

Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes  Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



## Virginia Department of Planning and Budget Economic Impact Analysis

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**18 VAC 115 •20 Regulations Governing the Practice of Professional Counseling**  
**Department of Health Professions**  
**Town Hall Action/Stage: 4829 / 8140**  
January 18, 2018

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### **Summary of the Proposed Amendments to Regulation**

In response to a 2017 petition for rulemaking,<sup>1</sup> the Board of Counseling (Board) proposes to accept supervised practicum and internship hours in a Council for Accreditation of Counseling and Related Educational Programs (CACREP) accredited doctoral program to count as required hours for a residency in counseling.

### **Result of Analysis**

The benefits likely exceed the costs for all proposed changes.

### **Estimated Economic Impact**

An individual must complete a total of 3,400 hours in a supervised residency prior to becoming licensed as a professional counselor. The residency must include a minimum of 200 hours of in-person supervision between the supervisor and the resident in the consultation and review of clinical counseling services provided by the resident.

The Board proposes to amend 18 VAC 115-20 to allow up to 900 hours of the residency requirement and up to 100 of the required hours of in-person supervision to be satisfied by supervised practicum and internship hours in a CACREP-accredited doctoral counseling

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<sup>1</sup> See <http://townhall.virginia.gov/L/viewpetition.cfm?petitionid=254>

program. Assuming a workweek is 40 hours, the Board's proposal to accept up to 900 hours for the residency requirement could allow the fulfillment of the residency requirement to be completed by up to 22.5 weeks sooner.<sup>2</sup> This would be beneficial for individuals who have obtained such supervised practicum and internship hours in a CACREP-accredited doctoral counseling program in that they may start practicing as a fully licensed professional counselor sooner, and commensurately earn greater income. Given that the Board does not believe this proposal would permit unqualified individuals to become licensed, the proposal likely produces a net benefit.

### **Businesses and Entities Affected**

The proposed amendments indirectly affect the 9 CACREP-accredited doctoral counseling programs in the Commonwealth, as well as the 4 Virginia doctoral counseling programs currently in the process of obtaining CACREP accreditation. Students at these institutions are also affected.

### **Localities Particularly Affected**

The proposed amendments do not disproportionately affect particular localities.

### **Projected Impact on Employment**

The proposed amendments do not significantly affect total employment. The proposals would allow some individuals to become employed as a fully licensed counselor sooner.

### **Effects on the Use and Value of Private Property**

The proposed amendments do not affect the use and value of private property.

### **Real Estate Development Costs**

The proposed amendments do not affect real estate development costs.

### **Small Businesses:**

#### **Definition**

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

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<sup>2</sup> 900/40 = 22.5

### **Costs and Other Effects**

The proposed amendments do not significantly affect costs for small businesses.

### **Alternative Method that Minimizes Adverse Impact**

The proposed amendments do not adversely affect small businesses.

### **Adverse Impacts:**

#### **Businesses:**

The proposed amendments do not adversely affect businesses.

#### **Localities:**

The proposed amendments do not adversely affect localities.

#### **Other Entities:**

The proposed amendments do not adversely affect other entities.

### **Legal Mandates**

**General:** The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order Number 17 (2014). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

**Adverse impacts:** Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.