



Economic Impact Analysis Virginia Department of Planning and Budget

22 VAC 40-740 – Adult Protective Services
Department of Social Services
September 12, 2003

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 9-6.14:7.1.G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

The Virginia Board of Social Services (board) proposes to amend language in these regulations in order to reflect current nomenclature and for consistency with the Code of Virginia and other regulations.

Estimated Economic Impact

These regulations concern reports of abuse, neglect, or exploitation of the elderly and adults with disabilities, and the provision of protective services for such individuals. In the regulations dispositions are described as “a concise statement of how the report of adult abuse, neglect, or exploitation has been resolved.” Under the current language, the disposition is to state that “the report is unfounded” if “a review of the facts *shows no reason to suspect* that abuse neglect, or exploitation occurred or that the adult is at risk of abuse, neglect, or exploitation.” For consistency in language with the Child Protective Services regulations (22 VAC 40-705), the board proposes to remove “*shows no reason to suspect*” and replaces it with

“does not show a preponderance of evidence.” Though “does not show a preponderance of evidence” seems to be a lower hurdle to pass than “shows no reason to suspect,” the Department of Social Services (department) has indicated that in practice there will be no change in when reports of adult abuse, neglect, or exploitation will be deemed unfounded.

The board proposes to change references to state agencies’ names and legislation in order to reflect current nomenclature. For example, the “Department for Rights of Virginians with Disabilities” will be changed to the “Virginia Office of Protection and Advocacy.” The board also proposes to amend some definitions for consistency with the Code of Virginia. These changes will have no impact on policy.

Businesses and Entities Affected

The 1.09 million persons aged 60 and over and the estimated 300,000 adults aged 18 and over and who have a disability are affected by this regulation.^{1,2}

Localities Particularly Affected

All localities in Virginia are potentially affected by the proposed amendment.

Projected Impact on Employment

The proposed amendments will not affect employment.

Effects on the Use and Value of Private Property

The proposed amendments will not affect the use and value of private property.

¹ Source: Department of Social Services

² Some of the 300,000 adults aged 18 and over and who have a disability will also be 60 or over. Thus, some of the 300,000 are already included in the 1.09 million persons aged 60 and over.