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## HOUSE BILL NO. 481

Offered January 14, 2026

Prefiled January 12, 2026

*A BILL to amend and reenact §§ 38.2-3407.15:2, as it is currently effective and as it shall become effective, and 38.2-3407.15:8 of the Code of Virginia, relating to prior authorization; requiring physician review for denial.*

Patron—Hope

## Committee Referral Pending

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 38.2-3407.15:2, as it is currently effective and as it shall become effective, and 38.2-3407.15:8 of the Code of Virginia are amended and reenacted as follows:**

§ 38.2-3407.15:2. (Effective until January 1, 2027) **Carrier contracts; required provisions regarding prior authorization.**

A. As used in this section, unless the context requires a different meaning:

"Carrier" has the same meaning ascribed thereto in subsection A of § 38.2-3407.15.

"Prior authorization" means the approval process used by a carrier before certain drug benefits may be provided.

"Provider contract" has the same meaning ascribed thereto in subsection A of § 38.2-3407.15.

"Supplementation" means a request communicated by the carrier to the prescriber or his designee, for additional information, limited to items specifically requested on the applicable prior authorization request, necessary to approve or deny a prior authorization request.

B. Any provider contract between a carrier and a participating health care provider with prescriptive authority, or its contracting agent, shall contain specific provisions that:

1. Require the carrier to, in a method of its choosing, accept telephonic, facsimile, or electronic submission of prior authorization requests that are delivered from e-prescribing systems, electronic health record systems, and health information exchange platforms that utilize the National Council for Prescription Drug Programs' SCRIPT standards;

2. Require that the carrier communicate to the prescriber or his designee within 24 hours, including weekend hours, of submission of an urgent prior authorization request to the carrier, if submitted telephonically or in an alternate method directed by the carrier, that the request is approved, denied, or requires supplementation;

3. Require that the carrier communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within two business days of submission of a fully completed prior authorization request, that the request is approved, denied, or requires supplementation;

4. Require that the carrier communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within two business days of submission of a properly completed supplementation from the prescriber or his designee, that the request is approved or denied;

prescriber or his designee, that the request is approved or denied;

5. Require that if a prior authorization request is approved for prescription drugs and such prescription drugs have been scheduled, provided, or delivered to the patient consistent with the authorization, the carrier shall not revoke, limit, condition, modify, or restrict that authorization unless (i) there is evidence that the authorization was obtained based on fraud or misrepresentation; (ii) final actions by the U.S. Food and Drug Administration, other regulatory agencies, or the manufacturer remove the drug from the market, limit its use in a manner that affects the authorization, or communicate a patient safety issue that would affect the authorization alone or in combination with other authorizations; (iii) a combination of drugs prescribed would cause a drug interaction; or (iv) a generic or biosimilar is added to the prescription drug formulary. Nothing in this section shall require a carrier to cover any benefit not otherwise covered or cover a prescription drug if the enrollee is no longer covered by a health plan on the date the prescription drug was scheduled, provided, or delivered;

or delivered;

6. Require that if the prior authorization request is denied, the carrier shall communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within the timeframes established by subdivision 3 or 4, as applicable, the reasons for the denial;

subdivision 3 or 4, as applicable, the reasons for the denial;

7. Require that prior authorization approved by another carrier be honored, upon the carrier's receipt from the prescriber or his designee of a record demonstrating the previous carrier's prior authorization approval or any written or electronic evidence of the previous carrier's coverage of such drug, at least for the initial 90 days of a member's prescription drug benefit coverage under a new health plan, subject to the provisions of the new carrier's evidence of coverage and any exception listed in subdivision 5;

59       8. Require that a tracking system be used by the carrier for all prior authorization requests and that the  
60 identification information be provided electronically, telephonically, or by facsimile to the prescriber or his  
61 designee, upon the carrier's response to the prior authorization request;

62       9. Require that the carrier's prescription drug formularies, all drug benefits subject to prior authorization  
63 by the carrier, all of the carrier's prior authorization procedures, and all prior authorization request forms  
64 accepted by the carrier be made available through one central location on the carrier's website and that such  
65 information be updated by the carrier within seven days of approved changes;

