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Exempt Action Final Regulation Agency Background Document

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 Conform with Code
Final agency action date	August 16, 2017
Date this document prepared	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of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed.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.

The regulatory change will bring the Minimum Standards for Licensed Family Day-Care Systems into conformity with § 63.2-1701 of the Code of Virginia, to comply with Chapter 196 of the 2017 Acts of Assembly (House bill 2156, effective July 1, 2017). The legislation amends the definition of person who operates or maintains a child welfare agency. This definition of person was amended to allow state operated child welfare agencies to be licensed.

Statement of final agency action

The State Board of Social Services approved the exempt action to amend the Minimum Standards for Licensed Family Day-Care System regulation, 22VAC40-120, 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.

The change to this regulation will not impact the institution of the family and family stability as the change is technical in nature. The definition of person was amended to allow state operated child welfare agencies to be licensed. 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.