



Economic Impact Analysis Virginia Department of Planning and Budget

18 VAC 115-20; 115-50; 115-60 – Regulations Governing the Practice of Licensed Professional Counselors; Regulations Governing the Practice of Marriage and Family Therapy; Regulations Governing the Practice of Licensed Substance Abuse Treatment Practitioners

Board of Professional Counseling, Department of Health Professions

December 6, 2004

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.G of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

The proposed changes will clarify, update, and make consistent the standards of conduct that apply to professional counselors, marriage and family therapists, and substance abuse treatment practitioners. The proposed changes will not alter the substance of the three regulations in any significant way.

Estimated Economic Impact

The board of professional counseling (the board) has three regulations governing ethical standards of conduct, maintenance and disclosure of records, and delegation of services to subordinates under supervision in three professions: professional counselors (18 VAC 115-20), marriage and family therapists (18 VAC 115-50), and substance abuse treatment practitioners (18 VAC 115-60). All of these regulations cover the same standards of conduct, even though they contain slightly different language. The board believes that more similar language is

needed for a more fair and consistent basis for disciplinary action, particularly among those who are dually licensed.

The proposed changes will improve the consistency among the three sets of regulations by using similar language to address the standards of conduct, by using more clear language, and by updating language to reflect changes in the Code of Virginia. None of the proposed changes appears to have the potential to create any significant economic effects, other than reducing the potential for confusion and, consequently, the potential for disciplinary action and providing some small time and cost savings to regulants and the department. In fiscal year 2002, the board received a total 36 formal complaints.

Businesses and Entities Affected

The proposed regulations apply to approximately 2,739 professional counselors, 867 marriage and family therapists, and 162 substance abuse treatment practitioners. Of these, about 844 are dually licensed.

Localities Particularly Affected

The proposed regulations apply throughout the Commonwealth.

Projected Impact on Employment

No significant effect is expected on employment.

Effects on the Use and Value of Private Property

No significant effect is expected on the use and value of private property.