



Economic Impact Analysis Virginia Department of Planning and Budget

**22 VAC 40-775 – Adult Services Standards
Department of Social Services
April 4, 2012**

Summary of the Proposed Amendments to Regulation

The State Board of Social Services (Board) proposes to promulgate new standards for adult services that will replace standards that were part of a chapter of larger regulations (22 VAC 40-800) that covered both children and adult services and that is in the final stage of a repeal action. These proposed regulations are substantively identical to the adult standards contained in 22 VAC 40-800 with four exceptions: 1) the definitions have been modified so that they pertain only to adult services, 2) the regulations' philosophy (22 VAC 40-775-20) has been modified so that it only includes the Board's philosophy with respect to adult services, 3) on advice of the Attorney General's office, eligibility criteria for adult services are being moved from Board guidelines to these proposed regulations and 4) at the behest of social workers that work with adults in need of services, a section that outlines adult services workers' basic responsibilities.

Result of Analysis

Benefits likely outweigh costs for all proposed changes.

Estimated Economic Impact

Most of the regulatory requirements that the Board proposes for these new regulations are substantively the same as requirements for adult services in 22 VAC 40-800. None of the four modified or new sections that the Board proposes, as listed above, are likely to cause any affected entity to incur any costs. These modified or new sections will, however provide the benefit of added clarity to these proposed regulations. As such, benefits will likely outweigh costs for all proposed changes.

One issue may arise, however, that might have a negative effect on adult services. The regulatory action that repeals the regulations that this proposed action will replace is much farther along in the regulatory process than these proposed regulations. Should those regulations (22 VAC 40-800) be repealed before these are fully promulgated, affected populations would lose, at least for a time, the protections that the regulations offer; if this happens regulated entities may incur some costs on account of increased uncertainty. The Board may wish to consider delaying the final implementation date of the repeal action for 22 VAC 40-800 until these regulations are fully promulgated.

Businesses and Entities Affected

These proposed regulatory changes will affect all 120 local Departments of Social Services.

Localities Particularly Affected

No locality 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.