

Child Protective Services Client Appeals
22 VAC 40-710-10 et seq.

SUMMARY: This regulation provided an appeal process in Child Protective Services matters. The provision for this appeal process is available to appellants through another promulgated regulation, 22 VAC 40-705-10 et seq., which combines both programmatic and appeals regulations.

BASIS: Section 63.1-25 of the Code of Virginia provides the statutory authority for the State Board of Social Services to promulgate regulations to carry out “the true purpose and intent” of Title 63 of the Code of Virginia. Section 63.1-248.6:1 of the Code of Virginia provides the statutory authority for the State Board of Social Services to promulgate regulations concerning appeals and hearings. The Department proposes to repeal the original appeal regulation, 22 VAC 40-710-10 et seq., because it is part of a broader and more recent promulgated regulation, 22 VAC 40-705-10 et seq., which combines both programmatic and appeals regulations.

PURPOSE: The purpose of repealing the regulation is to eliminate a useless regulation that is now part of another promulgated regulation.

SUBSTANCE: The appeal process has been incorporated into 22 VAC 40-705-10 et seq. And the benefits of the appeal process remain available to appellants.

ISSUES: By repealing the Child Protective Services Client Appeals regulation that is now provided for in another regulation, an unnecessary regulation will be eliminated.

AGENCY’S RESPONSE TO ECONOMIC IMPACT ANALYSIS: The Department of Social Services concurs with the economic impact analysis prepared by the Department of Planning and Budget.