



Exempt Action Final Regulation Agency Background Document

Agency name	Department for Aging and Rehabilitative Services
Virginia Administrative Code (VAC) citation	22 VAC30-120
Regulation title	Adult Services Approved Providers
Action title	Relocating existing regulations on Adult Services Approved Providers from DSS to DARS
Final agency action date	October 9, 2013
Document preparation date	August 7, 2013

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.

On July 1, 2013 and pursuant Chapter 803 and Chapter 835 of the 2012 *Acts of Assembly*, Adult Services and Adult Protective Services Programs were relocated from the Department of Social Services to the Department for Aging and Rehabilitative Services (DARS) which was created pursuant to § 51.5-117 of the Code of Virginia. This change is a result of the Governor's reorganization of the executive branch of state government.

In section 10 of the Adult Services Approved Provider regulation, the definition of "Department" was changed from "Department of Social Services" to the "Department for Aging and Rehabilitative Services." Additionally the phrase "Department of Social Services" was stricken in the definition of "local department approved provider."

In section 50 "department" was changed to "Department of Social Services."

In section 150, "State Board of Social Services" was stricken and replaced with "the Commissioner for the Department for Aging and Rehabilitative Services" as the Commissioner of DARS has the authority to

promulgate and oversee regulations related to adult services. Also in section 150 "Department of Social Services was stricken from the sentence that referenced the Adult Protective Services hotline.

Because portions of this regulation are implemented by the local department of social services, many references to these local departments remain throughout the regulation.

Because this regulation is now being promulgated by a different agency, the agency and chapter numbers for each section of the regulation have been changed. Also, the Code of Virginia citations, which authorized each section of this regulation to be promulgated, have been changed to the appropriate DARS Code of Virginia citation.

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 October 9, 2013, the Commissioner of the Virginia Department for Aging and Rehabilitative Services will adopt these amendments to the existing regulations entitled Adult Services Approved Providers (22 VAC30-120 et seq.) as a regulatory action exempt from the Administrative Process Act under §2.2-4006 of the Code of Virginia.

Family impact

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

This regulatory action does not have any impact on the institution of the family and family stability.