



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: Dr. Karen Remley, Commissioner
Virginia Department of Health

FROM: Allyson K. Tysinger
Senior Assistant Attorney General

DATE: May 27, 2010

SUBJECT: *Regulations for the Licensure of Nursing Facilities*
12 VAC 5-371-10 *et seq.*

I have reviewed the proposed changes to the *Regulations for the Licensure of Nursing Facilities*, 12 VAC 5-371-10 *et seq.*, that were adopted by the Board of Health on April 23, 2010. The Board has the statutory authority to adopt these Regulations under Virginia Code § 32.1-127.001. Pursuant to Virginia Code § 2.2-4006(A)(4)(a), this action is exempt from Article 2 of the Administrative Process Act. The proposed Regulations are constitutional and do not conflict with existing federal or state laws or regulations.