

Office of Regulatory Management
Economic Review Form

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) Chapter citation(s)	22VAC40-705
VAC Chapter title(s)	Child Protective Services
Action title	Amend CPS Regulation-2023
Date this document prepared	August 16, 2023
Regulatory Stage (including Issuance of Guidance Documents)	Exempt

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>This exempt action conforms the regulation language to §§ 16.1-228, 22.1-298.1, 63.2-100, 63.2-1505, and 63.2-1526, effective 7/1/2023. It is in response to Chapters 771 (HB1550), 170 (HB1768), and 568 (SB1367) of the 2023 Acts of Assembly. The State Board of Social Services has no discretion in making the amendments.</p> <p>Any monetized costs and benefits on the underlying piece of legislation was considered by the Virginia General Assembly and included in the 2023 Appropriation Act.</p> <p>Direct Costs: HB1550 created new type of appeal for teachers licensed by the Board of Education and employed by a local school board, who are involved in child protective services investigations. Following the administrative hearing with a state hearing officer, teachers can petition for a trial de novo by judge or jury in circuit court. Based on the 2023 Fiscal Impact Statement for HB1550 issued by the Department of Planning and Budget (DPB), it will have a \$110,537 general fund cost and will require a 15.5 percent local match (\$20,276). This cost will be spread across 122 local departments of social services, some may be impacted more than others however, the impact will be minimal.</p> <p>Indirect Costs: There are no direct or indirect costs or benefits to the proposed change.</p> <p>Direct Benefits: There are no direct or indirect costs or benefits to the proposed change.</p> <p>Indirect Benefits: There are no direct or indirect costs or benefits to the proposed change.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>
	<p>(a) \$110,537</p>	<p>(b) n/a</p>
<p>(3) Net Monetized Benefit</p>	<p>\$110,537</p>	
<p>(4) Other Costs & Benefits (Non-Monetized)</p>	<p>New Appeal for Teachers (HB1550): Teachers will benefit by having a separate appeal process. Facilitation of Child Advocacy Center Interviews (HB1768): Children and families may benefit by a smaller wait time for a Child Advocacy Center interview.</p>	

	Clarification of Abuse/Neglect Standard (SB1367): The public will benefit by the clarification made to the definition of “abused or neglected child.”
(5) Information Sources	DPB’s Fiscal Impact Statement is available on LIS at https://lis.virginia.gov/cgi-bin/legp604.exe?231+oth+HB1550FER122+PDF

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>This exempt action conforms the regulation language to 63.2-1707 of the Code, effective 7/1/2023. It is in response to Chapter 695 of the 2023 Acts of Assembly. Maintaining the status quo is not an option.</p> <p>Direct Costs: There are no direct or indirect costs or benefits to the status quo.</p> <p>Indirect Costs: There are no direct or indirect costs or benefits to the status quo.</p> <p>Direct Benefits: There are no direct or indirect costs or benefits to the status quo.</p> <p>Indirect Benefits: There are no direct or indirect costs or benefits to the status quo.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) n/a	(b) n/a
(3) Net Monetized Benefit	n/a	
(4) Other Costs & Benefits (Non-Monetized)	n/a	
(5) Information Sources	n/a	

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>There are no alternatives, as the action simply conforms the regulation in compliance with language in the Code of Virginia.</p> <p>Direct Costs: NA</p>
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	Indirect Costs: NA	
	Direct Benefits: NA	
	Indirect Benefits: NA	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) n/a	(b) n/a
(3) Net Monetized Benefit	n/a	
(4) Other Costs & Benefits (Non-Monetized)	n/a	
(5) Information Sources	n/a	

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Any monetized costs and benefits on the underlying piece of legislation was considered by the Virginia General Assembly and included in the 2023 Appropriation Act.</p> <p>Direct Costs: HB1550 created new type of appeal for teachers licensed by the Board of Education and employed by a local school board, who are involved in child protective services investigations. Following the administrative hearing with a state hearing officer, teachers can petition for a trial de novo by judge or jury in circuit court. Based on the 2023 Fiscal Impact Statement for HB1550 issued by the Department of Planning and Budget (DPB), it will have a \$110,537 general fund cost and will require a 15.5 percent local match (\$20,276). This cost will be spread across 122 local departments of social services, some may be impacted more than others however, the impact will be minimal.</p> <p>Indirect Costs: There are no direct or indirect costs or benefits to the proposed change that impact local partners.</p>
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	<p>Direct Benefits: There are no direct or indirect costs or benefits to the proposed change that impact local partners.</p> <p>Indirect Benefits: There are no direct or indirect costs or benefits to the proposed change that impact local partners.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$110,537	(b) n/a
(3) Other Costs & Benefits (Non-Monetized)	<p>New Appeal for Teachers (HB1550): Teachers will benefit by having a separate appeal process.</p> <p>Facilitation of Child Advocacy Center Interviews (HB1768): Children and families may benefit by a smaller wait time for a Child Advocacy Center interview.</p> <p>Clarification of Abuse/Neglect Standard (SB1367): The public will benefit by the clarification made to the definition of “abused or neglected child.”</p>	
(4) Assistance	n/a	
(5) Information Sources	<p>DPB’s Fiscal Impact Statement is available on LIS at https://lis.virginia.gov/cgi-bin/legp604.exe?231+oth+HB1550FER122+PDF</p>	

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no direct or indirect costs or benefits to the proposed change that impact families.</p> <p>Indirect Costs: There are no direct or indirect costs or benefits to the proposed change that impact families.</p> <p>Direct Benefits: There are no direct or indirect costs or benefits to the proposed change that impact families.</p> <p>Indirect Benefits: There are no direct or indirect costs or benefits to the proposed change that impact families.</p>
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) n/a	(b) n/a
(3) Other Costs & Benefits (Non-Monetized)	<p>New Appeal for Teachers (HB1550): Teachers will benefit by having a separate appeal process.</p> <p>Facilitation of Child Advocacy Center Interviews (HB1768): Children and families may benefit by a smaller wait time for a Child Advocacy Center interview.</p> <p>Clarification of Abuse/Neglect Standard (SB1367): The public will benefit by the clarification made to the definition of “abused or neglected child.”</p>	
(4) Information Sources	n/a	

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no direct or indirect costs or benefits to the proposed change that impact small business.</p> <p>Indirect Costs: There are no direct or indirect costs or benefits to the proposed change that impact small business.</p> <p>Direct Benefits: There are no direct or indirect costs or benefits to the proposed change that impact small business.</p> <p>Indirect Benefits: There are no direct or indirect costs or benefits to the proposed change that impact small business.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) n/a	(b) n/a
(3) Other Costs & Benefits (Non-Monetized)	n/a	

(4) Alternatives	n/a
(5) Information Sources	n/a

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved	Authority of Change	Initial Count	Additions	Subtractions	Net Change
705-30	Statutory:	0	0	0	0
	Discretionary:	0	0	0	0
705-80	Statutory:	1	0	0	0
	Discretionary:	18	0	0	0
705-190	Statutory:	25	0	0	0
	Discretionary:	0	0	0	0

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
n/a				

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden
n/a		

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Length	New Length	Net Change in Length
n/a			