

## ATTACHMENT TO THE REGULATORY REVIEW CHECKLIST

- Item 1: The State Board of Social Services has conducted an extensive review of the Child Protective Services program operated by the Department of Social Services. As a result of this review, a comprehensive regulation (22 VAC 40-705-10 et seq.) is now proceeding through the full Administrative Process Act requirements. This proposed regulation governs both the Child Protective Services investigation process as well as the administrative appeals process. Due to the proposed regulation combining both Child Protective Services appeals and investigations, the current appeals regulation (22 VAC 40-710-10) needs to be repealed.
- Item 2: Section 63.1-25 grants the State Board of Social Services the authority to make rules and regulations necessary to carry out the duties of the Department of Social Services. Section 63.1-248.6:1 mandates the Department of Social Services' administrative appeals process and specifies the manner in which the process is to be carried out.
- Item 3: The State Board of Social Services must repeal the current regulation governing the Child Protective Services appeals process because a revised procedure for appeals is now a part of the proposed comprehensive Child Protective Services regulation that is proceeding toward final adoption. (22 VAC 40-705-10 et seq.) Regulation 22 VAC 40-710-10 is no longer essential to protect the health, safety or welfare of citizens or for the efficient performance of an important governmental function.
- Item 4: Since this action is to repeal regulation 22 VAC 40-710-10, the State Board of Social Services will not need to consider less burdensome and less intrusive alternatives for achieving the essential purpose, the alternatives considered, or the reasoning by which the agency has rejected any of the alternatives considered.
- Item 5: Family Impact Statement. Since this action proposes to repeal regulation 22 VAC 40-710-10, and its provisions are replaced by 32 VAC 40-705-10 et seq., there is no need to consider the impact this regulation will have on families.