



Exempt Action Final Regulation Agency Background Document

Agency name	State Mental Health, Mental Retardation and Substance Abuse Services Board
Virginia Administrative Code (VAC) citation	12 VAC 35-12-10 et seq. – new chapter 12 VAC 35-11-10 et seq. – current chapter being repealed
Regulation title	Public Participation Guidelines (PPG)
Action title	Adoption of model PPG regulations to replace the existing PPG regulations
Final agency action date	August 19, 2008
Document preparation date	August 28, 2008

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Public Participation Guidelines (PPGs) exist to promote public involvement in the development, amendment, or repeal of an agency's regulations. Chapter 321 of the 2008 Acts of Assembly (effective July 1, 2008) mandates that by December 1, 2008, agencies with rulemaking authority either adopt the model PPGs issued by the Department of Planning and Budget (DPB), or, if the agency needs to make significant changes to the model PPGs, to promulgate new PPGs as a fast-track regulatory action.

The State Mental Health, Mental Retardation and Substance Abuse Services Board has chosen to adopt the model PPG regulations issued by DPB as an exempt action and repeal the its current PPGs (12 VAC 35-11-10 et seq.). Highlights of the model PPGs include the addition of negotiated rulemaking panels and regulatory advisory panels and instructions for notification lists.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On August 19 2008, the State Mental Health, Mental Retardation and Substance Abuse Services Board took action to repeal its current PPG regulations 12 VAC 35-11-10 et seq. and adopt the model PPG regulations, 12 VAC 35-12-10 et seq.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The regulatory action will have no impact on the family or family stability.