

# RULES AND REGULATIONS

## Title 37—LAW

### OFFICE OF THE VICTIM ADVOCATE

#### [37 PA. CODE CHS. 801 AND 802]

#### Domestic and Sexual Violence Victim Address Confidentiality Program

The Office of the Victim Advocate (OVA), under 23 Pa.C.S. Chapter 67 (relating to Domestic and Sexual Violence Victim Address Confidentiality Act) (act), rescinds the statement of policy in Chapter 801 and adopts Chapter 802 (relating to the domestic and sexual violence address confidentiality program) to read as set forth in Annex A.

#### *Omission of Proposed Rulemaking*

Notice of proposed rulemaking is omitted in accordance with section 204(1)(iii) and (3) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(1)(iii) and (3)), known as the Commonwealth Documents Law (CDL), and 1 Pa. Code § 7.4(1)(iii) and (3) (relating to omission of notice of proposed rulemaking) because the OVA, for good cause, finds and incorporates the finding and the brief statement of the reasons therefore in the final-omitted rulemaking, that the proposed rulemaking procedure is unnecessary. The final-omitted regulations are identical to the statement of policy in Chapter 801. After publication of the guidelines, the OVA circulated the guidelines to all interested entities including county and State agencies as well as various members of the public. To date, the OVA has received no negative feedback regarding the guidelines. In fact, the OVA has received requests from other states who wish to use the guidelines as a template for the development of their own procedures and processes regarding address confidentiality programs. Accordingly, the OVA finds good cause for omitting the proposed rulemaking.

#### *Purpose*

The purpose of this final-omitted rulemaking is to implement the Domestic and Sexual Violence Victim Address Confidentiality Program (ACP). The regulations implement the act, which permits eligible persons to receive a confidential substitute address provided by the OVA. The final-omitted rulemaking reflects the statutory changes affecting 23 Pa.C.S. (relating to Domestic Relations Code) and 75 Pa.C.S. (relating to Vehicle Code) and procedures affecting State and local government agencies impacted by the ACP.

#### *Requirement of the Final-Omitted Rulemaking*

The final-omitted rulemaking enumerates and details the requirements of the act in the following structure:

#### *§ 802.1. Scope.*

#### *§ 802.2. Definitions.*

These sections provide the scope of the regulations and the definitions of words and terms used in the act.

#### *§ 802.3. Persons eligible for participation.*

This section provides the scope of eligibility for participation.

#### *§ 802.11. Application.*

#### *§ 802.12. Certification.*

These sections provide procedures for application to the ACP and the certification process.

#### *§ 802.13. Use of substitute address.*

This section provides for the proper use of the ACP substitute address by State and local government agencies.

#### *§ 802.14. Marriage licenses.*

#### *§ 802.15. Certificate of vehicle title, security interest in vehicle, vehicle registration and driver's license.*

These sections explain specific situations when the ACP participant can utilize the substitute address rather than the actual address.

#### *§ 802.16. ACP participant responsibility.*

This section provides procedures for ACP participants to notify the OVA of a change of address or name.

#### *§ 802.17. Cancellation, expiration and voluntary withdrawal.*

This section provides procedures for cancellation and expiration from ACP and also voluntary withdrawal.

#### *§ 802.21. Agency of use of substitute address.*

This section provides procedures for the use of the substitute legal address.

#### *§ 802.22. ACP records and release of information.*

This section explains the status of ACP records in the hands of the OVA as well as what information will be released by OVA pertaining to requests for information in these records.

#### *§ 802.23. Disclosure of actual address.*

This section provides procedures pertaining to the disclosure of the actual address by the OVA if certain requirements are satisfied by the person or entity that is requesting disclosure.

#### *§ 802.31. Agency request for waiver.*

#### *§ 802.32. Waiver review.*

These sections provide procedures for government agencies that are requesting disclosure of the actual address by the OVA. These sections also set forth the process that the government agencies should follow should they wish to appeal a decision of the OVA pertaining to the waiver process.

#### *Affected Parties*

Victims of domestic violence, sexual assault or stalking, as defined in the act, benefit by having clear regulations regarding eligibility, application and waiver procedures. Additionally, the regulations provide guidance and direction to State and local government agencies and victim service agencies, including domestic violence programs and sexual assault programs.

