



Virginia
Regulatory
Town Hall

Periodic Review and Retention of Existing Regulations Agency Background Document

Agency Name:	State Board of Social Services
VAC Chapter Number:	22 VAC 40-780-10 et. seq.
Regulation Title:	Elimination of Financial Eligibility Criteria for Direct Social Services
Action Title:	Periodic Review
Date:	December 18, 2002

This information is required pursuant to the Administrative Process Act § 9-6.14:25, Executive Order Twenty-Five (98), and Executive Order Fifty-Eight (99) which outline procedures for periodic review of regulations of agencies within the executive branch. Each existing regulation is to be reviewed at least once every three years and measured against the specific public health, safety, and welfare goals assigned by agencies during the promulgation process.

This form should be used where the agency is planning to retain an existing regulation.

Summary

Please provide a brief summary of the regulation. There is no need to state each provision; instead give a general description of the regulation and alert the reader to its subject matter and intent.

This regulation establishes guidelines for determinations made by local departments of social services regarding whether an individual or family meets the criteria for receiving a service. Eligibility categories are income maintenance, eligibility based on income, or universal access. A service worker or a volunteer under the supervision of a service worker must determine eligibility for services.

Basis

Please identify the state and/or federal source of legal authority for the regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or

discretionary. Where applicable, explain where the regulation exceeds the minimum requirements of the state and/or federal mandate.

The state source of legal authority for the regulation is the Code of Virginia is §§ 63.2-217, 63.2-602 and 63.2-614. The State Board of Social Services is authorized to make rules and regulations necessary to carry out Title 63.2 of the Code of Virginia, Welfare (Social Services).

Public Comment

Please summarize all public comment received as the result of the Notice of Periodic Review published in the Virginia Register and provide the agency response. Where applicable, describe critical issues or particular areas of concern in the regulation. Also please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

No comments were received as a result of the Notice of Periodic Review published in the Virginia Register.

Effectiveness

Please provide a description of the specific and measurable goals of the regulation. Detail the effectiveness of the regulation in achieving such goals and the specific reasons the agency has determined that the regulation is essential to protect the health, safety or welfare of citizens. Please assess the regulation’s impact on the institution of the family and family stability. In addition, please indicate whether the regulation is clearly written and easily understandable by the individuals and entities affected.

This regulation provides a necessary basis for eligibility determinations made by local departments of social services. The regulation directly affects customers who apply for services and assistance, and were written for simplicity and clarity. The regulation explains on what basis an individual or family is determined eligible for both direct and purchased services and in doing so protects the health, safety or welfare of citizens.

Alternatives

Please describe the specific alternatives for achieving the purpose of the existing regulation that have been considered as a part of the periodic review process. This description should include an explanation of why such alternatives were rejected and this regulation reflects the least burdensome alternative available for achieving the purpose of the regulation.

This regulation clearly conveys how individuals and families become eligible for services provided by local departments. No requests for alternatives or changes were offered as a result of the public comment period and staff review.

Recommendation

Please state that the agency is recommending that the regulation should stay in effect without change.
The agency recommends the regulation remain in effect without change.