66       10. Require a carrier to honor a prior authorization issued by the carrier for a drug, other than an opioid,  
67 regardless of changes in dosages of such drug, provided such drug is prescribed consistent with U.S. Food  
68 and Drug Administration-labeled dosages;

69       11. Require a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether  
70 the covered person changes plans with the same carrier and the drug is a covered benefit with the current  
71 health plan;

72       12. Require a carrier, when requiring a prescriber to provide supplemental information that is in the  
73 covered individual's health record or electronic health record, to identify the specific information required;

74       13. Require that no prior authorization be required for at least one drug prescribed for substance abuse  
75 medication-assisted treatment, provided that (i) the drug is a covered benefit, (ii) the prescription does not  
76 exceed the FDA-labeled dosages, and (iii) the drug is prescribed consistent with the regulations of the Board  
77 of Medicine;

78       14. Require that when any carrier has previously approved prior authorization for any drug prescribed for  
79 the treatment of a mental disorder listed in the most recent edition of the Diagnostic and Statistical Manual of  
80 Mental Disorders published by the American Psychiatric Association, no additional prior authorization shall  
81 be required by the carrier, provided that (i) the drug is a covered benefit; (ii) the prescription does not exceed  
82 the FDA-labeled dosages; (iii) the prescription has been continuously issued for no fewer than three months;  
83 and (iv) the prescriber performs an annual review of the patient to evaluate the drug's continued efficacy,  
84 changes in the patient's health status, and potential contraindications. Nothing in this subdivision shall  
85 prohibit a carrier from requiring prior authorization for any drug that is not listed on its prescription drug  
86 formulary at the time the initial prescription for the drug is issued;

87       15. Require a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether  
88 the drug is removed from the carrier's prescription drug formulary after the initial prescription for that drug is  
89 issued, provided that the drug and prescription are consistent with the applicable provisions of subdivision  
90 14;

91       16. Require a carrier, beginning July 1, 2025, notwithstanding the provisions of subdivision 1 or any other  
92 provision of this section, to establish and maintain an online process that (i) links directly to all e-prescribing  
93 systems and electronic health record systems that utilize the National Council for Prescription Drug Programs  
94 SCRIPT standard and the National Council for Prescription Drug Programs Real Time Benefit Standard; (ii)  
95 can accept electronic prior authorization requests from a provider; (iii) can approve electronic prior  
96 authorization requests (a) for which no additional information is needed by the carrier to process the prior  
97 authorization request, (b) for which no clinical review is required, and (c) that meet the carrier's criteria for  
98 approval; (iv) links directly to real-time patient out-of-pocket costs for the prescription drug, considering  
99 copayment and deductible; and (v) otherwise meets the requirements of this section. No carrier shall (a)  
100 impose a fee or charge on any person for accessing the online process as required by this subdivision or (b)  
101 access, absent provider consent, provider data via the online process other than for the enrollee. No later than  
102 July 1, 2024, a carrier shall provide contact information of any third-party vendor or other entity the carrier  
103 will use to meet the requirements of this subdivision or the requirements of § 38.2-3407.15:7 to any provider  
104 that requests such information. A carrier that posts such contact information on its website shall be  
105 considered to have met this requirement; and

106       17. Require a participating health care provider, beginning July 1, 2025, to ensure that any e-prescribing  
107 system or electronic health record system owned by or contracted for the provider to maintain an enrollee's  
108 health record has the ability to access, at the point of prescribing, the electronic prior authorization process  
109 established by a carrier as required by subdivision 16 and the real-time patient-specific benefit information,  
110 including out-of-pocket costs and more affordable medication alternatives made available by a carrier  
111 pursuant to § 38.2-3407.15:7. A provider may request a waiver of compliance under this subdivision for  
112 undue hardship for a period specified by the appropriate regulatory authority with the Health and Human  
113 Resources Secretariat.

114       C. The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this  
115 section.

116       D. This section shall apply with respect to any contract between a carrier and a participating health care  
117 provider or its contracting agent that is entered into, amended, extended, or renewed on or after January 1,  
118 2016.