#### *Accomplishments and Benefits*

Victims of domestic violence, sexual assault or stalking, as defined in the act, benefit by having clear and up-to-date regulations regarding eligibility, enrollment, participant responsibilities, and address disclosure procedures. The final-omitted rulemaking is intended to provide further guidance and direction to victim service providers in advising victims of crime of eligibility criteria, enrollment procedures and services available under the act. Additionally, the final-omitted rulemaking provides direction to local, county and State agencies required to accept the substitute address. Finally, the act

directs the OVA to promulgate regulations to replace the previously adopted guidelines.

#### *Fiscal Impact*

The final-omitted rulemaking provides direction in implementing a program that is already in effect and for which funding has been appropriated. Therefore, there is no new significant fiscal impact to the OVA, other State agencies, county governments, the regulated community, consumers, clients, recipients, families and the general public as modification to existing processes is minimal.

#### *Public Comment*

Although this final-omitted rulemaking is being adopted without publication as a proposed rulemaking, interested persons are invited to submit written comments, suggestions or objections to the Office of the Victim Advocate, 1101 South Front Street, Suite 5200, Harrisburg, PA 17104.

Persons with a disability who require an auxiliary aid or service may submit comments by using the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

#### *Regulatory Review Act*

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on April 9, 2007, the OVA submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Judiciary Committee and the Senate Judiciary Committee. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(j.1) and (j.2) of the Regulatory Review Act, on May 8, 2007, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on May 17, 2007, and approved the final-omitted rulemaking.

#### *Findings*

The OVA finds that:

(1) Notice of proposed rulemaking is omitted in accordance with section 204(1)(iii) and (3) of the CDL and 1 Pa. Code § 7.4(1)(iii) and (3) because the OVA, for good cause, finds and incorporates the finding and the brief statement of the reasons therefore in the order adopting the administrative regulation, that the proposed rule-making procedure is unnecessary.

(2) The adoption of this rulemaking in the manner provided by this order is necessary and appropriate for the administration and enforcement of act.

#### *Order*

The OVA, under the act, orders that:

(a) The statement of policy of the OVA in §§ 801.1—801.3, 801.11—801.17, 801.21—801.23 and 801.31—801.33 is deleted and the regulations in §§ 802.1—802.3, 802.11—802.17, 802.21—802.23 and 802.31—802.33 are added to read as set forth in Annex A.

(b) The Victim Advocate shall submit this order and Annex A to the Offices of General Counsel and Attorney General for approval as to legality and form as required by law.

(c) The Victim Advocate shall certify and deposit this order and Annex A with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon final publication in the *Pennsylvania Bulletin*.

CAROL LAVERY,  
*Victim Advocate*

*(Editor's Note:* For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 37 Pa.B. 2566 (June 2, 2007).)

**Fiscal Note:** 41-20. (1) Victim/Witness Services Restricted Revenue Account within the General Fund; (2) Implementing Year 2006-07 is \$52,000; (3) 1st Succeeding Year 2007-08 is \$54,000; 2nd Succeeding Year 2008-09 is \$56,000; 3rd Succeeding Year 2009-10 is \$58,000; 4th Succeeding Year 2010-11 is \$59,000; 5th Succeeding Year 2011-12 is \$61,000; (4) 2005-06 Program—\$6,804,158; 2004-05 Program—\$6,817,846; 2003-04 Program—\$5,981,737; (7) Victim/Witness Services; (8) recommends adoption.

### **Annex A**

#### **TITLE 37. LAW**

#### **PART XI. OFFICE OF THE VICTIM ADVOCATE**

#### **CHAPTER 801. (Reserved)**

#### **§§ 801.1—801.3. (Reserved).**

#### **§§ 801.11—801.17. (Reserved).**

#### **§§ 801.21—801.23. (Reserved).**

#### **§§ 801.31—801.33. (Reserved).**

#### **CHAPTER 802. THE DOMESTIC AND SEXUAL VIOLENCE ADDRESS CONFIDENTIALITY PROGRAM**

##### **GENERAL PROVISIONS**

Sec.	
802.1.	Scope.
802.2.	Definitions.
802.3.	Persons eligible for participation.

