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Exempt Action Final Regulation Agency Background Document

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| Agency name | State Board of Social Services |
| Virginia Administrative Code (VAC) citation(s) | 22VAC40-120 |
| Regulation title(s) | Minimum Standards for Licensed Family Day-Care Systems |
| Action title | Amend Family Day Systems to Comply with Code |
| Final agency action date | August 17, 2016 |
| Date this document prepared | August 17, 2016 |

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of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed.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.

The regulatory change will bring the Minimum Standards for Licensed Family Day-Care Systems into conformity with § 63.2-100 of the Code of Virginia, to comply with House Bill 1570 and Senate Bill 1168 (2015). The legislation lowered the licensure threshold for family day homes.

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.

On August 17, 2016 the State Board of Social Services approved the exempt action to amend the regulation Minimum Standards for Licensed Family Day-Care Systems, 22VAC40-120.

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.

The change to the regulation is technical in nature since family day-care system homes may care for up to nine children without being subject to licensure by the department. Therefore, the change to this regulation will not have any impact on the institution of the family and family stability. The change will neither strengthen or erode the authority or rights of parents, nor encourage or discourage self-sufficiency, self-pride or the assumption of responsibility for one's self, or others. There should be no impact on marital commitment. There is no anticipated change to disposable family income as a result of this regulatory action. The Department has no discretion in this action as it is the result of a Code change.