



COMMONWEALTH of VIRGINIA
Office of the Attorney General

202 North 9th Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

Mark R. Herring
Attorney General

MEMORANDUM

TO: Jack Barber, M.D.
Interim Commissioner
Department of Behavioral Health and Developmental Services

FROM: Braden J. Curtis
Assistant Attorney General

DATE: November 29, 2017

SUBJECT: Periodic Review of the *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*
12 VAC 35-105-10 *et seq.*

In accordance with Code of Virginia § 2.2-4017 and Executive Order 17 (2014), I have reviewed the *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*, 12 VAC 35-105-10 *et seq.* These regulations are undergoing periodic review. In my opinion, the Board of Behavioral Health and Developmental Services (“Board”) had the authority under Virginia Code §§ 37.2-203 and 37.2-404 to adopt the current regulations, and the Board has the authority to amend the regulations.