

Office of Regulatory Management  
Economic Review Form

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| <b>Agency name</b>   | Department for Aging and Rehabilitative Services            |
| <b>Virginia Administrative Code (VAC) Chapter citation(s)</b>      | 22 VAC 30-30  |
| <b>VAC Chapter title(s)</b>  | Provision of Independent Living Rehabilitation Services     |
| <b>Action title</b>  | New State Plan for Independent Living (SPIL) FFY2025 - 2027 |
| <b>Date this document prepared</b>                                 | September 12, 2024  |
| <b>Regulatory Stage (including Issuance of Guidance Documents)</b> | Guidance Document Update                                    |

### **Cost Benefit Analysis**

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

**Background:** Virginia is required under 45 CFR § 1329.14 and § 51.5-164 of the Code of Virginia to have a Statewide Independent Living Council (SILC) that is “independent and autonomous” from state agencies. Members of the Virginia SILC are appointed by the Governor. (In Virginia, the Department for Aging and Rehabilitative Services (DARS) is responsible for staffing the SILC as they develop and implement their State Plan.)

The SILC is required to develop a State Plan for Independent Living (State Plan) that meets the requirements established by the U.S. Administration for Community Living (ACL) (see: 45 CFR § 1329.15). The State Plan outlines the SILC’s three-year strategy for supporting Centers for Independent Living (CILs) in increasing community knowledge of disability rights and resources, working with the CIL network to promote increased independence for people with disabilities, and supporting the expansion of the CIL network to attain statewide coverage.

SILC State Plans must conform to ACL requirements for structure, organization, and content. There is little opportunity for variability in this federally-required State Plan. The SILC State Plan must be approved to receive federal funding; Virginia receives just over \$470,000 annually in funding that directly supports the CILs operating in Virginia as well as the SILC’s operations.

Submitting a State Plan that conforms to ACL’s requirements and is ultimately approved by ACL will enable Virginia to continue to receive federal funding for CIL services. If the State Plan is not approved and submitted to ACL for ACL’s approval in a timely manner, Virginia will be at risk of losing these federal funds.

Changes in this new State Plan include:

- The ACL released a new web tool that SILCs are required to use to create and submit their State Plans. The formatting built into this tool increased the page length due to headers, tables and spacing.
- The SILC’s State Plan goals were updated to:
  - The expansion of the goal to educate members of the SILC on disability rights and resources, including educational opportunities that benefit consumers, CIL employees, and the larger network.
  - Supporting the CIL network’s promotion of increased independence for consumers.
  - Supporting engagement with and outreach for youth with disabilities.
  - Funding the Part B Coordinator.
  - Monitoring the accessibility of state websites, buildings and services.
  - Working with emergency management planning agencies to ensure planning includes provisions for persons with disabilities.

**Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)**

|                               |                   |
|-------------------------------|-------------------|
| (1) Direct & Indirect Costs & | Direct Costs: \$0 |
|-------------------------------|-------------------|

|  |   |   |
|--|---|---|
| Benefits<br>(Monetized)                    | <p>Indirect Costs: \$0</p> <p>Direct Benefits: The new State Plan developed by the SILC ensures Virginia can continue to receive federal funding to support the CILs, which provide direct services to Virginians with disabilities. Submitting a State Plan that conforms to ACL’s requirements and is ultimately approved by ACL will enable Virginia to continue to receive federal funding (roughly \$474,000 annually) for CIL services.</p> <p>Indirect Benefits: CILs supplement the federal funding they receive with state funding, private donations, and other grant opportunities. Ensuring that CILs have ongoing federal funding helps preserve continuity of operations and maximize all the funding they are eligible to receive.</p> |   |
| (2) Present Monetized Values               | Direct & Indirect Costs   | Direct & Indirect Benefits                |
|  | (a) \$0   | (b) \$474,000 annually in federal funding |
| (3) Net Monetized Benefit                  | \$474,000   |   |
| (4) Other Costs & Benefits (Non-Monetized) | N/A   |   |
| (5) Information Sources                    |   |   |

**Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)**

|   |  |  |
|---|--|--|
| (1) Direct & Indirect Costs & Benefits<br>(Monetized) | <p>Direct Costs: ACL issues requirements that SILCs must adhere to for State Plans in order to receive ongoing federal funding. If the State Plan that meets ACL’s requirements is not submitted to ACL for ACL’s approval in a timely manner, Virginia will be at risk of losing federal funding (roughly \$474,000 annually) for IL services.</p> <p>Indirect Costs: CILs supplement the federal funding they receive with state funding, private donations, and other grant opportunities. If the State Plan is not submitted to ACL, it could jeopardize the continuity of operations afforded to CILs with the ongoing federal funding as well as other funding sources that CILs rely on to provide services to individuals with disabilities.</p> <p>Direct Benefits: \$0</p> <p>Indirect Benefits: \$0</p> |  |
|---|--|--|

|  |  |                            |
|--|--|----------------------------|
|  |  |                            |
| (2) Present Monetized Values               | Direct & Indirect Costs  | Direct & Indirect Benefits |
|  | (a) \$474,000  | (b)                        |
| (3) Net Monetized Benefit                  | (\$474,000)  |                            |
| (4) Other Costs & Benefits (Non-Monetized) | <p><u>Non-Monetized Benefits:</u> In addition, ensuring that the State Plan filed on the Town Hall website is updated and consistent with the one approved by ACL provides the public and stakeholders with a clear and publicly accessible location for the State Plan, which meets the federal requirements as well as the state requirements. Ensuring the public and other key stakeholders can access and easily locate the current State Plan on the DARS website and on the Virginia Town Hall website advances ORM's goals of streamlined access and transparency.</p> |                            |
| (5) Information Sources                    |  |                            |

**Table 1c: Costs and Benefits under Alternative Approach(es)**

|  |  |                            |
|--|--|----------------------------|
| (1) Direct & Indirect Costs & Benefits (Monetized) | <p>There are no alternative approaches. SILCs are required to submit State Plans that conform to ACL requirements in order to receive ongoing federal funding.</p> <p>Direct Costs: N/A</p> <p>Indirect Costs: N/A</p> <p>Direct Benefits: N/A</p> <p>Indirect Benefits: N/A</p> |                            |
| (2) Present Monetized Values                       | Direct & Indirect Costs  | Direct & Indirect Benefits |
|  | (a) N/A  | (b) N/A                    |
| (3) Net Monetized Benefit                          | N/A  |                            |
| (4) Other Costs & Benefits (Non-Monetized)         | <p>Non-Monetized Costs: If the State Plan is not updated on Town Hall to match the one that has been approved by ACL, the plan filed on Town Hall will be outdated and inaccurate. In addition, it means that the public</p>   |                            |

|                         |   |
|-------------------------|---|
|                         | and stakeholders do not have a clear and publicly accessible location for the State Plan, which meets the federal requirements as well as the state requirements. Ensuring the public and other key stakeholders can access and easily locate the current State Plan on the DARS website and on the Virginia Town Hall website advances ORM’s goals of streamlined access and transparency. |
| (5) Information Sources |   |

**Impact on Local Partners**

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 2: Impact on Local Partners**

|  |   |                            |
|--|---|----------------------------|
| (1) Direct & Indirect Costs & Benefits (Monetized) | <p>No local partners are impacted by this action.</p> <p>Direct Costs: Describe the direct costs of this proposed change here.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change.</p> |                            |
| (2) Present Monetized Values                       | Direct & Indirect Costs   | Direct & Indirect Benefits |
|  | (a)   | (b)                        |
| (3) Other Costs & Benefits (Non-Monetized)         |   |                            |
| (4) Assistance                                     |   |                            |
| (5) Information Sources                            |   |                            |

**Impacts on Families**

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 3: Impact on Families**

|   |  |                                       |
|---|--|---------------------------------------|
| <p>(1) Direct &amp; Indirect Costs &amp; Benefits (Monetized)</p> | <p>Direct Costs: \$0</p> <p>Indirect Costs: \$0</p> <p>Direct Benefits: Designed and operated by individuals with disabilities, CILs provide services for people with disabilities. CILs are funded through federal and state funding, some of which is allocated by ACL to the SILC, which in turn allocates it to CILs to provide these important services to individuals with disabilities.</p> <p>Receiving these services can be life changing for individuals with disabilities and their families, ensuring that individuals can continue to live in their homes and be fully integrated into their communities.</p> <p>If the State Plan is not submitted to ACL for ACL’s approval in a timely manner, Virginia will be at risk of losing these federal funds.</p> <p>Indirect Benefits: CILs often pair and supplement the federal funding they receive through the SILC and State Plan with state funding, private donations, and other grant opportunities to provide more comprehensive support to individuals with disabilities and their families. Ensuring that CILs have ongoing federal funding helps preserve continuity of operations and maximize all the funding they are eligible to receive, which translates to improved and increased services for individuals and families.</p> |                                       |
| <p>(2) Present Monetized Values</p>                               | <p>Direct &amp; Indirect Costs</p>   | <p>Direct &amp; Indirect Benefits</p> |
|   | <p>(a) N/A</p>   | <p>(b) N/A</p>                        |
| <p>(3) Other Costs &amp; Benefits (Non-Monetized)</p>             | <p>N/A</p>   |                                       |
| <p>(4) Information Sources</p>                                    |  |                                       |

