



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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**12 VAC 35-190– Regulations Establishing Procedures for Voluntarily Admitting Persons who are Mentally Retarded to State Mental Retardation Facilities**  
**State Mental Health, Mental Retardation and Substance Abuse Services Board**  
January 28, 2008

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### **Summary of the Proposed Amendments to Regulation**

The Board of State Mental Health, Mental Retardation and Substance Abuse Services proposes to reduce the time frame to make a decision on a request for admission to a state facility from 30 working days to 10 working days. Also, the Board proposes that the diagnosis of mental retardation is made by a licensed professional. Finally, the Board proposes a number of other changes to update the references to the Code Virginia and update specific terms for clarity and consistency.

### **Result of Analysis**

The benefits likely exceed the costs for all proposed changes.

### **Estimated Economic Impact**

The Board of State Mental Health, Mental Retardation and Substance Abuse Services (the Board) proposes to reduce the time frame to make a decision on a request for admission to a state facility from 30 working days to 10 working days. According to the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), these decisions are currently made within the 10 working days already. Thus, as the proposed changes will more accurately reflect the practice already followed, no significant economic effect is expected.

Also, the Board proposes that the diagnosis of mental retardation is made by a licensed professional. Similar to the previous propose change, the diagnosis already made by a licensed professional and there is no change in practice is expected. Consequently, no significant expect is likely to result from this proposed change.

Finally, the Board proposes a number of other changes to update the references to the Code Virginia and update specific terms for clarity and consistency. None of these changes are expected to result in any significant economic impact.

In summary, none of the proposed changes are expected to create any significant economic impact, but are expected to improve the clarity and consistency of the regulations with the current practices in place and with the correct references to the Code of Virginia.

### **Businesses and Entities Affected**

The proposed regulations apply to five state training centers, 39 local community boards and behavioral health authorities. Approximately, 50 requests are made for admission to a state facility annually.

### **Localities Particularly Affected**

The proposed regulations apply throughout the Commonwealth.

### **Projected Impact on Employment**

The proposed changes are not expected to create any significant impact on employment.

### **Effects on the Use and Value of Private Property**

The proposed changes are not expected to create any significant impact on the use and value of private property.

### **Small Businesses: Costs and Other Effects**

There are no significant costs or other effects expected on small businesses.

### **Small Businesses: Alternative Method that Minimizes Adverse Impact**

No adverse effect on small businesses are anticipated.

### **Real Estate Development Costs**

No significant real estate development costs are anticipated.

### **Legal Mandate**

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.H requires that such economic impact

analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.