



COMMONWEALTH *of* VIRGINIA

Office of the Attorney General

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MEMORANDUM

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

FROM: Vanessa C. MacLeod
Assistant Attorney General

DATE: February 8, 2021

SUBJECT: *Regulations for the Licensure of Hospice, 12 VAC 5-391-10 et seq.*

I have reviewed the amendments to 12 VAC 5-391-10 *et seq.* This action is exempt from the operation of the Administrative Process Act and review by the Executive Branch under Virginia Code § 2.2-4006(A)(4)(a).

The Commissioner has the statutory authority to adopt these amendments on behalf of the State Board of Health when it is not in session under Item 300(F) of Chapter 56 of the 2020 Acts of Assembly, Session I and Virginia Code § 32.1-20. The proposed Regulations are constitutional and do not conflict with existing federal or state laws or regulations.