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Exempt Action: Final Regulation Agency Background Document

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) Chapter citation(s)	22VAC40-61; 22VAC40-73; 22VAC40-80; 22VAC40-90
VAC Chapter title(s)	Standards and Regulations for Licensed Adult Day Care Centers; Standards for Licensed Assisted Living Facilities; General Procedures and Information for Licensure; Regulation for Background Checks for Assisted Living Facilities and Adult Day Care Centers
Action title	Rename Adult Day Care Centers to Align with Code of Virginia
Final agency action date	
Date this document prepared	

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

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 regulatory action will implement Chapters 37 and 150 of the 2024 Acts of Assembly requiring the removal of “care” from the title of the licensed program, Adult Day Care Centers, and rename the program “Adult Day Centers.”

Mandate and Impetus

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, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

Chapters 37 and 150 of the 2024 Acts of Assembly require that the State Board of Social Services amends the following regulations §§ 22VAC40-61, 22VAC40-73, 22VAC40-80, and 22VAC40-90 to remove "care" from the title of the licensed program, "Adult Day Care Centers", and all references to adult day care centers. This change is supported by advocates to utilize adult focused person-centered terminology in adult licensed programs.

Statement of Final Agency Action

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 State Board of Social Services approved the exempt action for the *Standards and Regulations for Licensed Adult Day Care Centers, 22VAC40-61; Standards for Licensed Assisted Living Facilities, 22VAC40-73; General Procedures and Information for Licensure, 22VAC40-80; and Regulation for Background Checks for Assisted Living Facilities and Adult Day Care Centers, 22VAC40-90, on _____.*