



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*

**Jason S. Miyares**  
Attorney General

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

**MEMORANDUM**

**TO:** Karen Shelton, M.D.  
State Health Commissioner

**FROM:** Robin V. Kurz  
Senior Assistant Attorney General

**DATE:** November 27, 2023

**SUBJECT:** Regulations for Certification of Community Health Workers, 12 VAC 5-402

I have reviewed the Board of Health's proposed regulations for the certification of community health workers. The amended regulations do not conflict with other federal or state statutes or regulations and do not violate the United States or Virginia Constitutions.

The Board of Health has the authority to promulgate the regulations under Va. Code § 32.1-12 and Va. Code § 32.1-15.1. The regulations are consistent with the Board's mandate as set forth in these sections. The Board of Health will not exceed its statutory authority in promulgating these regulatory amendments.