



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Health
<b>Virginia Administrative Code (VAC) citation</b>	12 VAC5-381
<b>Regulation title</b>	Regulations for the Licensure of Home Care Organizations
<b>Action title</b>	Updating the regulation relating to drug free workplace (HB708, 2010) and recommendation of OAG
<b>Final agency action date</b>	
<b>Document preparation date</b>	June 21, 2010

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, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

### 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.*

HB708 (2010) amends § 32.1-162.9:1 of the Code of Virginia related to home care organizations developing policies for maintaining a drug free workplace and reporting positive results of any drug test administered to the appropriate health regulatory board of the Department of Health Professions. Therefore, 12VAC5-381-180 and 200 of the "Regulations for the Licensure of Home Care Organizations" are being amended to conform to the law. Action is also taken as a result of the Regulatory Reform Task Force under then-Attorney General McDonnell. This change to 12VAC5-381-170 is technical in nature.

### 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.*

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Pursuant to § 32.1-20, the State Health Commissioner signed this action for the Board of Health when not in session.

**Family impact**

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

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There is no direct impact on the family.