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Periodic Review and Small Business Impact Findings Where Result is "Retain the Regulation As Is"

Agency name	Department for the Blind and Vision Impaired
Virginia Administrative Code (VAC) citation	22VAC45-12
Regulation title	Public Participation Guidelines
Date	9/24/2017

This information is required pursuant to Executive Order 17 (2014).

Legal basis

Please identify the state and/or federal legal authority for the regulation, including: 1) the most relevant law and/or regulation; and 2) promulgating entity, i.e., agency, board, or person.

§§ 2.2-4007.02 and 51.5-65 of the Code of Virginia.

Alternatives

Please describe all viable alternatives for achieving the purpose of the existing regulation that have been considered as part of the periodic review process. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving the purpose of the regulation.

The purpose of this chapter is to promote public involvement in the development, amendment, or repeal of the regulations of the Department for the Blind and Vision Impaired. No alternatives were considered because of the importance of obtaining the input of DBVI stakeholders and because of the requirements set forth in §§ 2.2-4007.02.

Public comment

Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

DBVI received no public comments.

Effectiveness

Please indicate whether the regulation meets the criteria set out in Executive Order 17 (2014), e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.

22VAC45-12 promotes public participation in regulations developed, amended, or repealed by DBVI. Additionally, the regulation is simply written in order to provide the reader with clear information. The regulation meets the criteria as described in Executive Order 17.

Result

Please state that the reason why the agency is recommending that the regulation should stay in effect without change.

The regulation sufficiently provides the public with opportunities to make comment regarding DBVI's development, amendment, or repeal of the agency's state regulations.

Small business impact

In order to minimize the economic impact of regulations on small business, please include, pursuant to § 2.2-4007.1 E and F, a discussion of the agency's consideration of: 1) the continued need for the regulation; 2) the nature of complaints or comments received concerning the regulation from the public; 3) the complexity of the regulation; 4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and 5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, include a discussion of the basis for the agency's determination to retain the regulation as is, consistent with the stated objectives of applicable law, to minimize the economic impact of regulations on small businesses.

DBVI has determined that 22VAC45-12 continues to be relevant because the agency administers workforce and independent living programs and services that impact the lives of individuals who are blind, vision impaired, and deafblind in the workforce and in the community. Providing these individuals, along with the general public, with the opportunity to make comment

regarding agency regulations is in line with the federal regulations pertaining to the provision of vocational rehabilitation services and requirements set forth in §§ 2.2-4007.02. These regulations do not conflict with state or federal law or regulation and have little to no economic impact on regulations on small business. There have not been any substantial changes in technology, economic conditions, or other factors that impact the importance or implementation of the regulation