**Impacts on Small Businesses**

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

**Table 4: Impact on Small Businesses**

|   |   |  |
|---|---|--|
| <p>(1) Direct &amp; Indirect Costs &amp; Benefits (Monetized)</p> | <p>Direct Costs: \$0</p> <p>Indirect Costs: \$0</p> <p>Direct Benefits: All CILs that receive federal funds are considered local partners and small businesses, and they are legally organized as non-profit organizations.</p> <p>The direct benefit of an approved State Plan is Virginia will continue to receive federal funding (roughly \$474,000 annually) for CIL services. With an approved State Plan, federal funding will continue to be allocated to the SILC, which develops the SPIL and allocates funding to Virginia’s CILs to provide important services to individuals with disabilities.</p> <p>If the State Plan is not approved and submitted to ACL for ACL’s approval in a timely manner, Virginia will be at risk of losing these federal funds.</p> <p>Indirect Benefits: CILs supplement the federal funding they receive with state funding, private donations, and other grant opportunities. Ensuring that CILs have ongoing federal funding helps preserve continuity of operations and maximize all the funding they are eligible to receive.</p> |  |
| <p>(2) Present Monetized Values</p>                               | <p>Direct &amp; Indirect Costs</p> <p>(a) N/A</p>   | <p>Direct &amp; Indirect Benefits</p> <p>(b) \$474,000</p> |
| <p>(3) Other Costs &amp; Benefits (Non-Monetized)</p>             | <p>N/A</p>  |  |
| <p>(4) Alternatives</p>   | <p>There are no alternatives. ACL requires SILCs to submit State Plans to receive these federal funds.</p>  |  |
| <p>(5) Information Sources</p>                                    |   |  |

**Changes to Number of Regulatory Requirements**

**Table 5: Regulatory Reduction**

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

*Change in Regulatory Requirements*

| VAC Section(s) Involved*                       | Authority of Change | Initial Count | Additions | Subtractions | Total Net Change in Requirements |
|--|---------------------|---------------|-----------|--------------|----------------------------------|
|  | (M/A):              |               |           |              |                                  |
|  | (D/A):              |               |           |              |                                  |
|  | (M/R):              |               |           |              |                                  |
|  | (D/R):              |               |           |              |                                  |
| <b>Grand Total of Changes in Requirements:</b> |                     |               |           |              | (M/A):                           |
|  |                     |               |           |              | (D/A):                           |
|  |                     |               |           |              | (M/R):                           |
|  |                     |               |           |              | (D/R):                           |

**Key:**

*Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:*

**(M/A):** Mandatory requirements mandated by federal and/or state statute affecting the agency itself

**(D/A):** Discretionary requirements affecting agency itself

**(M/R):** Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

**(D/R):** Discretionary requirements affecting external parties, including other agencies

*Cost Reductions or Increases (if applicable)*

| VAC Section(s) Involved* | Description of Regulatory Requirement | Initial Cost | New Cost | Overall Cost Savings/Increases |
|--------------------------|---------------------------------------|--------------|----------|--------------------------------|
|                          |                                       |              |          |                                |
|                          |                                       |              |          |                                |

*Other Decreases or Increases in Regulatory Stringency (if applicable)*

| VAC Section(s) Involved* | Description of Regulatory Change | Overview of How It Reduces or Increases Regulatory Burden |
|--------------------------|----------------------------------|---|
|                          |                                  |   |
|                          |                                  |   |



*Length of Guidance Documents (only applicable if guidance document is being revised)*

| <b>Title of Guidance Document</b> | <b>Original Word Count</b>                | <b>New Word Count</b>                     | <b>Net Change in Word Count</b> |
|-----------------------------------|---|---|---------------------------------|
| State Plan for Independent Living | FY 2020-2024:<br>14,131 words<br>41 pages | FY 2025-2027:<br>16,339 words<br>52 pages | +2,208<br>+11                   |

**NOTE:** In developing State Plans, SILCs must conform to federal requirements for State Plan structure, organization, and content. There is little opportunity for variability in this federally-required State Plan. The increased length for the next State Plan is unavoidable.

\*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).