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Fast-Track Regulation Agency Background Document

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) Chapter citation(s)	22VAC40-141
VAC Chapter title(s)	<i>Licensing Standards for Independent Foster Homes</i>
Action title	Chapter 141 Amend standards for Independent Foster Home regulatory reduction
Date this document prepared	August 20, 2025

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

Licensing Standards for Independent Foster Homes, 22VAC40-141, provides requirements for the public and the Department of Social Services to evaluate the safety and stability of care provided to children and youth placed in an Independent Foster Home.

This action proposes technical edits and amendments that reduce regulatory burden on independent foster home providers by clarifying and removing repetitive, obsolete, and overly prescriptive requirements in accordance with [Executive Directive One](#) (2022) and [Executive Order 19](#) (2022). The amendments also provide consistency with the *Standards for Licensed Child-Placing Agencies*, 22VAC40-131 and *General Procedures and Information for Licensure*, 22VAC40-80.

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the “Definitions” section of the regulation.

DSS — Department of Social Services
LDSS — Local Department of Social Services
LCPA — Licensed Child-Placing Agencies
IFH — Independent Foster Home
CPR — Cardiopulmonary Resuscitation

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has “adopted final amendments” to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, “On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)].”

On August 17, 2026, the State Board of Social Services adopted final amendments to Licensing Standards for Independent Foster Homes.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, “mandate” has the same meaning as defined in the ORM procedures, “a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”

Consistent with Virginia Code § 2.2-4012.1, also explain why this rulemaking is expected to be noncontroversial and therefore appropriate for the fast-track rulemaking process.

There is no mandate for this regulatory change. This regulatory action is prompted by Executive Directive One (2022) and Executive Order 19 (2022) requiring the reduction of regulatory requirements “not mandated by federal or state statute, in consultation with the Office of the Attorney General, and in a manner consistent with the laws of the Commonwealth.”

This regulatory action is expected to be noncontroversial, provide clarification, and reduce regulatory burden

Legal Basis

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

The State Board of Social Services has the legal authority to adopt regulations and requirements for IFH in accordance with §§ 63.2-217 and 63.2-1734. The Code of Virginia mandates that promulgation of regulations for the activities, services, and facilities to be employed by persons and agencies required to be licensed which shall be designed to ensure that activities, services, and facilities are conducive for the welfare of children and youth placed with IFH.

Purpose

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.

This regulatory action amends the regulation in accordance with Executive Directive One (2022) and Executive Order 19 (2022) and is essential to protect the health, safety, and welfare of children and families who receive services from IFH. The amendments will clarify existing requirements and reduce regulatory burden.

Substance

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the “Detail of Changes” section below.

This regulatory action will incorporate technical edits, revisions for clarification and reduce regulatory burden. The amendments will repeal sections that are duplicative and overly prescriptive.

Issues

Identify the issues associated with the regulatory change, 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 there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

The primary advantage with this regulatory change is that it provides clarification for ease of understanding. There are no current IFH providers, and the last provider voluntarily closed in 2021. There are no disadvantages for future IFH as there are no new regulatory requirements added in this regulatory action.

There are no disadvantages to the agency or the Commonwealth. The advantage to the agency is that this regulatory action provides clarification and reduces regulatory burden on IFH, which may result in an increased understanding of regulations and laws.

Requirements More Restrictive than Federal

Identify and describe any requirement of the regulatory change which is more restrictive than applicable federal requirements. Include a specific citation for each applicable federal requirement, and a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements, or no requirements that exceed applicable federal requirements, include a specific statement to that effect.

There are no regulatory changes that are more restrictive than applicable federal requirements.

Agencies, Localities, and Other Entities Particularly Affected

Consistent with § 2.2-4007.04 of the Code of Virginia, identify any other state agencies, localities, or other entities particularly affected by the regulatory change. Other entities could include local partners such as tribal governments, school boards, community services boards, and similar regional organizations. "Particularly affected" are those that are likely to bear any identified disproportionate material impact which would not be experienced by other agencies, localities, or entities. "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulation or

regulatory change are most likely to occur. If no agency, locality, or entity is particularly affected, include a specific statement to that effect.

Other State Agencies Particularly Affected

There are no other state agencies particularly affected.

Localities Particularly Affected

There are no other localities particularly affected.

Other Entities Particularly Affected

There are no other entities particularly affected.

Economic Impact

Consistent with § 2.2-4007.04 of the Code of Virginia, identify all specific economic impacts (costs and/or benefits), anticipated to result from the regulatory change. When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo.