##### **PROGRAM**

802.11.	Application.
802.12.	Certification.
802.13.	Use of substitute address.
802.14.	Marriage licenses.
802.15.	Certificate of vehicle title, security interest in vehicle, vehicle registration and driver's license.
802.16.	ACP participant responsibility.
802.17.	Cancellation, expiration and voluntary withdrawal.

##### **ADDRESS**

802.21.	Agency of use of substitute address.
802.22.	ACP records and release of information.
802.23.	Disclosure of actual address.

##### **WAIVER**

802.31.	Agency request for waiver.
802.32.	Waiver review.
802.33.	Waiver appeal process.

##### **GENERAL PROVISIONS**

#### **§ 802.1. Scope.**

This chapter sets forth standards and procedures relating to participation in the ACP on or after June 1, 2005, as well as waiver requests from entities that have an interest in obtaining an ACP participant's actual address.

#### **§ 802.2. Definitions.**

(a) The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*ACP*—The Domestic and Sexual Violence Victim Address Confidentiality Program (see 23 Pa.C.S. § 6703 (relating to Address Confidentiality Program)).

*ACP authorization card*—A card issued by the OVA under § 802.12 (relating to certification).

*ACP code*—An identifying number unique to each ACP participant.

*Act*—The Domestic and Sexual Violence Victim Address Confidentiality Act (23 Pa.C.S. §§ 6701—6713).

*Agent for service of process*—Third party agent for the formal delivery of a writ, summons or other legal process.

*Cohabitant*—A person who is a member of the same household as an ACP participant who is certified by the OVA to participate in ACP.

*OVA*—The Office of the Victim Advocate.

*Victim service provider*—A State or local agency that provides services to victims of domestic violence, sexual assault or other crimes.

(b) The definitions in section 6702 of the act (23 Pa.C.S. § 6702) (relating to definitions) are incorporated by reference.

**§ 802.3. Persons eligible for participation.**

(a) Except as otherwise provided in the act, the following persons are eligible for participation:

- (1) Victims of domestic violence.
- (2) Victims of sexual assault.
- (3) Victims of stalking.
- (4) A minor child who is a member of the same household as an ACP participant.
- (5) An adult who is a cohabitant of an ACP participant.
- (6) An ACP participant who notifies OVA of the ACP participant's intent to continue participation prior to expiration of the 3-year ACP certification period.

(b) An adult who is a cohabitant of an ACP participant shall apply separately for participation.

(c) Minor children who are enrolled with an adult ACP participant are required to apply separately upon reaching 18 years of age.

(d) Commonwealth residency is not a requirement for ACP participation. ACP applicants who do not provide a Commonwealth residential address will be enrolled as a "Non-PA Resident." This designation will appear on the ACP participant's ACP authorization card.

**PROGRAM**

**§ 802.11. Application.**

(a) An application may be filed by any eligible person on the form provided by OVA.

(1) An eligible ACP participant may apply, in person, at a victim service provider.

(2) The role of the victim service provider is to:

- (i) Assist the eligible person in determining whether ACP should be part of the person's overall safety plan.
- (ii) Explain ACP services and limitations.
- (iii) Explain ACP participants' responsibilities.
- (iv) Assist the person eligible for participation with the completion of application materials.

(b) The completed application must include the following:

(1) An affidavit from the applicant describing, in detail, a perpetrator's violent actions or threatened violent actions, or course of stalking conduct and describing, in detail, the applicant's fear of future violent acts of abuse, sexual assault or stalking, or all, by the perpetrator.

(2) Designation of the OVA as the applicant's agent for service of process.

(3) An applicant's mailing address to which mail can be forwarded by the OVA.

(4) An applicant's actual address and telephone number, if different from the applicant's mailing address.

(5) A listing of minor children residing at the actual address, each minor child's date of birth and each minor child's relationship to the applicant.

(6) When applicable, a listing of all pending civil and criminal proceedings, including, but not limited to, domestic relations, family court, child custody or Protection From Abuse proceedings, in which the applicant or minor child is a victim, witness, plaintiff or defendant.

