



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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

Mark R. Herring
Attorney General

MEMORANDUM

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

FROM: Braden J. Curtis
Assistant Attorney General

DATE: November 9, 2021

SUBJECT: *Regulations for Children's Residential Facilities*
Amendments to align with American Society of Addiction Medicine levels of
care criteria
12VAC35-46

I have reviewed the proposed replacement regulations, the *Regulations for Children's Residential Facilities*, 12VAC35-46, that were adopted by the Board of Behavioral Health and Developmental Services ("Board") on July 28, 2021. The Board has the authority to adopt these replacement regulations pursuant to Virginia Code § 37.2-203. The proposed regulations are constitutional and do not conflict with existing federal or state laws or regulations.