



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

DATE: October 19, 2017

TO: Licensed Children's Residential Facilities

FROM: Charlene Vincent, Director,
Division of Licensing-Children's Programs

SUBJECT: Revisions to *Standards for Licensed Children's Residential Facilities*

As a result of legislative changes effective July 1, 2017, the regulation *Standards for Licensed Children's Residential Facilities* has been revised effective October 19, 2017. House Bill 2156 added a definition of person who operates or maintains a child welfare agency to § 63.2-1701, allowing and requiring state agency-operated child welfare agencies to be licensed. These actions were exempt from the full Administrative Process Act because the purpose was strictly to conform to changes in state law and no agency discretion was involved.

The regulations are posted at <http://www.dss.virginia.gov/facility/fds.cgi>. Replacement pages are also available at this link, reflecting the pages that have changes. Hard copies of the regulation can be ordered at: http://www.dss.virginia.gov/files/division/licensing/cdc/intro_page/current_providers/forms/all_other/032-05-0512-10-eng.pdf. Please replace your copies with the new regulations and discard prior versions.

Changes to the regulation *Standards for Licensed Children's Residential Facilities* are limited to one section; 22VAC40-151-10, and are summarized below.

22VAC40-151-10. Definitions

- The definitions of "Applicant" and "Provider" or "licensee" or "sponsor" is changed to be consistent with § 63.2-1701. "As used in this section, 'Applicant' means any individual; corporation; partnership; association; limited liability company; local government; state agency, including any department, institution, authority, instrumentality, board, or other administrative agency of the Commonwealth; or other legal or commercial entity that has applied for a license." "As also used in this section, 'Provider' or 'licensee' or 'sponsor' means the individual; corporation; partnership; association; limited liability company; local government; state agency, including any department, institution, authority, instrumentality, board, or other administrative agency of the Commonwealth; or other legal or commercial entity to whom a license is issued and who is legally responsible for compliance with the regulatory and statutory requirements relating to the facility."
- Minor grammatical changes were made throughout this section.

If you have any questions, please contact your licensing inspector.