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Exempt Action: Final Regulation Agency Background Document

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) Chapter citation(s)	22VAC40-131
VAC Chapter title(s)	Standards for Licensed Child-Placing Agencies
Action title	Amend Licensed Child-Placing Agencies Regulation to Implement 2023 Legislation
Final agency action date	February 21, 2024
Date this document prepared	February 21, 2024

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

This regulatory action will implement Chapter 340 of the 2023 Acts of Assembly requiring the transferability of home studies, including addenda and all related approval documents other than background checks, between local agencies, local boards, and licensed child-placing agencies within the Commonwealth. The bill also requires home studies to be conducted in accordance with a mutual family assessment home study template and DSS to promulgate regulations establishing a market rate for completing home studies. This law becomes effective on January 1, 2024.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

The third enactment clause of Chapter 340 of the 2023 Acts of Assembly requires that the State Board of Social Services promulgate regulations to implement the transferability of home studies between local agencies, local boards, and licensed child-placing agencies within the Commonwealth including the market rate for home studies.

Statement of Final Agency Action

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.

The State Board of Social Services approved the exempt action for the *Standards for Licensed Child-Placing Agencies*, 22VAC40-131, on February 21, 2024.