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Periodic Review Report of Findings

Agency name	State Board of Social Services.
Virginia Administrative Code (VAC) citation	22VAC40-901
Regulation title	Community Services Block Grant Program
Date this document prepared	October 16, 2019

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

Acronyms and Definitions

Please define all acronyms used in this Report. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.

n/a

Legal Basis

Please identify (1) the agency or other promulgating entity, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia or Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency or promulgating entity's overall regulatory authority.

Section 63.2-217 of the Code of Virginia provides the State Board of Social Services the general authority to promulgate regulations to carry out the purpose of Title 63.2. Chapter 54 (§ 2.2-5400 et seq.) of Title 2.2 addresses the Community Action Act and provides that the Secretary of Health and Human Resources shall designate an agency to administer the Community Action Act. The Department of Social Services is the designated agency.

Alternatives

Please describe any viable alternatives for achieving the purpose of the regulation that were considered as part of the periodic review. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving its purpose.

The agency did not identify alternatives, nor were there any public comments received requesting amendments or alternatives. This regulation is concise and the least burdensome approach.

Public Comment

Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Ensure to include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency or board. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

No comments were received.

Effectiveness

Pursuant to § 2.2-4017, please indicate whether the regulation meets the criteria set out in Executive Order 14 (as amended, July 16, 2018), including why the regulation is (a) necessary for the protection of public health, safety, and welfare, and (b) is clearly written and easily understandable.

The regulation is clearly written and understandable, and meets all criteria of Executive Order 17. The Community Services Block Grant Program funds community action agencies in the Commonwealth. Community action agencies, through the services they provide, help to protect the welfare of vulnerable citizens.

Decision

Please explain the basis for the rulemaking entity's decision (retain the regulation as is without making changes, amend the regulation, or repeal the regulation).

The recommendation is to amend. In their review, the Office of Attorney General identified amendments needed to update the regulation.

Small Business Impact

As required by § 2.2-4007.1 E and F of the Code of Virginia, include a discussion of the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the

agency's decision, consistent with the stated objectives of applicable law, will minimize the economic impact of regulations on small businesses.

- 1) The regulation is required to provide the administrative structure for the Virginia Community Action Act.
- 2) None received.
- 3) The complexity of the regulation has no impact on small business, as it does not include any language that prescribes limitations or requirements on small business.
- 4) The regulation is the administrative structure for Community Action Act. It does not duplicate or conflict with any federal or state law.
- 5) The regulation was evaluated this May. Any changes in technology or economic conditions would not be hindered by maintaining the current regulation.

The current regulation contains no language that would create economic impact on small businesses.