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Exempt Action Final Regulation Agency Background Document

Agency name	Department for Aging and Rehabilitative Services
Virginia Administrative Code (VAC) citation(s)	__22_VAC 30-80-80__
Regulation title(s)	Auxiliary Grants Program
Action title	Relocating existing regulations on exemptions applicable to the Public Assistance Programs from DSS to DARS
Final agency action date	May 31, 2017
Date this document prepared	March 27, 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of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed.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.

This regulation was a chapter entitled *Exemptions Applicable to Public Assistance Programs* and was located under the Department of Social Services. Pursuant to the 59th enactment Chapter 803 of the 2012 Acts of Assembly, the Department for Aging, the Department of Rehabilitative Services, and adult services and adult protective services of the Department of Social Services were merged into the Department for Aging and Rehabilitative Services. The Auxiliary Grant Program, which is the only public assistance program covered in this chapter, is now administered by Department for Aging and Rehabilitative Services. Thus, a new section is being created under Auxiliary Grants Program to place this regulation. This regulation disregards foreign government restitution payments to Holocaust survivors when determining eligibility for the Auxiliary Grant Program.

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 May 31, 2017, The Commissioner of the Virginia Department for Aging and Rehabilitative Services will adopt these existing regulations entitled "Exemptions Applicable to Public Assistance Programs" (22VAC 30-90-et seq.) as a regulatory action exempt from the Administrative Process Act under §2.2-4006 of the Code of Virginia.

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.

Relocating this regulation from DSS to DARS is not expected to have any impact on the family.