



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*  
**Richmond 23219**

**Jerry W. Kilgore**  
Attorney General

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Nancy Ford  
Office of Family Health Services  
Virginia Department of Health  
109 Governor Street  
Richmond, Virginia 23219

Re: Regulations for Virginia Newborn Screening Services  
12 VAC 5-71-10 *et seq.*

Dear Ms. Ford:

I have reviewed the Virginia Department of Health's regulations for Virginia Newborn Screening Services. 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 32.1-65 to 32.1-67.1. The Board may promulgate these regulations as emergency regulations pursuant to Va. Code § 2.2-4011. The regulations shall become effective upon approval by the Governor and filing with the Registrar of Regulations. The regulations are consistent with the Board's mandate, and the Board will not exceed its statutory authority by approving these regulations.

Very truly yours,

Robin V. Kurz  
Assistant Attorney General

