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Subject: Public Comment Notice for Background Checks for ADC & ALF

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COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

DATE: May 20, 2024

To: Licensed Adult Day Center Providers
Licensed Assisted Living Facilities

FROM: Tara Ragland, Director
Division of Licensing Programs

SUBJECT: Periodic Review of 22VAC40-90, *Regulation for Background Checks for Assisted Living Facilities and Adult Day Care Centers*

The State Board of Social Services is conducting a periodic review of 22VAC40-90, *Regulation for Background Checks for Assisted Living Facilities and Adult Day Care Centers*. The purpose of this review is to determine whether this regulation should be terminated, amended, or retained in its current form. This regulation can be found in its entirety at [Virginia Administrative Code - Title 22. Social Services - Agency 40. Department of Social Services - Chapter 90. Regulation for Background Checks for Assisted Living Facilities and Adult Day Care Centers](#).

Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the review of this regulation will be guided by the principles in Executive Order 19 <https://TownHall.Virginia.Gov/EO-19-Development-and-Review-of-State-Agency-Regulations.pdf>. Public comment is sought on the review of any issue relating to this regulation, including whether the regulation (i) is necessary for the protection of public health, safety, and welfare or for the economic performance of important governmental functions; (ii) minimizes the economic impact on small businesses in a manner consistent with the stated objectives of applicable law; and (iii) is clearly written and easily understandable. The public comment period begins May 20, 2024, and ends on June 10, 2024.

If you wish to receive a response to your comment, your contact information (preferably an email address or, alternatively, a U.S. mailing address) must accompany your comment. Following the close of the public comment period, a report of both reviews will be posted on the Town Hall and a report of the small business impact review will be published in the Virginia Register of Regulations.

Comments for this periodic review may be submitted via Regulatory Town Hall at <https://townhall.virginia.gov/ViewPReview.cfm?PRID=2508>; or by mail, fax or email to Samantha Fogt, Licensing Consultant, Virginia Department of Social Services, Division of Licensing Programs, 5600 Cox Rd. Glen Allen, Virginia 23060; fax (804) 726-7132; or at samantha.fogt@dss.virginia.gov.

If you have any questions, please contact Samantha Fogt.