



COMMONWEALTH of VIRGINIA  
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**MEMORANDUM**

**TO:** **BRIAN MCCORMICK**  
Regulatory and Manual Section Manager  
Department of Medical Assistance Services

**FROM:** **ELIZABETH M. GUGGENHEIM** *EMG*  
Assistant Attorney General

**DATE:** **January 27, 2015**

**SUBJECT:** **Proposed Regulations Regarding Mental Health Skill Building Services**

I have reviewed the proposed regulations that will ensure the rehabilitative nature of the mental health skill building services and strengthen the service eligibility criteria. Based on my review, DMAS has the authority to promulgate these regulations, subject to compliance with the provisions of Article 2 of the Administrative Process Act and has not exceeded that authority.

Virginia Code §§ 32.1-324 and 32.1-325 grant to the Board of Medical Assistance Services the authority to administer and amend the plan for Medical Assistance and authorizes the Director of DMAS to administer and amend the plan for Medical Assistance according to the Board's requirements. The authority for these proposed regulations derives from Item 307 LL and RR of the *2012 Acts of Assembly* (Chapter 806) and Item 307 DD of the *2013 Acts of Assembly* (Chapter 806).

If you have any questions or need additional information, please feel free to contact me at 786-2071.

cc: Kim F. Piner  
Senior Assistant Attorney General