Impact on State Agencies

<i>For your agency:</i> projected costs, savings, fees or revenues resulting from the regulatory change, including: a) fund source / fund detail; b) delineation of one-time versus on-going expenditures; and c) whether any costs or revenue loss can be absorbed within existing resources	There are no projected costs, savings, fees or revenues resulting from this regulatory action.
<i>For other state agencies:</i> projected costs, savings, fees or revenues resulting from the regulatory change, including a delineation of onetime versus on-going expenditures.	There are no projected costs, savings, fees or revenues resulting from this regulatory action.
<i>For all agencies:</i> Benefits the regulatory change is designed to produce.	There are no economic benefits with this regulatory change.

Impact on Localities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a or 2) on which it was reported. Information provided on that form need not be repeated here.

Projected costs, savings, fees or revenues resulting from the regulatory change.	Analysis provided on the ORM Economic Impact form on tables 1a and 2.
Benefits the regulatory change is designed to produce.	Analysis provided on the ORM Economic Impact form on tables 1a and 2.

Impact on Other Entities

If this analysis has been reported on the ORM Economic Impact form, indicate the tables (1a, 3, or 4) on which it was reported. Information provided on that form need not be repeated here.

Description of the individuals, businesses, or other entities likely to be affected by the regulatory change. If no other entities will be affected, include a specific statement to that effect.	Analysis provided on the ORM Economic Impact form on tables 1a and 2.
Agency's best estimate of the number of such entities that will be affected. Include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that: a) is independently owned and operated and; b) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.	Analysis provided on the ORM Economic Impact form on tables 1a and 2.
All projected costs for affected individuals, businesses, or other entities resulting from the regulatory change. Be specific and include all costs including, but not limited to: a) projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses; b) specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the regulatory change; c) fees; d) purchases of equipment or services; and e) time required to comply with the requirements.	Analysis provided on the ORM Economic Impact form on tables 1a and 2.
Benefits the regulatory change is designed to produce.	Analysis provided on the ORM Economic Impact form on tables 1a and 2.

Alternatives to Regulation

Describe any viable alternatives to the regulatory change that were considered, and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the regulatory change. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulatory change.

Analysis provided on the ORM Economic Impact form on tables 1b and 4.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Regulatory Flexibility Analysis

Consistent with § 2.2-4007.1 B of the Code of Virginia, describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.

Analysis provided on the ORM Economic Impact form on table 1c.

If this analysis has been reported on the ORM Economic Impact form, indicate the tables on which it was reported. Information provided on that form need not be repeated here.

Public Participation

Indicate how the public should contact the agency to submit comments on this regulation, and whether a public hearing will be held, by completing the text below.

Consistent with § 2.2-4011 of the Code of Virginia, if an objection to the use of the fast-track process is received within the 30-day public comment period from 10 or more persons, any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, the agency shall: 1) file notice of the objections with the Registrar of Regulations for publication in the Virginia Register and 2) proceed with the normal promulgation process with the initial publication of the fast-track regulation serving as the Notice of Intended Regulatory Action.

If you are objecting to the use of the fast-track process as the means of promulgating this regulation, please clearly indicate your objection in your comment. Please also indicate the nature of, and reason for, your objection to using this process.

The Department of Social Services is providing an opportunity for comments on this regulatory proposal, including but not limited to (i) the costs and benefits of the regulatory proposal and any alternative approaches, (ii) the potential impacts of the regulation, and (iii) the agency's regulatory flexibility analysis stated in this background document.

Anyone wishing to submit written comments for the public comment file may do so through the Public Comment Forums feature of the Virginia Regulatory Town Hall web site at: <https://townhall.virginia.gov>. Comments may also be submitted by mail, email or fax to Dani Halbleib, 5600 Cox Road, Glen Allen, Virginia, 23060, (fax) 804.726.7132, and email: daniella.halbleib@dss.virginia.gov. In order to be considered, comments must be received by 11:59 pm on the last day of the public comment period.

No public hearing will be held.

Detail of Changes

List all regulatory changes and the consequences of the changes. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Use all tables that apply, but delete inapplicable tables.

If an existing VAC Chapter(s) is being amended or repealed, use Table 1 to describe the changes between existing VAC Chapter(s) and the proposed regulation. If existing VAC Chapter(s) or sections are being repealed and replaced, ensure Table 1 clearly shows both the current number and the new number for each repealed section and the replacement section.

