



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Jay Jones
Attorney General

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

MEMORANDUM

TO: Daryl Washington
Commissioner
Virginia Department of Behavioral Health and Developmental Services

FROM: Helen M. Yorke
Assistant Attorney General

DATE: March 23, 2026

SUBJECT: *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services (12VAC35-105) and Peer Recovery Specialists (12VAC35-250)*

I have reviewed the proposed amendments to the *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*, 12VAC35-105, and *Peer Recovery Specialists*, 12VAC35-250, which were adopted by the State Board of Behavioral Health and Developmental Services on September 24, 2025. The State Board of Behavioral Health and Developmental Services has the authority to adopt these regulations under Code § 37.2-203. The regulations are emergency regulations pursuant to Code § 2.2-4011(B), as directed by Item 293(C) of the 2024-2026 Appropriations Act. The proposed amendments are constitutional and do not conflict with existing federal or state laws or regulations.