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## Periodic Review and Small Business Impact Review Report of Findings

<b>Agency name</b>	State Board of Social Services
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	22 VAC 40-780
<b>VAC Chapter title(s)</b>	Eligibility for Direct Social Services
<b>Date this document prepared</b>	October 16, 2024

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

## Acronyms and Definitions

*Define all acronyms used in this Report, and any technical terms that are not also defined in the "Definitions" section of the regulation.*

Code - Code of Virginia  
Board - State Board of Social Services  
LDSS - Local department(s) of social services

## Legal Basis

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia or Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.*

Section 63.2-217 of the Code of Virginia (Code) provides the authority for the State Board of Social Services (Board) to adopt regulations to carry out the purpose of Title 63.2. Section 63.2-319 of the Code requires local departments of social services (LDSS) to provide child welfare and other services. Section 63.2-407 of the Code provides that counties and cities may provide public assistance and social services as authorized by the Board.

**Alternatives to Regulation**

*Describe any viable alternatives for achieving the purpose of the regulation that were considered as part of the periodic review. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving its purpose.*

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There are no other viable alternatives for achieving the purpose of this regulation. No changes are and the regulation should be retained "as is." It is not burdensome, in that it simply defines eligibility determination and LDSS' authority to provide services.

**Public Comment**

*Summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency's response. Be sure to include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. Indicate if an informal advisory group was formed for purposes of assisting in the periodic review.*

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No comments were received during the public comment period.

**Effectiveness**

*Pursuant to § 2.2-4017 of the Code of Virginia, indicate whether the regulation meets the criteria set out in the ORM procedures, including why the regulation is (a) necessary for the protection of public health, safety, and welfare, and (b) is clearly written and easily understandable.*

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This regulation simply provides authority for LDSS to provide direct services to families who are found to be eligible in one of three categories. This authority is essential in order to protect the safety and welfare of children and their families. The regulation is clearly written and easily understandable.

**Decision**

*Explain the basis for the promulgating agency's decision (retain the regulation as is without making changes, amend the regulation, or repeal the regulation).*

*If the result of the periodic review is to retain the regulation as is, complete the ORM Economic Impact form.*

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The agency recommends this regulation be retained without changes.

### Small Business Impact

*As required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (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, discuss why the agency's decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.*

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This regulation is necessary in that it provides the authority for LDSS to provide direct services to children and families. There were no complaints or comments received from the public concerning this regulation. This regulation does not conflict with federal or state law or regulations and there are no requirements that exceed applicable federal requirements. This regulation was last reviewed in 2019. There are no impacts on small businesses.

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