119       E. *No carrier shall deny or make an adverse determination of a prior authorization request for  
120 prescription drugs unless such denial or adverse determination has been reviewed and approved by a*

121 licensed physician.

122 F. Notwithstanding any law to the contrary, the provisions of this section shall not apply to:

123 1. Coverages issued pursuant to Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq.  
 124 (Medicare), Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq. (Medicaid), Title XXI of the  
 125 Social Security Act, 42 U.S.C. § 1397aa et seq. (CHIP), 5 U.S.C. § 8901 et seq. (federal employees), or 10  
 126 U.S.C. § 1071 et seq. (TRICARE);

127 2. Accident only, credit or disability insurance, long-term care insurance, TRICARE supplement,  
 128 Medicare supplement, or workers' compensation coverages;

129 3. Any dental services plan or optometric services plan as defined in § 38.2-4501; or

130 4. Any health maintenance organization that (i) contracts with one multispecialty group of physicians who  
 131 are employed by and are shareholders of the multispecialty group, which multispecialty group of physicians  
 132 may also contract with health care providers in the community; (ii) provides and arranges for the provision of  
 133 physician services by such multispecialty group physicians or by such contracted health care providers in the  
 134 community; and (iii) receives and processes at least 85 percent of prescription drug prior authorization  
 135 requests in a manner that is interoperable with e-prescribing systems, electronic health records, and health  
 136 information exchange platforms.

137 **§ 38.2-3407.15:2. (Effective January 1, 2027) Carrier contracts; required provisions regarding prior  
 138 authorization for drug benefits.**

139 A. As used in this section, unless the context requires a different meaning:

140 "Carrier" has the same meaning as provided in subsection A of § 38.2-3407.15.

141 "Prior authorization" means the approval process used by a carrier before certain drug benefits may be  
 142 provided.

143 "Provider contract" has the same meaning as provided in subsection A of § 38.2-3407.15.

144 "Supplementation" means a request communicated by the carrier to the prescriber or his designee for  
 145 additional information, limited to items specifically requested on the applicable prior authorization request,  
 146 necessary to approve or deny such request.

147 B. Any provider contract between a carrier and a participating health care provider with prescriptive  
 148 authority, or its contracting agent, shall contain specific provisions that:

149 1. Require the carrier to, in a method of its choosing, accept telephonic, facsimile, or electronic  
 150 submission of prior authorization requests that are delivered from e-prescribing systems, electronic health  
 151 record systems, and health information exchange platforms that utilize the National Council for Prescription  
 152 Drug Programs' SCRIPT standards;

153 2. Require that the carrier communicate to the prescriber or his designee within 24 hours, including  
 154 weekend hours, of submission of an urgent prior authorization request to the carrier, if submitted  
 155 telephonically or in an alternate method directed by the carrier, that the request is approved, denied, or  
 156 requires supplementation;

157 3. Require that the carrier communicate electronically, telephonically, or by facsimile to the prescriber or  
 158 his designee, within two business days of submission of a fully completed prior authorization request, that the  
 159 request is approved, denied, or requires supplementation;

160 4. Require that the carrier communicate electronically, telephonically, or by facsimile to the prescriber or  
 161 his designee, within two business days of submission of a properly completed supplementation from the  
 162 prescriber or his designee, that the request is approved or denied;

163 5. Require that if a prior authorization request is approved for prescription drugs and such prescription  
 164 drugs have been scheduled, provided, or delivered to the patient consistent with the authorization, the carrier  
 165 shall not revoke, limit, condition, modify, or restrict that authorization unless (i) there is evidence that the  
 166 authorization was obtained based on fraud or misrepresentation; (ii) final actions by the U.S. Food and Drug  
 167 Administration, other regulatory agencies, or the manufacturer remove the drug from the market, limit its use  
 168 in a manner that affects the authorization, or communicate a patient safety issue that would affect the  
 169 authorization alone or in combination with other authorizations; (iii) a combination of drugs prescribed would  
 170 cause a drug interaction; or (iv) a generic or biosimilar is added to the prescription drug formulary. Nothing  
 171 in this section shall require a carrier to cover any benefit not otherwise covered or cover a prescription drug if  
 172 the enrollee is no longer covered by a health plan on the date the prescription drug was scheduled, provided,  
 173 or delivered;

