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MEMORANDUM

TO: Alison G. Land, FACHE
Commissioner
Department of Behavioral Health and Developmental Services

FROM: Braden J. Curtis
Assistant Attorney General

DATE: October 26, 2021

SUBJECT: Periodic Review of the *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*
12 VAC 35-105

In accordance with Code of Virginia § 2.2-4017 and Executive Order 14 (as amended July 16, 2018), I have reviewed the *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*, 12 VAC 35-105. These regulations are undergoing periodic review. In my opinion, the Board of Behavioral Health and Developmental Services ("Board") had the authority under Virginia Code § 37.2-203 to adopt the current regulations, and the Board has the authority to amend the regulations.