



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: Nelson Smith
Commissioner
Department of Behavioral Health and Developmental Services

FROM: Braden J. Curtis
Assistant Attorney General

DATE: November 15, 2022

SUBJECT: *Operation of the Individual and Family Support Program*
Amendments to establish criteria and annual funding priorities through the
Annual Funding Program Guidelines and to ensure public input
12VAC35-230

I have reviewed the proposed amendments to the *Operation of the Individual and Family Support Program*, 12VAC35-230, which were adopted by the Board of Behavioral Health and Developmental Services ("Board") on July 13, 2022. The Board has the authority to promulgate these emergency regulations pursuant to 2022 (Spec. Sess. 1) Va. Acts ch. 2 and Virginia Code § 37.2-203. The proposed emergency regulations are constitutional and do not conflict with existing federal or state laws or regulations.