

Department of Planning and Budget 2015 Fiscal Impact Statement - REVISED

1. Bill Number: SB1054

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Hanger

3. Committee: Rehab and Social Services

4. Title: State Executive Council for Comprehensive Services for At-Risk Youth and Families; application of the Administrative Process Act.

5. Summary: Provides that the State Executive Council in exercising certain powers and duties is subject to the Administrative Process Act.

6. Budget Amendment Necessary: Yes, Item 279.

7. Fiscal Impact Estimates: See below.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2014			
2015			
2016	\$77,409	1.0	GF
2017	\$77,409	1.0	GF
2018	\$77,409	1.0	GF
2019	\$77,409	1.0	GF
2020	\$77,409	1.0	GF

8. Fiscal Implications: This legislation will require the State Executive Council, established by § 2.2-2648 of the Code of Virginia, to set and change official policy through the regulatory process outlined in § 2.2-4000 et seq, of the Code of Virginia, more commonly known as the Administrative Process Act. Currently, policy affecting the provision of services through the Comprehensive Services Act (CSA) is set via State Executive Council outside of the state's official regulatory process.

This requirement represents a significant change from the existing process by which the SEC establishes policy. Current statute requires that the SEC must *“Provide for a public participation process for programmatic and fiscal guidelines and dispute resolution procedures developed for administrative actions that support the purposes of the Comprehensive Services Act (§ 2.2-5200 et seq.). The public participation process shall*

include, at a minimum, 60 days of public comment and the distribution of these guidelines and procedures to all interested parties;”

The mandatory requirements for promulgation of regulations through the APA will significantly expand activities for the Office of Comprehensive Services to include the following:

- Drafting new regulations and policies and entering into the RIS system
- Coordination of public participation activities in accordance with APA
- Collaborating with OAG to develop/review/revise regulations and policies
- Developing Townhall documents and managing posts to Townhall

While the bill is not anticipated to have a direct impact on the level or cost of services provided through the CSA, the Office of Comprehensive Services (OCS) does not have adequate staffing required for the promulgation of regulations, as required by this bill and will require one FTE Program Administration Specialist to work with the State Executive Council and to assure proper adherence to the regulatory process. The cost of this Program Administration Specialist, including fringe costs, is \$77,409 per year.

The substitute bill adds a clause that states that the provisions of the bill do not take effect unless an appropriation is made by the General Assembly.

9. Specific Agency or Political Subdivisions Affected: Office of Comprehensive Services.

10. Technical Amendment Necessary: No.

11. Other Comments: None.