



Exempt Action Final Regulation Agency Background Document

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) citation	22 VAC40-661
Regulation title	Child Care Program
Action title	Exempt Action on Child Care Subsidy Regulation
Final agency action date	June 18, 2014
Document preparation date	June 18, 2014

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), the agency 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 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

This action will amend section 40, which currently sets the copayment for participating families at 10% of their gross monthly income. The amendment will replace the 10% provision with a sliding scale that will determine their copayment based on family size and income. The amended section will clarify the maximum income eligibility limits for assistance. The change to a sliding copayment scale is necessary to bring the program into compliance with federal regulations at 45CFR98.42, which requires that the sliding fee scale be based, at a minimum, on the income and the size of the family.

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.

Action was taken on June 18, 2014 by the State Board of Social Services on 22VAC40-661, Child Care Program.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This regulatory action will provide financial relief for many program participants who will experience a decrease in their required copayments. A reduction in their personal costs will allow more families to access a wider range of child care services.