



COMMONWEALTH of VIRGINIA
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April 7, 2003

C. Diane Woolard, Ph.D., M.P.H.
Director, Division of Surveillance and Investigation
Virginia Department of Health
1500 E. Main Street
Main Street Station
Richmond, Virginia 23219

Re: Amended Regulations Governing Disease Reporting and Control
12 VAC 5-90-10 *et seq.*

Dear Dr. Woolard:

I have reviewed the Virginia Department of Health's request to add "vaccinia" to the list of diseases reportable in 12 VAC 5-90-80. The amended regulation does not conflict with other federal or state statutes or regulations and does not violate the United States or Virginia Constitutions.

The Board of Health has the authority to promulgate the regulation under Va. Code §§ 32.1-12 and 32.1-35. The Board may promulgate this regulation as an emergency regulation pursuant to Va. Code § 2.2-4011, assuming the situation involves an imminent threat to public health or safety. The regulation shall become effective upon approval by the Governor and filing with the Registrar of Regulations. The regulation is consistent with the Board's mandate to implement the procedures and standards for disease reporting and control, and the Board will not exceed its statutory authority by approving this regulation.

Very truly yours,

Robin V. Kurz
Assistant Attorney General

cc: Douglas R. Harris, Administrative Law and Regulatory Compliance Advisor