(7) When applicable, an explanation of the applicant's probation or parole supervision requirements (Federal, State or county) as well as the name and phone number of the applicant's probation or parole officer.

(8) A signed statement affirming that information provided on the ACP application is true and acknowledging the applicant's duty to notify OVA of any change in information provided on the application.

(9) The date and signature of the applicant and the signature of any person who assisted in the preparation of the application.

(c) Completed applications shall be submitted to the ACP substitute address by mail. Applications submitted by means of facsimile or electronic mail will not be accepted.

(d) Application packets must contain the following completed materials:

- (1) Completed and signed ACP application form.
- (2) Criminal/civil case information.
- (3) Affidavit.
- (4) Signed ACP authorization card.

(e) Upon receipt, OVA will determine if the applicant meets the prescribed criteria for eligibility for enrollment in ACP in accordance with 23 Pa.C.S. § 6704 (relating to persons eligible to apply), which is incorporated by reference.

(f) For purposes of ACP, residents of temporary housing (30 days or less), such as emergency domestic violence shelter, are not eligible to enroll in ACP until a permanent, residential address is obtained, unless otherwise determined by the OVA, at the sole discretion of the OVA.

(g) OVA will contact the applicant if additional information is necessary for OVA to determine the eligibility of the applicant or minor child for participation in ACP.

**§ 802.12. Certification.**

(a) If OVA determines that an applicant is eligible for participation in ACP, the ACP participant is assigned a unique ACP number, known as an ACP code.

(b) ACP participant data will be entered into OVA's confidential records.

(c) An ACP authorization card is created and certified by OVA. The ACP authorization card contains the ACP participant's substitute address.

(d) Certification is valid for 3 years unless the certification is withdrawn by OVA, at the sole discretion of OVA, or canceled by the ACP participant prior to the expiration of the 3-year period.

(e) If the ACP participant is a victim, witness, plaintiff or defendant involved in an ongoing civil or criminal case, OVA will provide, upon certification, notice of the ACP participant's substitute address to appropriate court officials in which an ACP participant is a victim, witness, plaintiff or defendant. Appropriate officials may include, but not be limited to, the county district attorney, clerks of court or other agencies with prosecutorial authority.

(f) If an ACP participant who is a victim, witness, plaintiff or defendant involved in an ongoing civil or criminal case cancels, withdraws or expires from ACP participation, OVA will provide notice to any appropriate court officials previously notified.

(g) Upon certification by OVA, the ACP participant will receive the following:

(1) Notification of the ACP participant's enrollment in ACP.

(2) A completed and laminated ACP authorization card with the ACP participant's ACP code on the ACP authorization card.

(3) ACP materials advising the ACP participant how to use ACP when the ACP participant is dealing with Commonwealth and local agencies.

(h) If OVA determines, in the sole discretion of OVA, that an applicant or minor child does not meet the criteria for ACP certification, the applicant will receive notice of this decision from OVA.

**§ 802.13. Use of substitute address.**

(a) The substitute address shall be used in the following format on all mail sent to an ACP participant:

Participant Name, (ACP # \_\_\_\_\_ )  
PO Box \_\_\_\_\_  
Harrisburg, PA 17105

(b) The OVA will accept only first class, registered and certified mail on behalf of an ACP participant at the substitute address.

(c) The OVA will not forward magazines, packages, articles of bulk mailing or other items of mail.

(d) The OVA may arrange, at the discretion of the OVA, to receive and forward other classes or kinds of mail at the ACP participant's expense.

(e) ACP participant mail received at OVA will be repackaged and forwarded, by means of first class mail, to the ACP participant's actual address within 3 business days of receipt at the OVA. Mail that is forwarded by OVA will use the ACP PO Box as a return address.

**§ 802.14. Marriage licenses.**

(a) ACP participants may use the substitute address as the ACP participant's residential address when applying for a marriage license.

(b) ACP participants residing with the ACP participant's parents may use the substitute address as the ACP participant's residential address when applying for a marriage license.

(c) Adult children of an ACP participant may use the substitute address as the ACP participant's residential address when applying for a marriage license.

**§ 802.15. Certificate of vehicle title, security interest in vehicle, vehicle registration and driver's license.**

(a) ACP participants may use the substitute address as the ACP participant's actual address when applying to the Department of Transportation (PennDOT) for the following:

(1) A vehicle certificate of title.

