

## MEMORANDUM

**TO:** M. Norman Oliver, MD, MA  
Commissioner, Department of Health

**FROM:** Amanda L. Lavin  
Assistant Attorney General

**DATE:** July 12, 2019

**SUBJECT:** Periodic Review of Regulations  
Methodology to Measure Efficiency and Productivity of Health Care Institutions,  
12VAC5-216

In accordance with Code of Virginia §§ 2.2-4007.1 and 2.2-4017, and Executive Order 14 (as amended July 16, 2018), I have reviewed the Methodology to Measure Efficiency and Productivity of Health Care Institutions, 12VAC5-216. These regulations are undergoing periodic review. In my opinion, the Board had the authority under Virginia Code § 32.1-276.2 to adopt the current regulations, and the Board has the authority to amend the regulations if it so chooses.