



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: Alison G. Land, FACHE
Commissioner
Department of Behavioral Health and Developmental Services

FROM: Braden J. Curtis
Assistant Attorney General

DATE: August 28, 2020

SUBJECT: *Regulations for Children's Residential Facilities*
Amendments to align with ASAM criteria
12VAC35-46

I have reviewed the proposed amendments to 12VAC35-46, the *Regulations for Children's Residential Facilities*, which were adopted by the Board of Behavioral Health and Developmental Services on July 15, 2020. The Board has the authority to promulgate these emergency regulations pursuant to 2020 Va. Acts ch. 1289 and Virginia Code § 37.2-203. The proposed emergency regulations are constitutional and do not conflict with existing federal or state laws or regulations.