



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF SOCIAL SERVICES  
*Office of the Commissioner*

Kevin Erskine  
Commissioner

December 3, 2025

Scott Logan  
Social Security Administration  
Office of Income Security Programs  
Keys Section  
2518 Robert M. Ball Building  
6401 Security Boulevard  
Baltimore, MD 21235

Dear Mr. Logan:

The Virginia Department of Social Services (DSS), Division of Licensing Programs is the entity designated to report the compliance with the Keys Amendment. I am writing to submit the Commonwealth of Virginia's annual certification with the Keys Amendment, Section 1616 (e) of the Social Security Act [42 U.S.C. § 1382 e.]. Virginia complies with these provisions.

Agencies that have statutory authority to regulate facilities in Virginia are required to develop and enforce standards for residential facilities where recipients of Supplemental Security Income (SSI) reside or are likely to reside. These standards are promulgated as regulations and available to the public on both the Virginia Town Hall website (<https://townhall.virginia.gov/>) and the Virginia Administrative Code website (<https://law.lis.virginia.gov/admincode>). The various stages of regulatory review and approval are posted on the Town Hall website as well as the Virginia Register of Regulations website (<http://register.dls.virginia.gov/process.shtml>).

During the past year, the following regulations were amended:

Department	Regulation Title and Website Location
Virginia Department of Social Services	Regulation for Background Checks for Assisted Living Facilities and Adult Day Centers (22VAC40-90) <a href="https://townhall.virginia.gov/L/viewstage.cfm?StageID=10489">https://townhall.virginia.gov/L/viewstage.cfm?StageID=10489</a>
Department of Behavioral Health and Developmental Services	<p>Regulations for Children’s Residential Facilities (12VAC35-46) <a href="https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10533">https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10533</a></p> <p>Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services (12VAC35-105) <a href="https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10532">https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10532</a></p> <p>Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services (12VAC35-105) <a href="https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10633">https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10633</a></p> <p>Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services (12VAC35-105) <a href="https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10632">https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10632</a></p> <p>Requirements for Virginia’s Early Intervention System (12VAC35-225) <a href="https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10529">https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10529</a></p> <p>Certified Recovery Residences (12VAC35-260) <a href="https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10432">https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10432</a></p>
Virginia Department of Health	<p>Regulations for the Licensure of Nursing Facilities (12VAC5-371)</p> <p>Final Exempt 2025 Acts of Assembly mandates <a href="https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10898">https://townhall.virginia.gov/L/ViewStage.cfm?stageid=10898</a></p>

No other amendments were made to regulations or policies that apply to residences for SSI residents.

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If there is a need for further information, please contact Samantha Fogt, Licensing Consultant, Division of Licensing Programs, at (804) 845-0308 or by email at [samantha.fogt@dss.virginia.gov](mailto:samantha.fogt@dss.virginia.gov)

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Erskine", with a horizontal line extending to the right.

Kevin Erskine

KE:sf