



Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Department of Rehabilitative Services
Virginia Administrative Code (VAC) citation	__22__ VAC_30_-_10__
Regulation title	Public Participation Guidelines
Action title	Amending the regulation to update the process to include usage of Town Hall Website
Document preparation date	9/7/05

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Purpose

Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.

The public participation guidelines concern procedures for obtaining public input in the formation and development of the agency's regulations. Procedures include methods to identify parties interested in the agency's regulations, use of advisory committees, and provisions for interested parties to submit comments. An agency must have public participation guidelines before it can promulgate regulations.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

The Commissioner of the Department of Rehabilitative Services has statutory authority in Section 51.5-14 of the Code of Virginia to promulgate regulations. Public participation guidelines are mandated by state law in Section 2.2-4007 of the Code of Virginia.

Substance

Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed. Include the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. Delineate any potential issues that may need to be addressed as the regulation is developed.

The changes will provide meaningful methods to improve public participation and usage of the Town Hall Web site.

Alternatives

Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action.

Because the Code of Virginia mandates them, the public participation guidelines cannot be repealed and replaced by agency policy.

Family impact

Assess the potential impact of the proposed regulatory action on the institution of the family and family stability.

The public participation guidelines will have no impact on family formation, stability, and autonomy.