Table 1: Changes to Existing VAC Chapter(s)

Current chaptersection number	New chaptersection number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of new requirements
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Throughout Chapter		The terms “he” “his” and “him” are used. Exceptions, notes, words conjoined by a backslash, and words encased by parentheses are used. The phrase “including, but not limited to” is used. Negative sentence construction is used.	Replaced the term with the individual the regulation requirement applies to for clarification. Exceptions and notes are either removed or incorporated where applicable. Words conjoined by a backslash are separated or edited. Words encased by parentheses are reworded or parentheses removed. Replaced the phrase with “including” per the Form, Style and Procedure Manual for Publication of Virginia Regulations. Replaced with positive sentence construction per the Form, Style and Procedure Manual for Publication of Virginia Regulations. Removed unnecessary explanation of parents or legal guardians as parent is
		The phrase “parents or legal guardians” or “parents or guardians” is used. Indefinite pronouns such as “any” or “each” are used.	defined in 22VAC40-141-10 and includes legal guardians. Removed indefinite pronouns for clarification per the Form, Style and Procedure Manual for Publication of Virginia Regulations.

10		This section addresses definitions.	Updated the definition of “child with special needs” to remove outdated terms for a more inclusive definition. Made technical edits to the definition of “department” and “independent foster home” to align with § 63.2-100 of the Code of Virginia. Removed definition of “good character and reputation” as the term no longer appears in this chapter. Removed definition of “infants” as the term is not used in this chapter. Updated the definition of “major injuries, illnesses and accidents” to a definition for “serious incident reports” to simplify the regulation and provide clarity. This definition clarifies what types of situations need to be reported. Removed the sentence regarding parents’ ability to withdraw their child from placement in the definition of “placing agreement” as this is addressed in section 87 F.
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			Removed the sentences from the definition of “temporary entrustment agreement” regarding parents’ ability to withdraw an entrustment agreement at any time as this is addressed in 22VAC40-141-20 and the timeframe which requires approval from the local court is addressed in 22VAC40-141-85 I.
20		This section addresses the legal authority for IFH providers.	Removed the unnecessary language in subsection D which relates to sections of the Code of Virginia that are not subject to licensure under the IFH regulations. Removed the language in subsection E referring to §§ 63.2-1734 and 63.2-1712 of the Code of Virginia which outlines the responsibility of the State Board of Social Services to promulgate regulations which is addressed in § 63.2-1734 and the consequence of operating without obtaining a license, as this is addressed in 22VAC40-80-60 B 3.

30		This section addresses general requirements for IFH providers.	Updated language related to the IFH provider's educational background to replace an outdated term. Moved a requirement to this section which requires providers to follow all background check requirements in 22VAC40-191 to simplify the regulation. Moved a requirement to this section for no provider to permit a known sex offender to reside in the home or have contact with children in care. This requirement is
			currently in section 40, which will be repealed in this action.
40		This section addresses background check requirements for IFH providers.	Repealed this section as it is duplicative of 22VAC40-191. Two requirements were moved to section 30 to ensure IFH providers continue to follow these requirements.

60		This section addresses the knowledge, skills and abilities for the IFH provider.	Removed unnecessary and outdated language that the provider and assistant be able to speak, read and write in English and amended the requirement regarding the ways providers relate to children and implement behavior management strategies to require trauma-informed care practices. Trauma-informed care practices are defined. Removed the requirement for the provider and assistant to be knowledgeable and physically/mentally capable of providing necessary care to children as it is duplicative of information provided in the required home study form, annual requirement for trainings and qualifications of the provider. Removed the requirement regarding ways a provider relates to children as this is incorporated in subsection A. Removed unnecessary and repetitive language in subsection E and F for clarification. Removed the requirement regarding the handling of emergencies as it is encompassed in the revised requirement to
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			implement trauma-informed care interventions that facilitate healing. Removed the repetitive requirement that the licensee shall be of good character and reputation as this is addressed in § 63.21702 and 22VAC40-80-20 C. Removed the unnecessary requirement for the provider to demonstrate marital stability as this is addressed through the home study form prior to licensure as an assessment tool for DSS.
70		This section addresses the training requirement for the IFH provider.	Removed DSS as a provider of initial foster parent training, as this is not a training provided by the department. Removed time requirement for initial training to reduce regulatory burden. Clarification to requirement was made to have the provider and other adults who may be alone with children to maintain certification in CPR and first aid and removed identified sources for CPR and first aid training to allow for training options to be broadened. Incorporated C into B to simplify the requirement that providers shall obtain and maintain certification in first aid and CPR as it is now addressed in B. Reduced the amount of annual training required for the provider from 20 hours to 12 hours to reduce burden.

