



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

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**22 VAC 30-100 Adult Protective Services**  
**Department for Aging and Rehabilitative Services**  
**Town Hall Action/Stage: 6906 / 10993**  
March 12, 2026

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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.<sup>1</sup>

## **Summary of the Proposed Amendments to Regulation**

The Commissioner of the Department for Aging and Rehabilitative Services (DARS) proposes to repeal a section of the *Adult Protective Services* regulation: 22VAC30-100-15 *Mandated reporters*.

## **Background**

The term “Mandated reporters” is defined in Section 10 *Definitions* of the regulation as “those persons identified in § 63.2-1606 of the Code of Virginia who are required to report to [adult protective services] APS when such persons have reason to suspect that an adult is abused, neglected, or exploited or is at risk of abuse, neglect, or exploitation.” APS is defined as “services provided by the local department [of social services] that are necessary to protect an adult as defined in § 63.2-1603 of the Code of Virginia from abuse, neglect, or exploitation.”

Section 15 *Mandated reporters* of the regulation 22VAC30-100 *Adult Protective Services* is largely duplicative of the portion of Code § 63.2-1606 that lists mandated reporters. The

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<sup>1</sup> 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.

section starts with “Reports shall be made [to the local department of social services or the State Department of Social Services’ Adult Protective Services Hotline] forthwith by the following persons acting in their professional capacity upon their suspicion that adult abuse, neglect or exploitation has occurred:” and then lists eight categories of persons.

However, there is one category in Code § 63.2-1606, “Any person who engages in the practice of behavior analysis . . .,” that is not in Section 15. Chapter 766 of the *2022 Acts of Assembly* added behavior analysts to Code § 63.2-1606, but Section 15 has not been amended to reflect the legislation.

According to DARS, the repeal of this section would ensure the Virginia Administrative Code is kept current and does not contain provisions that are duplicative or potentially inconsistent with state law.

### **Estimated Benefits and Costs**

As referenced above, Section 15 does not include a category of persons that has been added to the Code’s list of mandated reporters. When the Code of Virginia and the Virginia Administrative Code conflict, the Code of Virginia prevails. Thus, repealing Section 15 would not affect which persons are legally mandated reporters. On the other hand, readers of just Section 15 and not the Code currently would be misled concerning the identity of legally required mandated reporters. Thus, repealing Section 15 may be beneficial in that it would reduce the likelihood that some members of the public may be misled concerning the identity of legally required mandated reporters. Additionally, since the definition of mandated reporters in Section 10 does reference Code § 63.2-1606, readers of the regulation would know where to look to find the identity of legally mandated reporters.

### **Businesses and Other Entities Affected**

Readers of the regulation could be affected as described above. In particular, persons who engage in the practice of behavior analysis may be affected in that it could be less likely that they would be misled into believing that they are not mandated reporters.

The Code requires DPB to assess whether an adverse impact may result from the proposed regulation.<sup>2</sup> An adverse impact is indicated if there is any increase in net cost or

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<sup>2</sup> 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

reduction in net benefit for any entity, even if the benefits exceed the costs for all entities combined.<sup>3</sup> As the proposal neither increases costs nor reduces net revenue for any entity, no adverse impact is indicated.

### **Small Businesses<sup>4</sup> Affected:<sup>5</sup>**

The proposal does not adversely affect small businesses.

### **Localities<sup>6</sup> Affected<sup>7</sup>**

The proposal neither disproportionately affects any particular localities nor affects costs for local governments

### **Projected Impact on Employment**

The proposal does not affect employment.

### **Effects on the Use and Value of Private Property**

The proposal does not affect the use and value of private property or real estate development costs.

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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.

<sup>3</sup> 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.

<sup>4</sup> 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.”

<sup>5</sup> 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 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.

<sup>6</sup> “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.

<sup>7</sup> § 2.2-4007.04 defines “particularly affected” as bearing disproportionate material impact.