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## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	State Board of Social services
<b>Virginia Administrative Code (VAC) citation(s)</b>	22VAC40-294
<b>Regulation title(s)</b>	Applications for Public Assistance
<b>Action title</b>	Establish Regulation for Public Assistance Applications
<b>Final agency action date</b>	August 16, 2017
<b>Date this document prepared</b>	August 16, 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of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed.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.*

Chapter 106 of the 2017 Acts of Assembly (HB1567) directs local departments of social services (LDSS) or Commissioner to provide all Medicaid applicants with information regarding advance (health care) directives, including information about the purpose and benefits of advance directives and how the applicant can make an advance directive. Chapter 472 of the 2017 Acts of Assembly (SB1122) directs LDSS to obtain alternate contact information, including the applicant's email address and cell phone number, and the applicant's preferred method of contact, including direct mail, email, text message or phone call. A new regulation is being established to align the Virginia Administrative Code with these statutory changes, 22VAC40-294, Applications for Public Assistance.

### 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.*

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The State Board of Social Services approved the exempt action to establish 22VAC40-294, Applications for Public Assistance, on August 16, 2017.

### 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.*

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This regulatory action will have minimal impact on family stability. It will have no impact on the rights of parents in the education, nurturing and supervision of their children. It could encourage economic self-sufficiency and assumption of responsibility by allowing the household to use technology to receive communications from the LDSS; electronic communication is quicker than ground mail so it could make the eligibility determination process more efficient. It may encourage assumption of responsibility for oneself by encouraging Medicaid applicants to make decision now that may impact future decisions about their health care needs. It will not impact marital commitment or disposable family income.