80		This section describes the medical requirements for the	Clarified tuberculosis requirements by requiring the appropriate tuberculosis
		provider, assistant and household members.	screening form from the Virginia Department of Health or a similar form to reduce regulatory burden. Subsections A 1, A2, and sections B and C were removed as the changes to A make these requirements unnecessary and duplicative. The Virginia Department of Health form has the elements previously outlined in each regulation. Subsection E was incorporated into subsection D for clarification that a licensed physician will certify when the risk to children has been eliminated or substantially reduced. Increased the subsequent screening requirement for tuberculosis from two years to every three years to reduce regulatory burden. Removed the requirement that if an individual comes in contact with a known case of tuberculosis or develops chronic respiratory symptoms, a tuberculosis screening is needed to reduce regulatory burden.

85		This section outlines requirements for children who are placed through temporary entrustment agreements in IFH.	Removed subdivision B 3 as it is duplicative of subdivision B 1. Technical edits were made to add “district” to the phrase juvenile and domestic relations court for clarification. Removed subsection D & E as duplicative. The timeline for the provider to petition Juvenile & Domestic Relations court for
			approval of an entrustment agreement is outlined in § 16.1-277.01 and described in section 20 B. Clarified in subsection K that an IFH provider shall file a foster care plan to be in compliance with § 16.1-277.01.
87		This section outlines requirements for children who are placed through placing agreements in IFH.	Technical edits were made to add “district” to the phrase juvenile and domestic relations court for clarification. Removed subsection A as it is duplicative of 22VAC40-141-210 C 1 which requires the provider to maintain a copy of the entrustment or placing agreement. Removed subdivision B 3 as it is duplicative of subdivision B 1. Removed specific health insurance plan name for clarification in subdivision C 4. Removed subdivision C 3 a requiring proof of identity of the child as it is unnecessary and to reduce burden. █

90		This section outlines the requirements for supervision of children in care in IFH.	Incorporated appropriate contact information for a substitute adult in the case of an emergency from subsection C into subsection B. Removed the repetitive requirement in subsection D that requires supervision at all times to promptly redirect activities, as this is addressed in subsection A. Clarified the requirement that outlines what factors the provider considers when
			supervising children to reduce unnecessary burden in subsection E. Removed repetitive supervision requirement in subsection F as it is addressed in subsection A. Removed unnecessary requirement that the provider shall not bathe with a child unless recommended by a physician as it is captured in subsection A. Removed the unnecessary requirement that a provider shall ensure the safety of children while diapering as it is captured in subsection A.

100		This section outlines the requirements for capacity of an IFH.	Removed the repetitive requirement that the provider shall not exceed the maximum capacity stipulated on the license as this is captured in § 63.2.1701 F, 22VAC40-80-60 B 4 and 22VAC40-80-120 A 4. Removed the unnecessary requirement which outlines caretaker to child ratio for preschool age children and children with special needs to reduce regulatory burden and considerations for capacity are outlined in this section. Removed the unnecessary requirement which distinguished adult caretaker from a household member as the requirement for adult caretaker to child ratio is removed.
110		This section outlines the essentials for each child in an IFH.	Moved the requirement outlining special diets to section 130, medical care of children for clarity. Nutritional needs related

			to religion from subsection B was incorporated into subsection A. Removed the repetitive requirements in subsection D as they are addressed in subsection C. Removed unnecessary requirement related to opportunities for teaching and guiding behaviors in the daily routine as encouraging positive interactions with children is addressed in 22VAC40-141150. Removed duplicative requirement related to the provider's actions being nonextreme, unusual or abusive as this is addressed in 22VAC40-141-150.
120		This section outlines transportation requirements for IFH.	Revised to clarify in subsection D and E that all no drivers for children placed in the home shall have specific driving violations as evidenced by a copy of each driver's DMV record at application and renewal. Removed the burdensome requirement that all driving violations shall be reported to licensing representative within 24 hours as this is addressed in subsection D. Removed the burdensome requirement of subsection G and the exception that the provider is responsible for ensuring the child is transported by persons without specific driving violations, as this would require the provider to know other driver's records and is addressed in 22VAC40-14190 A.