174 6. Require that if the prior authorization request is denied, the carrier shall communicate electronically,  
 175 telephonically, or by facsimile to the prescriber or his designee, within the timeframes established by  
 176 subdivision 3 or 4, as applicable, the reasons for the denial;

177 7. Require that prior authorization approved by another carrier be honored, upon the carrier's receipt from  
 178 the prescriber or his designee of a record demonstrating the previous carrier's prior authorization approval or  
 179 any written or electronic evidence of the previous carrier's coverage of such drug, at least for the initial 90  
 180 days of a member's prescription drug benefit coverage under a new health plan, subject to the provisions of  
 181 the new carrier's evidence of coverage and any exception listed in subdivision 5;

182 8. Require that a tracking system be used by the carrier for all prior authorization requests and that the

183 identification information be provided electronically, telephonically, or by facsimile to the prescriber or his  
184 designee, upon the carrier's response to the prior authorization request;

185 9. Require that the carrier's prescription drug formularies, all drug benefits subject to prior authorization  
186 by the carrier, all of the carrier's prior authorization procedures, and all prior authorization request forms  
187 accepted by the carrier be made available through one central location on the carrier's website and that such  
188 information be updated by the carrier within seven days of approved changes;

189 10. Require a carrier to honor a prior authorization issued by the carrier for a drug, other than an opioid,  
190 regardless of changes in dosages of such drug, provided such drug is prescribed consistent with U.S. Food  
191 and Drug Administration-labeled dosages;

192 11. Require a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether  
193 the covered person changes plans with the same carrier and the drug is a covered benefit with the current  
194 health plan;

195 12. Require a carrier, when requiring a prescriber to provide supplemental information that is in the  
196 covered individual's health record or electronic health record, to identify the specific information required;

197 13. Require that no prior authorization be required for at least one drug prescribed for substance abuse  
198 medication-assisted treatment, provided that (i) the drug is a covered benefit, (ii) the prescription does not  
199 exceed the FDA-labeled dosages, and (iii) the drug is prescribed consistent with the regulations of the Board  
200 of Medicine;

201 14. Require that when any carrier has previously approved prior authorization for any drug prescribed for  
202 the treatment of a mental disorder listed in the most recent edition of the Diagnostic and Statistical Manual of  
203 Mental Disorders published by the American Psychiatric Association, no additional prior authorization shall  
204 be required by the carrier, provided that (i) the drug is a covered benefit; (ii) the prescription does not exceed  
205 the FDA-labeled dosages; (iii) the prescription has been continuously issued for no fewer than three months;  
206 and (iv) the prescriber performs an annual review of the patient to evaluate the drug's continued efficacy,  
207 changes in the patient's health status, and potential contraindications. Nothing in this subdivision shall  
208 prohibit a carrier from requiring prior authorization for any drug that is not listed on its prescription drug  
209 formulary at the time the initial prescription for the drug is issued;

210 15. Require a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether  
211 the drug is removed from the carrier's prescription drug formulary after the initial prescription for that drug is  
212 issued, provided that the drug and prescription are consistent with the applicable provisions of subdivision  
213 14;

214 16. Require a carrier, beginning July 1, 2025, notwithstanding the provisions of subdivision 1 or any other  
215 provision of this section, to establish and maintain an online process that (i) links directly to all e-prescribing  
216 systems and electronic health record systems that utilize the National Council for Prescription Drug Programs  
217 SCRIPT standard and the National Council for Prescription Drug Programs Real Time Benefit Standard; (ii)  
218 can accept electronic prior authorization requests from a provider; (iii) can approve electronic prior  
219 authorization requests (a) for which no additional information is needed by the carrier to process the prior  
220 authorization request, (b) for which no clinical review is required, and (c) that meet the carrier's criteria for  
221 approval; (iv) links directly to real-time patient out-of-pocket costs for the prescription drug, considering  
222 copayment and deductible; and (v) otherwise meets the requirements of this section. No carrier shall (a)  
223 impose a fee or charge on any person for accessing the online process as required by this subdivision or (b)  
224 access, absent provider consent, provider data via the online process other than for the enrollee. No later than  
225 July 1, 2024, a carrier shall provide contact information of any third-party vendor or other entity the carrier  
226 will use to meet the requirements of this subdivision or the requirements of § 38.2-3407.15:7 to any provider  
227 that requests such information. A carrier that posts such contact information on its website shall be  
228 considered to have met this requirement; and

