



Economic Impact Analysis Virginia Department of Planning and Budget

22 VAC 40-910 – Virginia Department of Social Services General Provisions for Maintaining and Disclosing Confidential Information of Public Assistance, Child Support Enforcement, and Social Services Records December 6, 2002

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.G of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

The proposed regulations will establish rules for disclosure of confidential information from the records of clients who receive public assistance, child support, and/or social services through programs administered by the Department of Social Services and local departments of social services.

Estimated Economic Impact

Local departments of social services collect information from clients prior to and while providing services. The majority of the services are offered through public assistance, social services, and child support programs. Public assistance is provided through programs such as Temporary Assistance for Needy Families, food stamps, Medicaid, and energy assistance. Social services include foster care, child protective services, adoptions, adoption assistance, adult services, adult protective services, domestic violence, and childcare. Child support program facilitates the determination of the amount of child support and exchange of monies from

noncustodial parents to custodial parents in noncourt ordered cases. The identifying client information collected by the local departments pertaining to the recipients of these services is confidential and not accessible by the public.

The 2001 Acts of Assembly required the State Board of Social Services (the board) to promulgate regulations regarding the release of identifying client information to third parties. The board promulgated emergency regulations that were effective on September 1, 2002. These proposed permanent regulations will replace the emergency regulations. According to the department, the requirements in the proposed regulations were already in practice prior to the emergency regulations. Therefore, the proposed regulations will not create any significant change in the way identifying client records and information are protected. As a result, no significant economic effect is expected from the proposed regulations.

The main effect of the proposed changes is providing detailed information to the public regarding the release of identifying client information. The proposed regulations outline the rules on when and how identifying client data may be released. Additionally, one of the provisions clarifies that disclosure of information in violation of the Code of Virginia is a Class 1 misdemeanor. Some of the interested parties may find the proposed regulations informative and may benefit from them. On the other hand, the promulgation of these regulations introduces small printing, copying, and mailing costs.

Businesses and Entities Affected

The proposed regulations apply to Department of Social Services, including the 22 child support district offices, and the 121 local departments of social services.

Localities Particularly Affected

No locality will be affected more than others.

Projected Impact on Employment

The proposed regulations are unlikely to have any significant effect on employment.

Effects on the Use and Value of Private Property

No significant effect on the use and value of private property is expected.