



Virginia
Regulatory
Town Hall

townhall.state.va.us

Final Regulation Agency Background Document

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) citation	22 VAC 40 -032, 22 VAC 40 -290, 22 VAC 40 -310, 22 VAC 40 -320, 22 VAC 40 -300, 22 VAC 40 -350, 22 VAC 40 -360, 22 VAC 40 -370, 22 VAC 40 -380, 22 VAC 40 -390, 22 VAC 40 -420, 22 VAC 40 -430, 22 VAC 40 -440, 22 VAC 40 -450, 22 VAC 40 -460, 22 VAC 40 -490, 22 VAC 40 -500, 22 VAC 40 -510, 22 VAC 40 -520, 22 VAC 40 -530, 22 VAC 40 -550, 22 VAC 40 -580, 22 VAC 40 -590, 22 VAC 40 -610, 22 VAC 40 -620, 22 VAC 40 -650, 22 VAC 40 -750, 22 VAC 40 -760
Regulation title	Earned Income Disregards/Student Earnings in the Aid to Families with Dependent Children (AFDC) Program
Action title	Repeal 28 AFDC Regulations that are being replaced by a new Comprehensive TANF Regulation
Document preparation date	March 10, 2004

This information is required for executive review (www.townhall.state.va.us/dpbpages/apaintro.htm#execreview) and the Virginia Registrar of Regulations (legis.state.va.us/codecomm/register/regindex.htm), pursuant to the Virginia Administrative Process Act (www.townhall.state.va.us/dpbpages/dpb_apa.htm), Executive Orders 21 (2002) and 58 (1999) (www.governor.state.va.us/Press_Policy/Executive_Orders/EOHome.html), and the *Virginia Register Form, Style, and Procedure Manual* (http://legis.state.va.us/codecomm/register/download/styl8_95.rtf).

Brief summary

In a short paragraph, please summarize all substantive changes that are being proposed in this regulatory action.

These regulations are being repealed. Necessary language from these regulations will be contained in the new, comprehensive regulation, Temporary Assistance for Needy Families, 22 VAC 40-295.

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.

These regulations were repealed by action of the State Board of Social Services on March 10, 2004.

Legal basis

Please identify the state and/or federal source of legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly bill and chapter numbers, if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

The Code of Virginia, §§63.2-217 of the Code of Virginia (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+63.1-25>), places responsibility on the State Board of Social Services to make rules and regulations necessary to carry out the purpose and intent of the sections of the Code related to social services.

Purpose

Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal and the problems the proposal is intended to solve.

TANF provides assistance to needy eligible families in order to assist them in meeting basic needs. The new TANF regulation provides for more consistent and efficient administration of TANF, and is therefore essential to protecting the welfare of citizens. There are currently several different TANF regulations. These various regulations are being repealed and replaced with the new comprehensive regulation, thereby streamlining the TANF regulatory structure.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. A more detailed discussion is required under the "All changes made in this regulatory action" section.

These regulations are being repealed.

Issues

Please identify the issues associated with the proposed regulatory action, including:
1) *the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
2) *the primary advantages and disadvantages to the agency or the Commonwealth; and*
3) *other pertinent matters of interest to the regulated community, government officials, and the public.*

If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.

The public will benefit from the repeal of these regulations because it will be easier to access all rules regarding TANF at one time in the new, comprehensive regulation rather than having to research many different regulations. The public will benefit by having easier access to the rules they are governed by. The Commonwealth will benefit because only regulation will contain the program rules for TANF. Less time will have to be used for review and maintenance of the regulation.

Changes made since the proposed stage

Please describe all changes made to the text of the proposed regulation since the publication of the proposed stage. For the Registrar’s office, please put an asterisk next to any substantive changes.

The regulations are being repealed.

Public comment

Please summarize all comment received during the public comment period following the publication of the proposed stage, and provide the agency response. If no public comment was received, please so indicate.

No comments were received.

All changes made in this regulatory action

Please detail all changes that are being proposed and the consequences of the proposed changes. Detail new provisions and/or all changes to existing sections.

These regulations are being repealed.

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability.

Because the necessary language from these regulations will be contained in the regulation Temporary Assistance for Needy Families 22 VAC 40-295-10, the action to repeal this regulation will have no impact on families.