



Periodic Review / Retain Regulation Agency Background Document

Agency name	Virginia Department of Health
Virginia Administrative Code (VAC) citation	12 VAC 5-530
Regulation title	Regulations Governing the Virginia Medical Scholarship Program
Document preparation date	April 12, 2012

This form is used when the agency has done a periodic review of a regulation and plans to retain the regulation without change. This information is required pursuant to Executive Orders 14 (2010) and 58 (1999).

Legal basis

Please identify the state and/or federal legal authority for the regulation, including (1) the most relevant law and/or regulation, and (2) promulgating entity, i.e., agency, board, or person.

Section 32.1-12 authorizes the Board of Health to make, adopt, promulgate, and enforce the necessary regulations to carry out the provisions of Title 32.1 and other laws of the Commonwealth that are administered by the Commissioner or the Department. Sections 32.1-122.5, 32.1-122.5:1, and 32.1-122.6 authorize the Board of Health to award annual medical scholarships to students with full-time enrollment at a participating medical school.

Alternatives

Please describe all viable alternatives for achieving the purpose of the existing regulation that have been considered as part of the periodic review process. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving the purpose of the regulation.

The State Health Commissioner, an executive officer of the Board of Health, does not see a viable alternative for achieving the purpose of the existing regulation.

Public comment

Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

Commenter	Comment	Agency response

VDH did not receive any public comments pertaining to the regulations during the periodic review period. An informal advisory group was not formed for the purposes of assisting in the periodic review.

Effectiveness

Please indicate whether the regulation meets the criteria set out in Executive Order 14 (2010), e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.

The regulation is clearly written and easily understandable. It provides medical scholarships to students attending medical school. For every year that a medical student receives a medical scholarship, he or she is required to provide a year of primary care service (family medicine, general internal medicine, pediatric medicine, or obstetrics/gynecology) in a Virginia Medically Underserved Area (VMUA) upon completion of residency. Medical scholarship recipients can have one (minimum) to five (maximum) years of service obligation in the Commonwealth of Virginia. Nine recipients are actively providing primary care service in the Commonwealth. The scholarship recipients are providing access to quality primary care in medically underserved areas in Virginia.

Result

Please state that the agency is recommending that the regulation should stay in effect without change.

VDH recommends that the regulations should be retained. Amendments are not recommended at this time.

Small business impact

In order to minimize the economic impact of regulations on small business, please include, pursuant to § 2.2-4007.1 E and F, a discussion of the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, include a discussion of the agency's determination whether the regulation should be amended or repealed, consistent with the stated objectives of applicable law, to minimize the economic impact of regulations on small businesses.

This regulation is necessary in order to increase access to quality primary care for Virginia residents in medically underserved areas. Public comments were not received regarding this regulation. The regulation is very straightforward and does not overlap or duplicate other regulations. This regulation was last evaluated in 2009. This regulation is not burdensome to small businesses, and, in fact, may be of benefit to the establishment of physician practices (which are small businesses) in Virginia.

Family impact

Please provide an analysis of the regulation's impact on the institution of the family and family stability.

This regulation is beneficial to the institution of the family and family stability. The medical scholarships assist medical students with their educational expenses and enable students to save disposable family income and increase their future earnings. Increasing access to primary care in medically underserved areas promotes the health and well-being of families in these communities.