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## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Department for Aging and Rehabilitative Services
<b>Virginia Administrative Code (VAC) citation(s)</b>	22 VAC 30-100
<b>Regulation title(s)</b>	Adult Protective Services
<b>Action title</b>	Amend APS Regulations to comport with legislation passed during the 2017 General Assembly Session
<b>Final agency action date</b>	June 15, 2017
<b>Date this document prepared</b>	June 15, 2017

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

22 VAC 30-100-10 is being amended to comport regulatory language with legislation that passed the 2017 Session of the Virginia General Assembly. The definition of adult abuse, adult neglect, and adult exploitation; as well as the definition of adult protective services in Section 10 are being amended to align with the definitions as they will appear in Chapter 195 of the 2017 Acts of Assembly.

All of the definitions will include the sentence "as defined in § 63.2-1603." Additionally, the definition of adult exploitation will mirror the broader and more descriptive definition in Chapter 195 of the 2017 Acts of Assembly. The broader regulatory definition of adult protective services has been stricken and will be replaced with the content found in § 63.2-1603 of the Code of Virginia.

Pursuant to § 2.2-4006 A 3 of the Code of Virginia, Section 50 of the regulation will also be amended to address technical errors in the names of two agencies identified in this section. The Virginia Office for Protection and Advocacy will be changed to the disability Law Center of Virginia and the Department of Health, Center for Quality Health Care Services and Consumer Protection will be changed to Department of Health, Office of Licensure and Certification.

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.*

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22 VAC 30-100, Adult Protective Services was approved on June 15, 2017 by the Commissioner of the Department for Aging and Rehabilitative Services.

### Family impact

*Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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These regulatory changes will not have an impact on the institution of family or family stability. The changes have no impact on: (1) the authority and rights of parents in education, nurturing, and supervision of their children; (2) the economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; (3) the marital commitment; or (4) disposable family income.