



Virginia
Regulatory
Town Hall

Periodic Review and Retention of Existing Regulations Agency Background Document

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| Agency Name: | Department of Social Services |
| VAC Chapter Number: | 22 VAC 40-400-10 |
| Regulation Title: | Funding Limitations for the Refugee Resettlement Program |
| Action Title: | Periodic Review |
| Date: | December 13, 2001 |

This information is required pursuant to the Administrative Process Act § 9-6.14:25, Executive Order Twenty-Five (98), and Executive Order Fifty-Eight (99) which outline procedures for periodic review of regulations of agencies within the executive branch. Each existing regulation is to be reviewed at least once every three years and measured against the specific public health, safety, and welfare goals assigned by agencies during the promulgation process.

This form should be used where the agency is planning to retain an existing regulation.

Summary

Please provide a brief summary of the regulation. There is no need to state each provision; instead give a general description of the regulation and alert the reader to its subject matter and intent.

Provides for reimbursement to local departments of social services, by the Department of Social Services (Department), for 100 percent of the authorized costs of determining eligibility and providing assistance in accordance with the Refugee Resettlement Program.

Basis

Please identify the state and/or federal source of legal authority for the regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or discretionary. Where applicable, explain where the regulation exceeds the minimum requirements of the state and/or federal mandate.

§63.1-25 of the Code of Virginia. There is no mandate for this regulation. The regulation, originally promulgated in 1986, is limited to providing reimbursements to local departments of social services for the services they provide that are authorized under the Refugee Resettlement Program.

Public Comment

Please summarize all public comment received as the result of the Notice of Periodic Review published in the Virginia Register and provide the agency response. Where applicable, describe critical issues or particular areas of concern in the regulation. Also please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

There were no comments submitted to the Department on this regulation.

Effectiveness

Please provide a description of the specific and measurable goals of the regulation. Detail the effectiveness of the regulation in achieving such goals and the specific reasons the agency has determined that the regulation is essential to protect the health, safety or welfare of citizens. Please assess the regulation's impact on the institution of the family and family stability. In addition, please indicate whether the regulation is clearly written and easily understandable by the individuals and entities affected.

This regulation has the goal of ensuring maximum reimbursement to local departments of social services for the expenses they incur in determining eligibility and providing services under the Refugee Resettlement Program. There have been no problems or confusion reported by local departments with their reimbursements, so it appears the regulation is adequate and effective.

Alternatives

Please describe the specific alternatives for achieving the purpose of the existing regulation that have been considered as a part of the periodic review process. This description should include an explanation of why such alternatives were rejected and this regulation reflects the least burdensome alternative available for achieving the purpose of the regulation.

Virginia currently receives full reimbursement from the federal government for the costs incurred in operating the Refugee Resettlement Program. This regulation provides the same reimbursement rate to localities as that received by the state. Because this regulation provides for full reimbursement to the localities, no other alternatives were considered. This regulation impacts reimbursements policy between state and local departments of social services and does not impact clients or provision of services.

Recommendation

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

The Department of Social Services recommends retaining this regulation. The State Board of Social Services, at its meeting on December 13, 2001, concurred with this recommendation.

Family Impact Statement

Please provide an analysis of the regulation's impact on the institution of the family and family stability including the extent to which it: 1) strengthens or erodes the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourages or discourages economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthens or erodes the marital commitment; and 4) increases or decreases disposable family income.

This regulation provides guidelines for the reimbursement of local departments of social services by the Department of Social Services. It does not have a direct impact on the institution of the family or on family stability.