

Office of Regulatory Management
Economic Review Form

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) Chapter citation(s)	22VAC40-73
VAC Chapter title(s)	Standards for Licensed Assisted Living Facilities
Action title	Add Authorization to Practice for Assisted Living Facilities
Date this document prepared	June 25, 2025
Regulatory Stage (including Issuance of Guidance Documents)	Exempt (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)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>This exempt action conforms the regulation language with § 54.1-2408.4 of the Code, effective 7/1/2024. It is in response to Chapter 390 of the 2024 Acts of Assembly.</p> <p>Direct Costs: There are no anticipated direct or indirect costs or benefits to the proposed change.</p> <p>Indirect Costs: There are no direct or indirect costs or benefits to the proposed change.</p> <p>Direct Benefits: There are no direct or indirect costs or benefits to the proposed change.</p> <p>Indirect Benefits: There are no direct or indirect costs or benefits to the proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)	<p>This change allows assisted living facilities to utilize contracted or employed out-of-state health care practitioners immediately and up to 90 days while awaiting licensure with Virginia’s Department of Health Professions, which may alleviate burdens caused due to staffing shortages in some areas.</p>	
(5) Information Sources		

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

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>This exempt action conforms the regulation language with § 54.1-2408.4 of the Code, effective 7/1/2024. It is in response to Chapter 390 of the 2024 Acts of Assembly. Maintaining the status quo is not an option.</p> <p>Direct Costs: There are no anticipated direct or indirect costs or benefits to the proposed change.</p> <p>Indirect Costs: There are no direct or indirect costs or benefits to the proposed change.</p>	
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	<p>Direct Benefits: There are no direct or indirect costs or benefits to the proposed change.</p> <p>Indirect Benefits: There are no direct or indirect costs or benefits to the proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)		
(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)	<p>Direct Costs: There are no direct or indirect costs or benefits to the proposed change that impact local partners.</p> <p>Indirect Costs: There are no direct or indirect costs or benefits to the proposed change that impact local partners.</p> <p>Direct Benefits: There are no direct or indirect costs or benefits to the proposed change that impact local partners.</p> <p>Indirect Benefits: There are no direct or indirect costs or benefits to the proposed change that impact local partners.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)

(3) Other Costs & Benefits (Non-Monetized)	As of August 21, 2024, there are eight ALF operated by local partners. This legislation may benefit local partners that seek to hire an out-of-state ALF administrator by permitting the administrator to start working immediately while awaiting Virginia licensure.
(4) Assistance	
(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)	<p>Direct Costs: There are no direct or indirect costs or benefits to the proposed change that impact families.</p> <p>Indirect Costs: There are no direct or indirect costs or benefits to the proposed change that impact families.</p> <p>Direct Benefits: There are no direct or indirect costs or benefits to the proposed change that impact families.</p> <p>Indirect Benefits: There are no direct or indirect costs or benefits to the proposed change that impact families.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	There are no non-monetized costs or benefits for families with this proposed change.	
(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)	<p>Direct Costs: There are no direct or indirect costs or benefits to the proposed change that impact small business.</p> <p>Indirect Costs: There are no direct or indirect costs or benefits to the proposed change that impact small business.</p> <p>Direct Benefits: There are no direct or indirect costs or benefits to the proposed change that impact small business.</p> <p>Indirect Benefits: There are no direct or indirect costs or benefits to the proposed change that impact small business.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Other Costs & Benefits (Non-Monetized)	<p>As of August 21, 2024, there are 566 ALF. DSS does not collect information on whether the facilities are small businesses but estimates that over half of the ALF are small businesses. This legislation may benefit small businesses that seek to hire an out-of-state ALF administrator by permitting the administrator to start working immediately while awaiting Virginia licensure.</p>	
(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
140	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	1	0	0	0
	(D/R):	7	0	0	0
				Grand Total of Changes in Requirements:	(M/A): 0 (D/A): 0 (M/R): 0 (D/R): 0

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).