(2) A perfection of a security interest in a vehicle.

(3) Vehicle registration, including the process of self-certification of financial responsibility.

(4) Applying for or renewing a Commonwealth driver's license or a PennDOT identification card.

(b) ACP participants are responsible for any fee associated with the issuance of an updated Commonwealth driver's license or identification card.

(c) ACP participants shall utilize a centralized address provided by PennDOT when applying for or renewing a Commonwealth driver's license or a PennDOT identification card.

**§ 802.16. ACP participant responsibility.**

ACP participants shall:

(1) Notify OVA of any change in the information provided to OVA during the ACP certification procedure.

(2) Provide the ACP participant's actual address to OVA but can opt to receive mail forwarded by OVA at an alternative address.

(3) Accept all mail forwarded to them by OVA.

(4) Designate OVA as the ACP participant's legal agent for service of process and maintain responsibility for all legal documents received by OVA on behalf of the ACP participant.

(5) Present the ACP participant's ACP authorization card to Commonwealth and local government agencies to receive ACP privileges.

(6) Notify OVA of any name change or change of actual address within 5 calendar days of the date that the change occurs.

**§ 802.17. Cancellation, expiration and voluntary withdrawal.**

(a) ACP participation will expire 3 years after the date of ACP certification. The date of expiration will be indicated on the ACP authorization card.

(b) At least 60 days prior to the expiration of certification, OVA will send written notification to the ACP participant's actual address to afford the ACP participant the option of continuing the ACP participant's ACP certification.

(c) ACP participants may voluntarily withdraw from ACP at any time by advising OVA in writing of the ACP participant's intent to withdraw. OVA will verify, to the extent possible, the accuracy of the request to ensure that the ACP participant is making the request knowingly and voluntarily.

(d) The OVA may, in its sole discretion, cancel an ACP participant's certification if the following occurs:

(1) The ACP participant provides false information on any part of the ACP application.

(2) The ACP participant fails to notify OVA of a change of name or change of address within 5 calendar days of the date that the change occurred.

(3) The ACP participant's mail is returned to OVA as nondeliverable.

(e) Mail that is returned to OVA as nondeliverable will be retained for 5 business days before being returned to the sender as nondeliverable.

(f) ACP participants whose participation is canceled, withdrawn or expires may reapply for participation in ACP.

**ADDRESS**

**§ 802.21. Agency of use of substitute address.**

(a) Commonwealth and local government agencies will accept the substitute address indicated on an ACP participant's ACP authorization card whenever the ACP participant's actual address is required except as set forth in 23 Pa.C.S. § 6707(2) (relating to agency use of designated address), which is incorporated by reference.

(b) The substitute address shall be in the following format on all mail sent to the ACP participant by a Commonwealth or local government agency:

Jane Doe, (ACP # \_\_\_\_\_)  
 PO Box \_\_\_\_\_  
 Harrisburg, PA 17105

(c) Commonwealth and local government agencies may not require an ACP participant to disclose the ACP participant's actual address.

(d) Commonwealth and local government agencies may contact OVA during regular business hours to verify a person's participation in ACP and the substitute address.

**§ 802.22. ACP records and release of information.**

(a) Records regarding ACP applicants and participants are the property of OVA. This includes, but is not limited to, the following records:

- (1) ACP applications.
- (2) Actual residential, work or school, or both, addresses of ACP participant.
- (3) Records related to Commonwealth or local government agencies' requests for waiver.

(b) OVA will verify the enrollment status of an ACP participant to Commonwealth and local government agencies. No other information regarding ACP participants will be released to any entities or persons except as provided in this section and § 802.23 (relating to disclosure of actual address) or as permitted and agreed to by the ACP participant in writing.

**§ 802.23. Disclosure of actual address.**

(a) OVA will disclose the actual address of an ACP participant in accordance with 23 Pa.C.S. § 6708 (relating to disclosure of actual address), which is incorporated by reference.

(b) Government agencies may request emergency disclosure of an ACP participant's actual address by contacting the phone number established by the OVA.

