



COMMONWEALTH *of* VIRGINIA

Office of the Attorney General

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MEMORANDUM

TO: James S. Reinhard, M.D.
Commissioner

FROM: Allyson K. Tysinger
Assistant Attorney General

DATE: August 29, 2006

SUBJECT: *Rules and Regulations for the Licensing of Providers of Mental Health, Mental Retardation and Substance Abuse Services*
12 VAC 35-105-10 *et seq.*

I have reviewed the proposed section, 12 VAC 35-105-115, of the *Rules and Regulations for the Licensing of Providers of Mental Health, Mental Retardation and Substance Abuse Services*, 12 VAC 35-105-10 *et seq.*, that was adopted by the State Mental Health, Mental Retardation and Substance Abuse Services Board on August 22, 2006. The Board has the statutory authority to adopt this emergency Regulation under Va. Code § 37.2-203 and Chapter 168 of the 2006 Virginia Acts of Assembly. The proposed Regulation is constitutional and does not conflict with existing federal or state laws or regulations.