



Exempt Action Final Regulation Agency Background Document

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) citation	22VAC40-780
Regulation title	Elimination of Financial Eligibility for Direct Social Services
Action title	Amend Financial Eligibility Regulation
Final agency action date	June 15, 2011
Document preparation date	June 15, 2011

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, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

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.

22VAC40-780, Elimination of Financial Eligibility for Direct Social Services, provides authority for the provision of direct services to clients and clarifies that some services are provided without regard to income. This regulatory action makes three technical changes to update the terminology and to be compliant with statutory changes over the past several years.

In section 40, the term "Aid to Dependent Children" is changed to "Temporary Assistance for Needy Families." In section 60, the term "local social services agencies" is changed to "local departments of social services." Also in section 60, reference to the "Employment Services Program" is changed to lower-case "employment services programs." Code changes related to employment services programs make the current regulation's reference to "the Employment Services Program" inaccurate.

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.

The State Board of Social Services took final action on 22VAC40-780 on June 15, 2011.

Family impact

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

While this regulatory action makes only technical changes to 22VAC40-780, there could be an indirect impact on families, as the action is intended to ensure that the authority for the provision of direct services by local departments of social services to individuals and families is clear.

Periodic review

If this final regulation is not the result of a periodic review of the regulation, please delete this entire section. If this final regulation is the result of a periodic review, please (1) summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and (2) indicate whether the regulation meets the criteria set out in Executive Order 14 (2010), e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.

There were no comments received during the public comment period for the periodic review.

This regulation is necessary for the protection of public health, safety, and welfare as it provides authority for the provision of services and distinguishes which services require income eligibility and which do not. The regulation is clearly written and easily understood.