(c) For government agencies making requests for emergency disclosure, the requirements are contained in 23 Pa.C.S. § 6710(c) (relating to emergency disclosure), which are incorporated by reference.

(d) The OVA will disclose an ACP participant's actual address in accordance with 23 Pa.C.S. § 6710(b), which is incorporated by reference.

(e) Determinations regarding the emergency disclosure of an ACP participant's actual address will be made solely at the discretion of the Victim Advocate or the designee of the Victim Advocate.

**WAIVER**

**§ 802.31. Agency request for waiver.**

(a) A Commonwealth or local government agency requesting disclosure of an ACP participant's actual address will provide OVA with the information set forth in 23 Pa.C.S. § 6709(a) (relating to waiver process), which is incorporated by reference, and specify in the written statement what persons shall have access to the actual address information, where the actual address information shall be maintained and how the actual address information shall be maintained.

(b) The completed request for a waiver shall be sent to OVA by means of certified mail.

(c) Upon receipt of an agency waiver request, OVA will contact the ACP participant in accordance with 23 Pa.C.S. § 6709(b), which is incorporated by reference.

(d) Whenever possible, the ACP participant may be given the opportunity to be heard by the Victim Advocate or Victim Advocate's designee regarding the waiver request. Notice and the opportunity to be heard regarding disclosure of an ACP participant's actual address may not be provided to an ACP participant if the requirements of 23 Pa.C.S. § 6709(b)(3) are met, which are incorporated by reference.

(e) The OVA may grant the waiver request of Commonwealth and local government agencies if the ACP participant provides written consent to OVA to disclose the ACP participant's actual address.

**§ 802.32. Waiver review.**

(a) Promptly after receiving a complete waiver request as set forth in § 802.31 (relating to agency request for waiver) from a Commonwealth or local government agency, the OVA will review the request and determine whether to grant or deny the waiver request.

(b) The OVA may require additional information during the review of the waiver request, and the request for information will toll the waiver review process until the Commonwealth or local government agency complies with OVA's request for additional information.

(c) The OVA will grant a request for waiver from a Commonwealth or local government agency in accordance with 23 Pa.C.S. § 6709(d) (relating to waiver process), which is incorporated by reference.

(d) When the OVA grants a waiver to a Commonwealth or local government agency, OVA will provide, in writing, to the requesting agency the following:

- (1) The ACP participant's actual address.
- (2) A description of the scope of permitted use of the ACP participant's actual address.
- (3) A listing of the names or classes of persons permitted to have access to and use of the actual address.

(4) An explanation that the agency receiving the actual address is required to limit access to and use of the actual address.

(5) When the permitted use of the actual address is only for a set period of time, OVA will provide a date that the granted waiver expires. Upon reaching the expiration date, the agency which obtained a waiver will be required to no longer maintain, use or have access to the ACP participant's actual address and shall delete all references to the ACP participant's actual address from all of its files.

(e) A Commonwealth or local government agency receiving a waiver by the OVA shall comply with 23 Pa.C.S. § 6709(f), which is incorporated by reference.

**§ 802.33. Waiver appeal process.**

(a) When the OVA denies a request for a waiver, the Commonwealth or local government agency requesting the waiver will be notified of the refusal, in writing, by the OVA and provided the reasons for denial of the waiver.

(b) Within 15 calendar days of receiving written notice of the waiver denial, the Commonwealth or local government agency may file a written exception with the OVA. The exception must:

(1) Attach a copy of the letter from OVA denying the original waiver request.

(2) State the reason that and the grounds upon which the original waiver request should be granted.

(3) Specifically respond to the reasons stated by the OVA for denying the original waiver request.

(c) The filing of an exception to the OVA shall be submitted by means of certified mail and the date of actual delivery to the OVA controls for purposes of time calculations.

(d) If a Commonwealth or local government agency timely files exceptions, the OVA will review the exception request in accordance with 23 Pa.C.S. § 6709(i) (relating to waiver process), which is incorporated by reference.

(e) A Commonwealth or local government agency may appeal the final determination of the OVA in accordance with 23 Pa.C.S. § 6709(j), which is incorporated by reference.

[Pa.B. Doc. No. 07-969. Filed for public inspection June 1, 2007, 9:00 a.m.]