



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

TO: KARIN CLARK
Virginia Department of Social Services

FROM: ALLEN T. WILSON
Senior Assistant Attorney General

DATE: January 29, 2013

SUBJECT: Final Regulation 22 VAC 40-730-10 et seq.
Investigation of Child Abuse and Neglect in Out of Family Complaints

I have reviewed the above-referenced final regulation to determine if the State Board of Social Services ("State Board") has the statutory authority to promulgate the final regulation and if the final regulation comports with applicable state law.

As noted in my memorandum dated March 7, 2011, it is this Office's view that the State Board has the authority to promulgate the final regulation, subject to compliance with the provisions of Article 2 of the Administrative Process Act and Executive Order 14 (2010), and has not exceeded that authority.

It appears that there have been no changes to the proposed regulation.

If you have any questions, please feel free to call me at 786-0095.