



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE VETERAN ADVOCATE
100 HANCOCK STREET, 2ND FLOOR
QUINCY, MA 02171

NOTICE OF PUBLIC COMMENT PERIOD

Notice is hereby given pursuant to M.G.L. c. 30A, § 2-3, that the Massachusetts Office of the Veteran Advocate, ("OVA") will accept written public comment until 5:00 p.m. on August 28, 2024, to gather comments, ideas, and information concerning the following regulatory action:

Adopt 123 CMR 2.00 - Investigations, Inspections, Audits, & Reviews.

The proposed regulation establishes requirements for state, county, local, and private contracted agencies to report certain information regarding veterans in the care of, or receiving services from, the Commonwealth to OVA. The regulation also establishes requirements and procedures concerning the auditing, investigation, and inspection of said agencies on behalf of OVA. Lastly, the proposed regulation enumerates ways in which OVA may report findings of facts and conclusions resulting from OVA activity.

Written copies of the proposed regulations may be obtained by e-mailing a request to OVA@mass.gov or mailing a request to General Counsel Scott D. Pitta, Office of the Veteran Advocate, 100 Hancock Street, Quincy, MA 02171.

The submission of written comments is welcome and may be made by e-mail to OVA@mass.gov with a subject line stating, "123 CMR 2.00" or by mail to General Counsel Scott D. Pitta at the physical address listed above. Comments received after August 28, 2024 at 5:00 p.m. might not be considered.

OVA may adopt a revised version of the proposed action taking into account relevant comments received and any other practical alternatives that come to its attention.

For accommodation or language assistance requests, please contact OVA's General Counsel by phone at (617) 890-9788, or by email to OVA@Mass.gov. Requests should be made as soon as possible, ideally at least five business days before the close of the comment period.

A handwritten signature in black ink, appearing to read "Robert Notch".

Robert Notch
Veteran Advocate
July 29, 2024

Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

Agency: Office Of The Veteran Advocate		
CMR No.: 123 CMR 2.00		
Estimate of the Number of Small Businesses Impacted by the Regulation: Fewer than 10		
Select Yes or No and Briefly Explain		
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? Additional reports may be required for businesses that receive state or local funding within the jurisdiction of M.G.L. c. 115B.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? Additional record keeping may be required for businesses that receive state or local funding within the jurisdiction of M.G.L. c. 115B
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? The proposed regulation requires no additional administrative oversight.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? The proposed regulation requires no additional employees for businesses of any size.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? The proposed regulation does not require businesses of any size to hire other professionals.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? The proposed regulation requires no capital investments or product purchasing.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) An analysis of design versus operational standards is inapplicable to this proposed regulation.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? No other regulations duplicate or conflict with the proposed regulation.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? The proposed regulation requires businesses of all sizes, operating within the jurisdiction of M.G.L. c. 115B, to cooperate with audits, inspections, or other enforcement activities.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? The proposed regulation contains no educational service requirements.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? The proposed regulation only codifies the explicit and implicit authority of M.G.L. c. 115B. Therefore, this regulation does not result in any deterrence to the formation of small businesses.

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? The proposed regulation only codifies the explicit and implicit authority of M.G.L. c. 115B. Therefore, this regulation does not encourage the formation of small businesses.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? The proposed regulations focuses on the health, safety, and welfare of veterans in the Commonwealth. The regulation does not distinguish between businesses by size.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? The proposed regulations focuses on the health, safety, and welfare of veterans in the Commonwealth. The regulation does not distinguish between businesses by size.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? The regulation does not contain compliance or reporting requirements.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? An analysis of design versus operational standards is inapplicable to this proposed change to the regulation.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? The proposed regulations focuses on the health, safety, and welfare of veterans in the Commonwealth. The regulation cannot meaningfully distinguish between businesses by size in this sector.