



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: B. Cameron Webb
Commissioner
Virginia Department of Health

FROM: Charis A. Mitchell
Senior Assistant Attorney General

DATE: September 9, 2026

SUBJECT: Regulations Governing the Licensure of Nursing Facilities
12 VAC 5-371

I have reviewed the proposed amendments to the *Regulations for the Licensure of Nursing Facilities*, 12 VAC 5-371, as adopted by the State Health Commissioner on August 14, 2026. The Commissioner has authority to adopt these regulations on behalf of the Board of Health under Virginia Code § 32.1-20, and the Board of Health has the authority to adopt these regulations under Virginia Code §§ 32.1-12 and 127. This action is exempt from the Administrative Process Act pursuant to Virginia Code § 2.2-4006(A)(4)(a), as it is necessary to conform to changes in Virginia law, specifically 2026 Virginia Acts of the Assembly Chapters 323, 505, and 944. These regulations do not conflict with state or federal law.