

Office of Regulatory Management
Economic Review Form

Agency name	Virginia Department of Health
Virginia Administrative Code (VAC) Chapter citation(s)	12VAC 5-200
VAC Chapter title(s)	Regulations Governing Eligibility Standards and Charges for Medical Care Services to Individuals
Action title	Amend Regulations Following 2022 Periodic Review
Date this document prepared	February 17, 2023
Regulatory Stage (including Issuance of Guidance Documents)	Fast Track

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>Direct Costs: Describe the direct costs of this proposed change here. There are no monetized direct costs associated with the proposed changes.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. There are no monetized indirect costs associated with the proposed changes.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. There are no monetized direct benefits associated with the proposed changes.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. There are no monetized indirect benefits associated with the proposed changes.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>
	<p>(a) \$0</p>	<p>(b) \$0</p>
<p>(3) Net Monetized Benefit</p>	<p>There is no net monetized benefit.</p>	
<p>(4) Other Costs & Benefits (Non-Monetized)</p>	<ul style="list-style-type: none"> ● The regulatory action will amend <u>Definitions</u> (12VAC5-220-10). Minimal updates clarify language used in the regulations and move some information to another section to keep topics together. <p>Direct Costs: There are no direct costs associated with this change.</p> <p>Direct Benefits: Individuals will benefit inasmuch as the regulatory language will be more clear and easier to understand.</p> <ul style="list-style-type: none"> ● The regulatory action will repeal 12VAC5 – 200-20, 12VAC5 – 200-30, 12VAC5-200-40, 12VAC5 – 200-60, 12VAC5 – 200-100, 12VAC-200-170, 12VAC5-200-180, and 12VAC5-200-220 which are not regulatory in nature or have redundant language that should be moved to a different section. <p>Direct Costs: There are no direct costs associated with this change.</p> <p>Direct Benefits: The benefit of this change is to reduce the length of the regulation by removing unnecessary language.</p>	

- **The regulatory action will amend 12VAC5-200-50, 12VAC5-200-105, 12VAC5-200-130, 12VAC5-200-140, and 12VAC5-200-280 with a number of style and form changes to conform the language to the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*. If these changes were promulgated in their own action, they would be exempt from the requirements of Article 2 of the Administrative Process Act, pursuant to § 2.2-4006 (A)(3).**

Direct Costs: There are no direct costs associated with this change.

Direct Benefits: The language will conform to the *Form and Style Requirements* and be clearer and more readable.

- **The regulatory action will amend 12VAC5-200-80, 12VAC5-200-110, 12VAC5-200-230, and 12VAC5-200-290 to remove redundant language and rearrange information among the chapters. If these changes were promulgated in their own action, they would be exempt from the requirements of Article 2 of the Administrative Process Act, pursuant to § 2.2-4006 (A)(3).**

Direct Costs: There are no direct costs associated with this change.

Direct Benefits: The language will be easier to read and understand and similar topics will be in the same sections.

- **The regulatory action will amend Charges for Services (12VAC5-200-90), to add language moved from sections 40 and 100 and add a reference to § 32.1.11 of the Code of Virginia related to charges for medical care services to private insurers. It was also change the rounding provision from allowing rounding to a “convenient value” to “the nearest whole dollar.”**

Direct Costs: There are no direct costs associated with this change. The change to the rounding provision will not affect agency practice when any rounding of charges occurs, it is only

intended to provide a clearer expectation than the term “convenient value,” which could be ambiguous.

Direct Benefits: The language will be clearer and more complete.

- **The regulatory action will amend Automatic Eligibility (12VAC5-200-120), to add children with Special Supplemental Nutrition Program for Women, Infants and Children (WIC) that are 6 months-3 years of age receiving dental varnish services to the list of programs that don’t require income verification.**

Direct Costs: There are no direct costs associated with this change.

Direct Benefits: Parents of children with WIC seeking these services will not have to provide income verification, removing a step from the process.

- **The regulatory action will amend Services Provided at No Charge to the Patient (12VAC5-200-150), to add language moved from section 170 and to clarify that older students up to age 22 enrolled in a public or private primary or secondary school are included in this section.**

Direct Costs: There are no direct costs associated with this change.

Direct Benefits: Related information will be in the same section making it easier to find, and it will be clearer that public or private primary or secondary school enrollment for those older students is what makes them eligible for the provisions of this section.

