



COMMONWEALTH of VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
Office of the Commissioner

S. Duke Storen
Commissioner

August 3, 2026

MEMORANDUM

TO: Members, State Board of Social Services

FROM: Duke Storen *S. Duke Storen*

REGULATION: 22VAC40-680, Virginia Energy Assistance Program-Low Income Home Energy Assistance Program (LIHEAP)

ACTION: Withdraw Action

In 2022, the State Board of Social Services approved a NOIRA (Notice of Intended Regulatory Action) for this Virginia Administrative Code chapter. The purpose of the action was to extend the application period for the program and make other updates. The NOIRA was published February 2, 2023 and public comment closed March 29, 2023. The action did not advance beyond the NOIRA stage.

On June 15, 2026, the State Board of Social Services approved an exempt regulation to establish eligibility criteria and application periods for the Energy Assistance Program. The action was in response to a statutory change made by the 2026 General Assembly. Given the 2026 statutory changes and need for the new exempt regulation, the 2022 action is no longer needed.

I request that you approve withdrawal of the 2022 action. If you have questions concerning this requested action, please contact Karin Clark at (804) 840-3679 or by e-mail at karin.clark@dss.virginia.gov.

DS:kc