229 17. Require a participating health care provider, beginning July 1, 2025, to ensure that any e-prescribing  
230 system or electronic health record system owned by or contracted for the provider to maintain an enrollee's  
231 health record has the ability to access, at the point of prescribing, the electronic prior authorization process  
232 established by a carrier as required by subdivision 16 and the real-time patient-specific benefit information,  
233 including out-of-pocket costs and more affordable medication alternatives made available by a carrier  
234 pursuant to § 38.2-3407.15:7. A provider may request a waiver of compliance under this subdivision for  
235 undue hardship for a period specified by the appropriate regulatory authority with the Health and Human  
236 Resources Secretariat.

237 C. The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this  
238 section.

239 D. This section shall apply with respect to any contract between a carrier and a participating health care  
240 provider or its contracting agent that is entered into, amended, extended, or renewed on or after January 1,  
241 2016.

242 E. *No carrier shall deny or make an adverse determination of a prior authorization request for  
243 prescription drugs unless such denial or adverse determination has been reviewed and approved by a  
244 licensed physician.*

245       F. Notwithstanding any law to the contrary, the provisions of this section shall not apply to:

246       1. Coverages issued pursuant to Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq.  
 247 (Medicare), Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq. (Medicaid), Title XXI of the  
 248 Social Security Act, 42 U.S.C. § 1397aa et seq. (CHIP), 5 U.S.C. § 8901 et seq. (federal employees), or 10  
 249 U.S.C. § 1071 et seq. (TRICARE);

250       2. Accident only, credit or disability insurance, long-term care insurance, TRICARE supplement,  
 251 Medicare supplement, or workers' compensation coverages;

252       3. Any dental services plan or optometric services plan as defined in § 38.2-4501; or

253       4. Any health maintenance organization that (i) contracts with one multispecialty group of physicians who  
 254 are employed by and are shareholders of the multispecialty group, which multispecialty group of physicians  
 255 may also contract with health care providers in the community; (ii) provides and arranges for the provision of  
 256 physician services by such multispecialty group physicians or by such contracted health care providers in the  
 257 community; and (iii) receives and processes at least 85 percent of prescription drug prior authorization  
 258 requests in a manner that is interoperable with e-prescribing systems, electronic health records, and health  
 259 information exchange platforms.

260       **§ 38.2-3407.15:8. (Effective January 1, 2027) Carrier contracts; required provisions regarding prior  
 261 authorization for health care services.**

262       A. As used in this section:

263       "Carrier" has the same meaning as provided in subsection A of § 38.2-3407.15.

264       "Expedited" means, in relation to a health care service or a prior authorization request for a health care  
 265 service, that the delay of such service could seriously jeopardize the enrollee's life, health, or ability to regain  
 266 maximum function.

267       "Health care services" has the same meaning as provided in § 38.2-3407.15, except that as used in this  
 268 section, "health care services" does not include drugs that are subject to the requirements of § 38.2-3407.15:2.

269       "Prior authorization" means the approval process used by a carrier before certain health care services may  
 270 be provided.

271       "Provider" has the same meaning as provided in § 38.2-3407.10.

272       "Provider contract" has the same meaning as provided in subsection A of § 38.2-3407.15.

273       "Standard" means, in relation to a health care service or a prior authorization request for a health care  
 274 service, that such health care service or prior authorization request is not expedited.

275       "Supplementation" means a request communicated by the carrier to the provider or his designee for  
 276 additional information, limited to items specifically requested on the applicable prior authorization request,  
 277 necessary to approve or deny such request.

