



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

**Jason S. Miyares**  
Attorney General

202 North 9th Street  
Richmond, Virginia 23219  
804-786-2071  
FAX 804-786-1991  
Virginia Relay Services  
800-828-1120

**MEMORANDUM**

**TO:** Karen Shelton, M.D.  
State Health Commissioner

**FROM:** Robin V. Kurz  
Senior Assistant Attorney General

**DATE:** December 20, 2023

**SUBJECT:** Reporting Requirements for Patient Level Data Elements  
12 VAC 5-217

I have reviewed the Board of Health's Reporting Requirements for Patient Level Data Elements. 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 Chapter 552 Item 307(D1) of the 2021 Acts of Assembly Special Session I.

The regulations are consistent with the Board's mandate as set forth in these sections. The Board of Health will not exceed its statutory authority in promulgating these regulatory amendments.