

Office of Regulatory Management
Economic Review Form

Agency name	Board of Optometry, Department of Health Professions
Virginia Administrative Code (VAC) Chapter citation(s)	18VAC105-20
VAC Chapter title(s)	Criteria for delegation of informal fact-finding proceedings to an agency subordinate
Action title	Exempt regulatory changes to allow agency subordinates to hear credentials cases
Date this document prepared	7/23/2024
Regulatory Stage (including Issuance of Guidance Documents)	Final

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>This change is in response to legislation passed in the 2023 session and will remove a limitation that agency subordinates be used only for disciplinary matters, allowing boards using agency subordinates to hear application cases as well as disciplinary cases.</p> <p>The only direct cost this action would bring is the cost to employ those agency subordinates for application cases. Not every board uses them for application cases and they do not always use them consistently, so it is difficult to predict for each board how much this increased cost would be. It is expected to be a fairly minimal cost and should be easily absorbed by the boards.</p> <p>There are indirect benefits associated with this legislative change. The first indirect benefit is better utilization of staff time since it will be easier to schedule these conferences with the agency subordinate around their schedule. Additionally, this will save time for the board members, who now do not have to travel to our office location as much to review these cases. This will be very helpful for our board members who have more difficulty getting away from work regularly.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>
	<p>(a) \$50 per hour per agency subordinate. Amount of time taken depends on Board size and need. Our biggest Board uses multiple agency subordinates for 1-2 conferences a month per subordinate, for between 4-8 hours per conference.</p>	<p>(b) Board member time and savings of Board member costs, including transportation, hotel, mileage reimbursement, etc.</p>
<p>(3) Net Monetized Benefit</p>	<p>Difficult to calculate, but expected to be a net benefit</p>	
<p>(4) Other Costs & Benefits (Non-Monetized)</p>	<p>N/A</p>	
<p>(5) Information Sources</p>		

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

(1) Direct & Indirect Costs & Benefits (Monetized)	Presently, board members must travel to the DHP office location in Henrico to review nonregular application cases. Scheduling these can be difficult when accounting to varying board member availability. It is a poor use of staff time.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$50 an hour per agency subordinate (b) Board member time, reimbursement costs related to travel, accommodation, etc.	(b) None
(3) Net Monetized Benefit	Difficult to calculate, but a net cost	
(4) Other Costs & Benefits (Non-Monetized)	N/A	
(5) Information Sources		

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

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no alternative approaches to consider. This was a change mandated by the General Assembly by passage of Ch. 191 of the 2023 Acts of Assembly.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	
(4) Other Costs & Benefits (Non-Monetized)	None	
(5) Information Sources		

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)	There is no expected impact on local partners.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	N/A	
(4) Assistance	N/A	
(5) Information Sources		

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)	There is no impact on families	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A

(3) Other Costs & Benefits (Non-Monetized)	
(4) Information Sources	

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)	There is no impact on small businesses	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	N/A	
(4) Alternatives		
(5) Information Sources		

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
18VAC105-20	(M/A):				
	(D/A):				
	(M/R):				
	(D/R):	159	0	0	0
Grand Total of Changes in Requirements:					(M/A):
					(D/A):
					(M/R):
					(D/R): 159

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved*	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).