



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: M. Norman Oliver, MD, MA
Commissioner
Virginia Department of Health

FROM: Vanessa Cordero MacLeod
Assistant Attorney General

DATE: June 15, 2020

SUBJECT: *Regulations for the Licensure of Nursing Facilities, 12 VAC 5-371-10 et seq.*

I have reviewed the amendments to 12 VAC 5-371-10 *et seq.* This action is exempt from the operation of the Administrative Process Act and review by the Executive Branch under Virginia Code §§ 2.2-4006(A)(4)(a) and 2020 Va. Acts ch. 846.

The Commissioner has the statutory authority to adopt these amendments on behalf of the Board of Health when it was not in session under Virginia Code § 32.1-20. The proposed Regulations are constitutional and do not conflict with existing federal or state laws or regulations.