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HOUSE BILL NO. 2375

Offered January 14, 2009

Prefiled January 14, 2009

A BILL to amend and reenact §§ 32.1-12 and 63.2-217 of the Code of Virginia, relating to application for social or health services; calculating income.

Patrons—Englin and Ebbin

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-12 and 63.2-217 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-12. Regulations, variances and exemptions.

The Board may make, adopt, promulgate and enforce such regulations and provide for reasonable variances and exemptions therefrom as may be necessary to carry out the provisions of this title and other laws of the Commonwealth administered by it, the Commissioner or the Department.

The Board shall provide in regulation that any determination of individual, family, or household income for the purposes of qualifying for any program or service pursuant to this title shall not include any income or resources of a person whose relationship to the applicant is not recognized by the laws of the Commonwealth.

§ 63.2-217. Board to adopt regulations.

The Board shall adopt such regulations, not in conflict with this title, as may be necessary or desirable to carry out the purpose of this title. Before the Board acts on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the Board shall examine the potential fiscal impact of such regulation on local boards. For regulations with potential fiscal impact, the Board shall share copies of the fiscal analysis with local boards prior to submission of the regulation to the Department of Planning and Budget for purposes of the economic impact analysis under § 2.2-4007.04. The fiscal impact analysis shall include the projected costs and savings to the local boards to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

The Board also may adopt such regulations to authorize local boards to destroy or otherwise dispose of such records as the local boards in their discretion deem are no longer necessary in such offices and that serve no further administrative, historical or financial purpose.

The Board shall provide in regulation that any determination of individual, family, or household income for the purposes of qualifying for any program or service pursuant to this title shall not include any income or resources of a person whose relationship to the applicant is not recognized by the laws of the Commonwealth.

INTRODUCED

HB2375