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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)	22VAC30-80
Regulation title(s)	Auxiliary Grant Program
Action title	Revisions to conform to changes pursuant to Chapters 657 and 658 of the 2019 Acts of Assembly
Final agency action date	April 18, 2019
Date this document prepared	April 15, 2019

While a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

Brief Summary

Please provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

This action amends 22VAC30-80-20 (Assessment) to address changes to the supportive housing residential option for Auxiliary Grant (AG) eligible individuals as derived from Chapters 657 and 658 of the 2019 Acts of Assembly (original legislation: HB2017 and SB1286). With the revisions, 22VAC30-80-20 will allow individuals receiving AG to select supportive housing (SH) without any requirement that such individuals wait until their first or any subsequent annual reassessment to make a SH selection.

Mandate and Impetus

Please identify the mandate for this regulatory change, and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, board decision, etc.). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

The 2019 Acts of Assembly, Chapters 657 and 658, enactment clause #2 directed the Commissioner of DARS to promulgate regulations for the provision of supportive housing for individual receiving auxiliary grants within 180 days. Since the regulatory revisions are necessary to conform to changes in Virginia statutory law where no agency discretion is involved, an exempt action will best allow DARS to fulfill enactment clause #2 requirement.

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.

The Commissioner of the Department approved the amendments to the Auxiliary Grants Program (22VAC30-80) on April 18, 2019.