



Economic Impact Analysis Virginia Department of Planning and Budget

22 VAC 40-910 – General Provisions for Maintaining and Disclosing Confidential Information of Public Assistance, Child Support Enforcement and Social Services Records

**Department of Social Services
January 24, 2012**

Summary of the Proposed Amendments to Regulation

The State Board of Social Services (Board) proposes to amend its regulations that govern the handling of confidential information to update obsolete administrative code references and to add clarifying language to the definition of “research”.

Result of Analysis

Benefits likely outweigh costs for all proposed changes.

Estimated Economic Impact

Current regulations have two outdated references to another chapter in Virginia’s Administrative code. The Board now proposes to delete these obsolete references and replace them with, respectively, a reference to the Code of Federal Regulations and a reference to another of the Board Chapters in the Administrative Code of Virginia. The Board also proposes to clarify that, for the purposes of these regulations, “research” must relate to specific social services programs.

No affected entity is likely to incur any additional costs on account of the three proposed changes to these regulations. To the extent that these changes eliminate now incorrect references and allow a better understanding of how the Board defines “research”, affected entities will get a benefit from the clarity added.

Businesses and Entities Affected

The Department of Social Services (DSS) reports these proposed regulatory changes will affect all individuals who have disclosed confidential or identifying information to any (Local or State) Department of Social Services.

Localities Particularly Affected

No localities will be particularly affected by this proposed regulatory action.

Projected Impact on Employment

This proposed regulatory action is unlikely to have any effect on employment in the Commonwealth.

Effects on the Use and Value of Private Property

These proposed regulatory changes are unlikely to affect the use or value of private property in the Commonwealth.

Small Businesses: Costs and Other Effects

No small business is likely to incur any costs on account of this regulatory action.

Small Businesses: Alternative Method that Minimizes Adverse Impact

No small business is likely to incur any costs on account of this regulatory action.

Real Estate Development Costs

This regulatory action will likely have no effect on real estate development costs in the Commonwealth.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the Board 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.