



Exempt Action Final Regulation Agency Background Document

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) citation	22VAC40-72
Regulation title	Standards for Licensed Assisted Living Facilities
Action title	ALF Exempt Action Registration and Screening
Final agency action date	October 17, 2007
Document preparation date	October 17, 2007

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 21 (02) 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.

This proposed regulatory action is necessary to implement recent amendments to the Code of Virginia that require assisted living facilities to (1) register with the State Police to receive notice of the registration of any sex offender within the same or a contiguous zip code area to that of the facility, and (2) ascertain, prior to admission, whether a potential resident is a registered sex offender, if the facility anticipates the potential resident's length of stay will exceed three days or if the resident in fact stays longer than three days.

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.

The State Board of Social Services approved on October 17, 2007, the final exempt action regulation entitled *Standards for Licensed Assisted Living Facilities*, 22 VAC 40-72.

Family impact

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

The institution of the family and family stability will be enhanced because additional information regarding sex offenders will lead to increased protection of relatives who are residents of assisted living facilities. The increased protection of residents will mean that families will have greater confidence in the welfare of their relatives who reside in these facilities.