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Periodic Review and Small Business Impact Findings Where Result is "Retain the Regulation As Is"

Agency name	Department of Corrections
Virginia Administrative Code (VAC) citation	6 VAC15-20
Regulation title	Regulations Governing Certification and Inspection
Date	January 5, 2016

This information is required pursuant to Executive Order 17 (2014).

Legal basis

Code of Virginia Section 53.1-5

Alternatives

There are no known alternatives whereby all local and private correctional facilities and community residential programs affiliated with the Department of Corrections may be audited for compliance with operational and fiscal standards established by the Board of Corrections to ensure the health, safety, and welfare of staff and offenders within these facilities.

Public comment

No public comments were received when notice of this periodic review was published in the November 30, 2015 edition of the Virginia Register.

Effectiveness

6 VAC15-20, Regulations Governing Certification and Inspection, meets the criteria set out in Executive Order 17 (2014) in that it is necessary for the protection of the health, safety, and welfare of staff and offenders within local and private correctional facilities and community residential programs affiliated with the Department of Corrections. This regulation has proven effective in meeting this need and is deemed to be clearly written and easily understandable.

Result

The Department of Corrections is recommending that 6 VAC15-20, Regulations Governing Certification and Inspection should stay in effect without change as there have been no changes in the requirements for certification and inspection of local and private correctional facilities and community residential programs.

Small business impact

6 VAC15-20, Regulations Governing Certification and Inspection, is necessary for the protection of the health, safety, and welfare of staff and offenders within local and private correctional facilities and community residential programs affiliated with the Department of Corrections. There have been no complaints or comments received from the public concerning the regulation. The regulation is not deemed to be overly complex nor does it overlap, duplicate, or conflict with federal or state law or regulation. Technology, economic conditions, or other factors have not significantly changed in the area affected by the regulation since it was last updated in 2011. The only small business impact of this regulation is on private owners of community residential programs and this impact is considered minimal as its only function is to monitor vendor compliance with the Department of Corrections contact awarded for their operation.