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Date: Thu, Oct 28, 2021 at 3:14 PM  
Subject: Revisions to Background Checks for Child Welfare Agencies  
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# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF SOCIAL SERVICES

**DATE:** October 13, 2021

**TO:** Licensed Child Placing Agencies

**FROM:** Tara Ragland, Director  
Division of Licensing Programs

**SUBJECT:** Revisions to Chapter 191. *Background Checks for Child Welfare Agencies.*

The regulation, 22VAC40-191, *Background Checks for Child Welfare Agencies*, has been revised to incorporate Chapters [860](#) and [861](#) of the 2020 Acts of the General Assembly that transferred the authority to license and regulate child day programs to the Department of Education on July 1, 2021. The amended regulation was published as a final regulation in the Virginia Register of Regulations on September 8, 2021. The effective date of the amended regulation is October 13, 2021. This action was exempt from the full Administrative Process Act regulatory process because the purpose of the revision was to incorporate the changes in state law.

The amendments made to the regulation removed requirements for background checks for child day programs. Other technical amendments were made to clarify existing requirements after striking regulations specific to child day programs. **There are no new background check requirements in the amendments.**

A copy of the regulation can be found under the Regulations & Code References and Background Investigations sections on the LCPA program page on the Virginia Department of Social Services [website](#). Hard copies of the regulation can be ordered at by filling out this form through this [link](#). Disregard prior versions of *Background Checks for Child Welfare Agencies*.

Contact your Licensing Inspector with any questions you have.