



Exempt Action Final Regulation Agency Background Document

Agency name	Department for Aging and Rehabilitative Services
Virginia Administrative Code (VAC) citation	22 VAC30-110
Regulation title	Assessment in Assisted Living Facilities
Action title	Relocating existing regulations on Assessment in Assisted Living Facilities from DSS to DARS
Final agency action date	October 9, 2013
Document preparation date	August 7, 2013

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

On July 1, 2013 and pursuant Chapter 803 and Chapter 835 of the 2012 *Acts of Assembly*, Adult Services and Adult Protective Services Programs were relocated from the Department of Social Services to the Department for Aging and Rehabilitative Services (DARS) which was created pursuant to § 51.5-117 of the Code of Virginia. This change is a result of the Governor's reorganization of the executive branch of state government.

In section 10 of the Assessment in Assisted Living Facilities regulation, in the definition of "Assisted Living Facility" the word "department" was changed to "Department of Social Services." In the definition of "Department," "DSS" was changed to "DARS" and "Virginia Department of Social Services" was changed to the "Virginia Department for Aging and Rehabilitative Services." Because portions of this regulation are implemented by the local department of social services, references to these local departments remain throughout the regulation.

In section 30 the acronym "DSS" was changed to "Department of Social Services." Two regulation citations were also amended.

In section 40, two regulation citations were amended.

In section 50, “department” was changed to “Department of Social Services.”

In section 100, two regulation citations were amended.

In section 110 a typo was corrected and “department” was changed to “Department of Social Services.”

As this regulation is now being promulgated by a different agency, the agency and chapter numbers for each section of the regulations have been changed. Also, the Code of Virginia citations, which authorized each section of this regulation to be promulgated, have been changed to the appropriate DARS Code of Virginia citation.

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.

On October 9, 2013, the Commissioner of the Virginia Department for Aging and Rehabilitative Services will adopt these amendments to the existing regulations entitled Assessment in Assisted Living Facilities (22 VAC30-110 et seq.) as a regulatory action exempt from the Administrative Process Act under §2.2-4006 of the Code of Virginia.

Family impact

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

This regulatory action has no impact on the institution of the family or family stability.