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MEMORANDUM

TO: Lisa R. Hahn
Executive Director

FROM: Erin L. Barrett
Assistant Attorney General

DATE: June 29, 2012

SUBJECT: *Regulations Governing the Practice of Nursing Home Administrators*
18VAC95-20

I have reviewed the amendment to the Regulations Governing the Practice of Nursing Home Administrators, 18VAC95-20, which has been submitted as an exempt action. The proposed amendment in 18VAC95-20-330, which corrects the name of a specific behavioral health agency referred to in the Regulation, is exempt in accordance with Va. Code § 2.2-4006(A)(4). That section of the Virginia Administrative Process Act provides an exemption for regulations "[n]ecessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved." Va. Code § 2.2-4006(A)(4). The Board has the statutory authority to amend this Regulation under Virginia Code § 54.1-2400. The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.