



Virginia
Regulatory
Town Hall

Proposed Regulation Agency Background Document

Agency Name:	Virginia Department of Social Services
VAC Chapter Number:	480
Regulation Title:	Relocation Assistance, General Relief Program
Action Title:	Repeal of Existing Regulation
Date:	April 28, 2000

This information is required pursuant to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99), and the *Virginia Register Form, Style and Procedure Manual*. Please refer to these sources for more information and other materials required to be submitted in the regulatory review package.

Summary

Please provide a brief summary of the proposed new regulation, proposed amendments to an existing regulation, or the regulation proposed to be repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation; instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The proposed action will repeal the Relocation Assistance component of the General Relief Program. If this component is repealed as proposed, local departments of social service which currently include Relocation Assistance in their General Relief Plans will be required to submit new plans removing the component. This service will no longer be available.

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority must be provided. Please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the proposed regulation and that it comports with applicable state and/or federal law.

The statutory basis for this regulation is the Code of Virginia, Sections 63.1-25 and 63.1-106. Section 63.1-25 gives the State Board authority to make rules and regulations necessary or desirable to carry out the true purpose and intent of the title of the Code. Section 63.1-106 addresses eligibility for general relief. The Office of Attorney General has certified that the agency has the statutory authority to promulgate the proposed regulation and that it comports with applicable state and/or federal law.

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the proposed regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

As a result of the periodic review process, it was determined that this regulation is no longer necessary to protect the health, safety, or welfare of citizens or for the efficient and economical performance of an important governmental function. A review of the use history of this General Relief component indicated that only one local department of social services has used this component of the General Relief program during the last five years. The one agency which has used the program in the last five years indicated that the repeal of this component will not seriously impact services to clients in the locality.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement providing detail of the regulatory action's changes.

This regulation is no longer needed and is recommended for repeal. Relocation assistance is currently included in General Relief Plans of ten agencies. Only one of the ten has used the

component in the last 5 years. A survey of local departments who include Relocation Assistance in their General Relief plans found no objections to the proposed repeal.

Issues

Please provide a statement identifying the issues associated with the proposed regulatory action. The term "issues" means: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

Elimination of this regulation will contribute to the Governor's Executive Order 25 which requires that unnecessary and burdensome regulations be repealed. A use history of the Relocation Assistance component of the General Relief Program indicates that only one local agency has used this component in the last five years. That agency believes the repeal of this regulation will not seriously impact the local department or the people it serves and does not object to the repeal.

Fiscal Impact

Please identify the anticipated fiscal impacts and at a minimum include: (a) the projected cost to the state to implement and enforce the proposed regulation, including (i) fund source / fund detail, (ii) budget activity with a cross-reference to program and subprogram, and (iii) a delineation of one-time versus on-going expenditures; (b) the projected cost of the regulation on localities; (c) a description of the individuals, businesses or other entities that are likely to be affected by the regulation; (d) the agency's best estimate of the number of such entities that will be affected; and e) the projected cost of the regulation for affected individuals, businesses, or other entities.

There is no known fiscal impact associated with repealing this regulation.

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or cross-walk - of changes implemented by the proposed regulatory action. Where applicable, include citations to the specific sections of an existing regulation being amended and explain the consequences of the proposed changes.

Repeal of the regulation is proposed.

Alternatives

Please describe the specific alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action.

As a part of the periodic regulatory review, notice was sent to interested parties including local departments of social services and a notice was published in the Virginia Register. No alternative was offered or considered for this regulation during the public comment period. One alternative would be to maintain the regulation, however it appears to be unnecessary.

Public Comment

Please summarize all public comment received during the NOIRA comment period and provide the agency response.

No public comment was received during the public comment period.

The Director of the only local department of social services having used this component in the past five years said, in a telephone interview, that the overall maximum of \$500 for General Relief is hardly enough to relocate someone. The Director also noted that a person may be receiving General Assistance for help with medical bills or other General Relief services and there is nothing left to assist with relocation.

Clarity of the Regulation

Please provide a statement indicating that the agency, through examination of the regulation and relevant public comments, has determined that the regulation is clearly written and easily understandable by the individuals and entities affected.

The regulation is written for simplicity and clarity. No changes to the language are recommended as this regulation is recommended for repeal.

Periodic Review

Please supply a schedule setting forth when the agency will initiate a review and re-evaluation to determine if the regulation should be continued, amended, or terminated. The specific and measurable regulatory goals should be outlined with this schedule. The review shall take place no later than three years after the proposed regulation is expected to be effective.

If this regulation is repealed as recommended, no further review will be necessary.

Family Impact Statement

Please provide an analysis of the proposed regulatory action that assesses the potential impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The repeal of this regulation is believed to have no impact on families.