130		This section outlines the requirements for medical care of children in IFH.	Revised the requirements to reflect that providers shall have readily available basic first aid supplies for use. Removed the list of first aid supplies in subsection C as it is unnecessary to describe the specific supplies as the provider is required to be certified in First Aid and to reduce regulatory burden. Moved a requirement to subsection D which requires dietary restriction or nutritional needs to be ordered by a doctor or medical professional for clarity. Incorporated the exception outlining the provider's responsibility if a child's parent objects to the child receiving immunizations or a physical in subsection D. Removed the requirement for providers to store out-of-date or unused medications, to return to the parent or properly discard as this is addressed in subsection F, subdivision 2. Removed repetitive requirement that the provider ensure a child's medications or medical supplies are not accessible to children under the age of 13 as this is addressed in subsection F subdivision 1 and subdivision 2. Clarified that serious incidents as defined in 22VAC40-141-10 are reported to the licensing representative and child's parent within 24 hours.
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			Removed the burdensome requirement that the provider document attempted contacts to the parent as it is unnecessary. Removed repetitive requirement that the provider shall receive written authorization for routine and emergency medical and dental care for each child as this is addressed in 22VAC40-141-210 C 1 c 3.
140		This section outlines the requirements for disease prevention in IFH.	Repealed this section for regulation reduction and burdensome requirements as the provider is responsible for the safety, as addressed in 22VAC40-141-90 A, and health, as addressed in 22VAC40-141-130 E, of the children as well as a safe and clean home environment, as addressed in 22VAC40-141-200 C.

150		This section outlines the discipline of children in an IFH.	Incorporated subdivision A 1 and 2 into subsection A for clarification that discipline used by the provider shall be constructive in nature, emphasize positive approaches to child and establish rules and expectations that teach desired behaviors and discourages undesired behaviors. Clarified that physical punishment should not be administered to the child's body in subsection B. Technical edits to remove quotations and the word etc. from subsection C were made for clarification. Removed the repetitive requirements of D 1, 3 and 4 as they are addressed in D 2,
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			ensuring the provider does not make belittling remarks about the child or their circumstances. Incorporated subsection F into subsection E and removed requirements repetitive of the definition of time-out in 22VAC40-141-10. Removed the repetitive requirement in subsection G that children under age 13 shall be within hearing or vision of the provider at all times when separated from others for disciplinary reasons as this is addressed in subsection E. Removed the repetitive requirement in subsection H that children under the age of 13 or children with special needs shall not be placed in time-out for periods of time exceeding 1 minute for each year of age as this is addressed in subsection E.
160		This section provides the requirements for activities for children in an IFH.	Removed the repetitive requirement permitting children to have individual free time as appropriate to the child's age and ability as this is addressed in subsection A.
170		This section outlines the requirements for abuse and neglect reporting for IFH providers.	Incorporated subsection B outlining compliance with § 63.2-1509 into subsection A for clarification and to reduce repetition.

180		This section outlines the requirements for services to children provided in IFH homes.	Technical edits were made to add “district” to the phrase juvenile and domestic relations court for clarification.
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			Clarified language related to interventions intended to reduce or ameliorate any disabilities. Clarified that school-age children should be enrolled immediately but no more than 3 days after placement to align with VAC40131-300 A for consistency and ease of understanding. This ensures that children's educational needs are promptly met. Incorporated subdivision C 3 into subsection C to clarify that the provider shall promote the child's education by working with the child's school to promote academic achievement and resolve any problems brought to the provider's attention. Removed subdivision C 1 and C 2 as they are repetitive of the incorporated requirement in C. Clarified the Code section that applies to IFH for an entrustment agreement as § 16.1-227.01 and clarified language for readability. Added a code reference to § 16.1-281 in addition to subdivision 1-9 of subsection E for requirements for the foster care service plan for clarity. Removed the unnecessary requirement that a copy of the independent foster home license be included in the foster care service plan as it is not required by §16.1281 which outlines the requirements of a foster care plan.
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			Removed duplicative language in subsection H regarding written individualized service plan. Removed the requirement to place a copy of the child's foster care plan in the file to reduce regulatory burden as this is addressed in 22VAC40-141-210 C 1.
190		This section outlines the requirements for the physical accommodations in the IFH.	Removed the specific reference to consumer product safety commission standards 16 CFR Parts 1508 and 1509 as they are outdated to ensure adherence to current safety standards. Removed infants as a modifier for clarity. Combined the cooling and heating requirements into subsection B for clarity. Removed unnecessary requirement that all doors and windows used for ventilation shall be screened to reduce regulatory burden. Updated the language in subdivision H 1 for clarity and aligned the age to 22VAC40131-190 J for consistency. Clarified that the IFH shall have a working telephone for use in case of emergency. Removed requirements regarding providing phone numbers to the licensing representative, parents and children when they are away from the home to reduce regulatory burden.

