



Exempt Action Final Regulation Agency Background Document

Agency name	Coordinating Committee for Interdepartmental Regulation of Children's Residential Facilities
Virginia Administrative Code (VAC) citation	22 VAC 42-11
Regulation title	Standards for Interdepartmental Regulation of Children's Residential Facilities
Action title	Final implementation of single agency licensure of children's residential facilities.
Final agency action date	August 6, 2009
Document preparation date	August 6, 2009

Summary

Pursuant to Chapter 873, 2008 Virginia Acts of Assembly, this action eliminates the interdepartmental regulation of children's residential facilities and group homes. The Departments of Mental Health, Mental Retardation and Substance Abuse Services, Social Services, and Juvenile Justice now regulate and license children's residential facilities and group homes for which they are the primary licensing agency with newly promulgated regulations specific to each agency.

Chapter 873, 2008 Virginia Acts of Assembly amended §§ 22.1-323.2, 37.2-408, 63.2-1737 and 66-24 of the Code of Virginia to eliminate the interdepartmental licensure of children's residential facilities. Enactment clause three of Chapter 873 provides that 22 VAC 42-11 shall cease to apply at such time as the Board of Mental Health, Mental Retardation and Substance Abuse Services, the Board of Social Services, and the Board of Juvenile Justice promulgate new regulations.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

In accordance with enactment clause two of Chapter 873, 2008 Virginia Acts of Assembly, the Board of Juvenile Justice adopted 6 VAC 35-51 effective September 17, 2008. The State Board of Social Services promulgated 22 VAC 40-151 effective January 1, 2009. The Board of Mental Health, Mental Retardation and Substance Abuse Services amended 12 VAC 35-35 and adopted 12 VAC 35-46 effective August 6, 2009.

Pursuant to enactment clause three of Chapter 873, 22 VAC 42-11, Standards for Interagency Regulation of Children's Residential Facilities shall cease to apply at such time these actions have been completed.

Family impact

This will have no impact on the institution of the family or family stability. The requirements of the interdepartmental regulation, 22VAC42-11, were incorporated into 6 VAC 35-51, 12 VAC 35-45, 12 VAC 35-46, and 22 VAC 40-151 with minimal changes. No substantial changes were made.