



Periodic Review / Retain Regulation Agency Background Document

Agency name	Virginia Department of Social Services
Virginia Administrative Code (VAC) citation	22VAC40-670
Regulation title	Degree Requirement for Social Work/Social Work Supervisor
Document preparation date	August 15, 2007

This form is used when the agency has done a periodic review of a regulation and plans to retain the regulation without change. This information is required pursuant to Executive Orders 36 (2006) and 58 (1999).

Legal basis

Please identify the state and/or federal legal authority for the regulation, including (1) the most relevant law and/or regulation, and (2) promulgating entity, i.e., agency, board, or person.

The state authority for this regulation, promulgated by the State Board of Services, is §§ 63.2-217 and 63.2-219 of the *Code of Virginia*.

The Office of the Attorney General has certified that the State Board of Social Services has the authority to promulgate this regulation and that the existing regulation does not exceed the Board's statutory authority.

Alternatives

Please describe all viable alternatives for achieving the purpose of the existing regulation that have been considered as part of the periodic review process. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving the purpose of the regulation.

No other alternative for achieving the purpose of the existing regulation has been considered. The regulation is not burdensome in that it simply establishes minimum entrance standards for vacancies in the Social Work/Social Work Supervisor classification series.

Public comment

Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

The comments that were received supported this regulation as it is stated at the present time. The local agency employees who commented believe that if the requirement becomes more stringent, it will be more difficult to hire and retain qualified employees. This regulation has worked well for the local agencies. This is not a burdensome or controversial regulation so no advisory group was formed to assist in the review.

Effectiveness

Please indicate whether the regulation meets the criteria set out in Executive Order 36, e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.

This regulation is necessary for the protection of public health, safety and welfare in that it provides guidance on the minimum standards necessary for being evaluated for a Social Work/Social Work Supervisor position. In doing so, it clarifies that minimum requirements are necessary in order to work with clients who need Social Workers in the localities. The regulation is clearly written and easily understandable.

Result

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

The regulation should stay in effect without change.

Family impact

Please provide an analysis of the regulation's impact on the institution of the family and family stability.

This regulation supports the institution of family and family stability by clarifying that only qualified employees will work with families who need assistance from Social Workers.