278       B. Any provider contract between a carrier and a participating health care provider or its contracting agent  
 279 shall contain specific provisions that:

280       1. Require that the carrier communicate electronically or telephonically to the provider or his designee  
 281 within 72 hours, including weekend hours, of submission of an expedited prior authorization request to the  
 282 carrier that the request is approved, denied, or requires supplementation;

283       2. Require that the carrier communicate electronically or telephonically to the provider or his designee  
 284 within seven calendar days of submission of a standard prior authorization request to the carrier that the  
 285 request is approved, denied, or requires supplementation;

286       3. Where supplementation is required, require the carrier to specify to the provider or his designee the  
 287 supplementation necessary for the carrier to make a final determination that the request is approved or denied,  
 288 and following properly completed supplementation from the provider or his designee, require the carrier to  
 289 approve or deny the request within the timeframes specified in subdivisions 1 and 2;

290       4. Require that if a prior authorization request is approved for health care services and such health care  
 291 services have been scheduled or provided to the enrollee consistent with the authorization, the carrier shall  
 292 not revoke, limit, condition, modify, or restrict that authorization unless (i) the provider requests a change, (ii)  
 293 there is evidence that the authorization was obtained based on fraud or misrepresentation, or (iii) a final  
 294 action by a federal regulatory agency or the manufacturer removes an approved health care service from the  
 295 market, limits its use in a manner impacting the prior authorization, or communicates a patient safety issue  
 296 that would impact the prior authorization. Nothing in this section shall require a carrier to authorize any  
 297 health care service if the enrollee is no longer enrolled in the health plan; and

298       5. Require that if the prior authorization request is denied, the carrier shall communicate electronically or  
 299 telephonically to the provider or his designee within the timeframes established by subdivision 1 or 2, as  
 300 applicable, the reasons for the denial.

301       C. If a carrier requires prior authorization for certain health care services to be covered, the carrier shall  
 302 make available through one central location on the carrier's publicly accessible website or other electronic  
 303 application the list of services and codes for which prior authorization is required. A carrier must notify  
 304 providers at least 30 calendar days in advance of the effective date of any changes to the list of prior  
 305 authorization requirements and update the publicly accessible list of services and codes for which prior  
 306 authorization is required by the effective date of any new requirement. All of the carrier's prior authorization

307 procedures and all prior authorization request forms accepted by the carrier shall also be made available and  
308 updated by the carrier on the publicly accessible website or other electronic application by the effective date  
309 of any new requirements. The carrier shall also indicate the effective date of the prior authorization  
310 requirements for each service on the list, including those services where prior authorization is performed by  
311 an entity under contract with the carrier, provided, however, that if the prior authorization was already  
312 required prior to January 1, 2027, the carrier may indicate an effective date of January 1, 2027.

313 **D. A** No carrier shall ~~not~~ deny a claim for failure to obtain prior authorization if the prior authorization  
314 requirements for the date of service were not posted on the publicly accessible website or other electronic  
315 application in accordance with subsection C.

316 **E. No carrier shall deny or make an adverse determination of a prior authorization request for health**  
317 **care services unless such denial or adverse determination has been reviewed and approved by a licensed**  
318 **physician.**

319 **F.** Nothing in this section shall prohibit a carrier from removing prior authorization requirements without  
320 the 30-day notice period to providers in the event of a pandemic, a natural disaster, or any other emergency  
321 situations.

322 **F. G.** Each carrier shall make available by posting on its website no later than March 31 of each year the  
323 prior authorization data for prior authorizations covered by this section for the previous calendar year at the  
324 health plan level for all metrics required for compliance with federal law and the regulations of the Centers  
325 for Medicare and Medicaid Services, including those promulgated under 42 C.F.R. §§ 422.122(c), 438.210(f),  
326 440.230(e)(3), and 457.732(c).

327 **G. H.** Notwithstanding any law to the contrary, no provision of this section shall apply to any health  
328 maintenance organization that (i) contracts with a multispecialty group of physicians who are employed by  
329 and are shareholders of such multispecialty group, which multispecialty group may also contract with health  
330 care providers in the community, and (ii) provides and arranges for the provision of physician services by the  
331 physician members of such multispecialty group or by such contracted health care providers.

332 **H. I.** The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this  
333 section.

334 **I. J.** Pursuant to the authority granted by § 38.2-223, the Commission may promulgate such rules and  
335 regulations as it may deem necessary to implement this section.