			Removed requirement for the provider to have a provision for isolation of sick children to reduce regulatory burden. Removed the licensee's requirement to provide the licensing representative with the local health department inspection report as this is required in § 63.2-1706 D.
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200		This section outlines the requirements for home safety in the IFH.	Technical edits were made for clarification throughout the section. Combined requirement requiring a plan for seeking assistance from police, firefighters, poison control and medical professionals to be addressed in the new subsection A. Removed repetitive requirement that the home and grounds shall be free of litter, debris, peeling or chipped pain, hazardous materials and infestations of rodents and inspects as this is addressed in subdivision C 1 and 3. Removed the requirement to rehearse the emergency evacuation plan monthly when a child is in care to reduce regulatory burden. Clarified the requirement that the provider shall review the emergency evacuation plan with each child within 48 hours of a child's placement in the home. Removed the burdensome requirement to have protective barriers installed securely at each opening to stairways as this is addressed in 22VAC40-141-90 A.
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			Removed the unnecessary requirement to have swimming and wading pools set up according to the manufacturers instructions as this is addressed in 22VAC40-141-90 A. Removed the unnecessary requirement outlining safety protocols for wading pools as this is addressed in 22VAC40-141-90 A. Removed the unnecessary requirement to have radiators, oil and wood burning stoves, floor furnaces, portable electric space heaters, fire places and similar heating devices used in areas accessible to children under age 13 have protective barriers or screens, as this is addressed in 22VAC40-141-90 A. Removed the unnecessary requirement to have all interior and exterior stairways with over three risers to have hand rails at a height accessible to the children in the home as this is addressed in 22VAC40141-90 A. Removed the unnecessary requirement to have child-resistant covers over all electrical outlets that are not a swallowing or choking hazard in IFH homes with preschool age children or children with developmental delays as this is addressed in 22VAC40-141-90 A. Requirements in subsections R, S, T and U, related to safe sleep practices, were incorporated into one regulation requiring
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			the provider to follow safe sleep practices as outlined by the American Academy of Pediatrics. Reduced the age of a child who can use a bunk bed or double decker bed with safety rails from age 10 to age 7 to reduce regulatory burden. Revised the requirement for clarity that the provider shall maintain documentation that household pets receive tests, inoculations and licenses as required by law. Removed the unnecessary requirement that providers shall instruct children on safe and hygienic procedures to follow when handling, feeding or in close proximity to animals as this is addressed in 22VAC40141-90 A.
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210		This section outlines the record keeping requirements of the IFH provider.	Removed the word written in subsection A as it duplicative. Technical edits were made to add “district” to the phrase juvenile and domestic relations court for clarification. Clarified that the child's record should include the temporary entrustment agreement to align with 22VAC40-141-10, which defines this term. Removed repetitive requirements outlining what information shall be included such as name, date of birth, sex, date of placement, fees and financial support, social security number, rights and obligations of the child, parents or guardians and the IFH, and
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		signature of the parents or guardians and IFH provider in the placing or temporary entrustment agreements as this is outlined in 22VAC40-141-85 for entrustment agreements and 22VAC40-141-87 for placing agreements. Removed repetitive requirement for maintaining record of contact information for emergencies as this is addressed in 22VAC40-141-90 B. Removed the term “prescription and nonprescription” regarding medication as it is unnecessary and for clarification. Removed examples of serious incidents as that is addressed in the definition in 22 VAC40-141-10. Removed the repetitive requirement related to court documentation and incorporated the requirement for IFH providers to maintain a copy of all related documents filed and received from the courts for clarity. Removed the repetitive requirement that the placing agreement or entrustment agreement have the signatures of the parent or guardian and IFH provider as this is addressed in 22VAC40-141-85 A for entrustment agreements and 22VAC40141-87 C 7 for placing agreements. Clarified the report referenced in subsection G is the discharge summary required in subsection F.
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Forms		This section addresses the forms for IFH providers.	Question 8 was removed as the IFH provider's character and reputation will be measured through the completion of background checks and 3 letters of reference which are required in the initial application. Question 10 was removed as there are no regulations requiring extended family member relationships to be assessed. Question 9 referencing the length and stability of a marriage was edited to remove stability. Marriage stability can be assessed through the licensure application references which are already required.
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