



Virginia Department of Planning and Budget **Economic Impact Analysis**

18 VAC 115-20 Regulations Governing the Practice of Professional Counseling
Department of Health Professions
Town Hall Action/Stage: 6616 / 10897
February 5, 2026

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 19. The analysis presented below represents DPB's best estimate of the potential economic impacts as of the date of this analysis.¹

Summary of the Proposed Amendments to Regulation

In response to a 2024 petition for rulemaking,² the Board of Counseling (Board) proposes to require that resident supervisors in counseling submit the total hours of residency and the resident's evaluation within 30 days of the end of supervision.

Background

Currently, resident supervisors in counseling are required to report the total hours of residency and resident's evaluation, but a specific time frame is not stipulated. According to the petitioner,³ the lack of a specific time frame may be detrimental to a resident's progression in the licensure process if the supervisor does not report such information in a timely manner. The Department of Health Professions reports that this lack of a specific time requirement for supervisors can delay the licensing process for applicants, in some cases by months or years. In

¹ Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the analysis should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

² <https://townhall.virginia.gov/L/viewpetition.cfm?petitionid=410>

³ See Page 135 at https://townhall.virginia.gov/L/GetFile.cfm?File=Meeting/25/38252/Agenda_DHP_38252_v3.pdf

response to the petition, the Board proposes to establish a 30-day timeframe following the conclusion of supervision to report the required information.

Estimated Benefits and Costs

A resident's supervised hours and evaluation are critical elements in the licensure process. Timely reporting of such information would help ensure that the residents get credit for the work they have done and speed up their licensure; and possibly allow them to earn higher wages sooner.

Businesses and Other Entities Affected

Supervisors of residents in counseling would be affected as the proposal would require them to report essential information about a resident's work. Residents in counseling would also be affected as the new requirement is designed to assist them in the licensure process. Currently, there are 3,686 residents in counseling.⁴ No entity appears to be disproportionately affected.

The Code of Virginia requires DPB to assess whether an adverse impact may result from the proposed regulation.⁵ An adverse impact is indicated if there is any increase in net cost or reduction in net benefit for any entity, even if the benefits exceed the costs for all entities combined.⁶ As noted above, the proposal would help ensure timely reporting by the supervisors as they should have been doing already. Thus, no adverse impact is indicated.

Small Businesses⁷ Affected:⁸

The proposed amendment does not appear to adversely affect small businesses.

⁴ See Page 2 at <https://www.dhp.virginia.gov/about/stats/2026Q2/04CurrentLicenseCountQ2FY2026.pdf>

⁵ Pursuant to Code § 2.2-4007.04(D): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance.

⁶ Statute does not define "adverse impact," state whether only Virginia entities should be considered, nor indicate whether an adverse impact results from regulatory requirements mandated by legislation. As a result, DPB has adopted a definition of adverse impact that assesses changes in net costs and benefits for each affected Virginia entity that directly results from discretionary changes to the regulation.

⁷ Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as "a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million."

⁸ If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving

Localities⁹ Affected¹⁰

The proposed amendment does not introduce costs for localities, nor does it disproportionately affect them.

Projected Impact on Employment

The proposed amendment may help some residents obtain licensure sooner.

Effects on the Use and Value of Private Property

The proposal is not expected to affect the use and value of private property nor the real estate development costs.

the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.

⁹ “Locality” can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulatory change are most likely to occur.

¹⁰ § 2.2-4007.04 defines “particularly affected” as bearing disproportionate material impact.