.
- VI. The public comment forum opens for 30 days.
- VII. After the public comment forum closes, indicate whether you want to:
 - (a) Retain the current effective date,
 - (b) Delay the effective date for 30 days, or
 - (c) Abandon or “withdraw” the proposed changes in their entirety and leave the guidance document(s) “as is” before the forum began.
- VIII. If the proposed changes are not withdrawn, the final step will be to take action on each document to show that the proposed changes are now effective. You can do this on the GD public comment forum page or by editing the existing guidance document directly and upload the final, changed document. You should make these changes as close to the effective date as possible in order to avoid confusion.

4. What if I have multiple guidance documents to change?

- Each agency will be able to determine if grouping multiple documents in a single public comment forum makes sense.
- If your proposed changes are related, e.g., you are making changes to contact information, mailing address, or a similar set of identical changes, it may make sense to group those documents in one public comment forum.
- If you are making several changes to different documents, it may make sense to open each guidance document in its own forum in order to avoid confusing situations such as receiving comment on a GD and not knowing which GD the comment is referencing.
- Once the public comment period has closed for a forum, you will have to decide whether to retain the effective date, to delay the effective date for 30 days, or to abandon/withdraw all of the proposed changes. Please note that this decision will apply to ALL of the guidance documents in a single public comment forum. It will not be possible to pick and choose which GD changes you would like to make effective, while delaying the effective date of other changes.

5. How will I keep track of my guidance document change events?

The “Manage My Comment Forums” page will display all of your guidance document public comment forums. These forums will be grouped by their stage in the process as follows:

Symbol Legend

-  Forum not yet submitted for publication
-  Forum submitted for publication, but not yet open
-  Forum is open for comments
-  Forum closed, changes not yet updated by the agency