- **The regulatory action will amend Rights (12VAC5-200-270), to remove redundant language, make style changes, and to add provisions for the notification of appeal decisions.**

Direct Costs: There are no direct costs associated with this change.

Direct Benefits: Individuals participating in an appeal will have a clearer understanding of the notification process.

(5) Information Sources	Not applicable to the amendments being proposed.

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. There are no monetized direct costs if the regulations are not changed.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. There are no monetized indirect costs if the regulations are not changed.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. There are no monetized direct benefits if the regulations are not changed.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. There are no monetized indirect benefits if the regulations are not changed.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0 net monetized benefit	
(4) Other Costs & Benefits (Non-Monetized)	<p>The repeal of sections 20, 30, 40, 60, 100, 170, 180, and 220 is intended to conform the chapter to the definition of a “regulation” in § 2.2-4001 and reflect the intent of 1VAC7-10-40(C), which indicate that the provisions are non-regulatory in nature and should be omitted from the regulation.</p> <ul style="list-style-type: none"> The “status quo” option would be to leave the sections in the regulation. There are no direct cost or benefits associated with this option. <p>The style and form changes are to conform with the <i>Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code</i> and could be considered non-discretionary.</p>	

	<ul style="list-style-type: none"> The “status quo” option would be to leave the language in its current style and form. There are no direct costs or benefits associated with this option. <p>The amendments of sections 40, 90, 120, 150, 270 and 290 are to remove redundant language, move similar topics to the same section, add missing references, and clarify information</p> <ul style="list-style-type: none"> The “status quo” option would retain sections that were not required and have sections that had duplicative or missing information.
(5) Information Sources	There are no information sources related to these changes.

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: Describe the direct costs of this proposed change here. There are no monetized direct costs. Indirect Costs: Describe the indirect costs of the proposed change. There are no monetized indirect costs. Direct Benefits: Describe the direct benefits of this proposed change here. There are no monetized direct benefits. Indirect Benefits: Describe the indirect benefits of the proposed change. There are no monetized indirect benefits.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0 net benefit	
(4) Other Costs & Benefits (Non-Monetized)	The repeal of sections 20, 30, 40, 60, 100, 170, 180 and 220, along with the style and form changes, clarifications, and section reorganization make no substantive changes to regulatory requirements associated with the chapter, are non-regulatory, and do not affect the rights or powers of any person or agency. As such, there are no viable alternative approaches to be considered.	
(5) Information Sources	Not applicable.	

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. There are no monetized direct costs to local partners as a result of the proposed change.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. There are no monetized indirect costs to local partners as a result of the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. There are no monetized direct benefits to local partners as a result of this proposed change.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. There are no monetized indirect benefits to local partners as a result of this proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	There are no other costs and benefits to local partners as a result of the proposed change.	
(4) Assistance	Not applicable	
(5) Information Sources	Not applicable	

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. There are no monetized direct costs to families from this proposed change.</p> <p>Indirect Costs: Describe the indirect costs to families of the proposed change.</p>
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	<p>There are no monetized indirect costs to families from the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. There are no monetized direct benefits to families from this proposed change.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. There are no monetized indirect benefits to families from this proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	There are no costs or benefits to families from this proposed change.	
(4) Information Sources	Not applicable.	

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here.</p> <p>There are no monetized direct costs to small businesses as a result of the proposed change.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change.</p> <p>There are no monetized indirect costs to small businesses as a result of the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. There are no monetized direct benefits to small businesses as a result of this proposed change.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. There are no monetized indirect benefits to small businesses as a result of this proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0

(3) Other Costs & Benefits (Non-Monetized)	There are no other costs and benefits to small businesses as a result of this proposed change.
(4) Alternatives	Not applicable
(5) Information Sources	Not applicable

Changes to Number of Regulatory Requirements

For each individual VAC Chapter amended, repealed, or promulgated by this regulatory action, list (a) the initial requirement count, (b) the count of requirements that this regulatory package is adding, (c) the count of requirements that this regulatory package is reducing, (d) the net change in the number of requirements. This count should be based upon the text as written when this stage was presented for executive branch review. Five rows have been provided, add or delete rows as needed. In the last row, indicate the total number for each column.

Table 5: Total Number of Requirements

	Number of Requirements			
Chapter number	Initial Count	Additions	Subtractions	Net Change
200	51	0	8	-8
TOTAL				