



# **COMMONWEALTH of VIRGINIA**

*Office of the Attorney General  
Richmond 23219*

**Mark R. Herring**  
Attorney General

202 North Ninth Street  
Richmond, Virginia 23219  
804 - 786 - 2071  
804 - 225 - 4541 TDD

## **MEMORANDUM**

**To:** Evelyn McGill  
Executive Director  
Virginia Workers' Compensation Commission

**From:** Joshua E. Laws  
Assistant Attorney General

**Date:** September 6, 2022

**Subject:** Letter of Assurance for Repealed Regulations – Repeal of 16VAC30-60 and 16VAC30-70

---

I have reviewed the Virginia Workers' Compensation Commission's (the Commission) proposed repeal of regulations — Procedural Regulations Governing the Administration of Medical Costs Peer Review by the Regional Peer Review Committees under the Virginia Workers' Compensation Act and Plan of Operation for the Medical Costs Peer Review Statewide Coordinating Committee under the Virginia Workers' Compensation Act Medical Fee Schedules — found at 16VAC30-60 and 16VAC30-70 that was posted on the Virginia Regulatory Town Hall on August 31, 2022. In my view, as counsel to the Virginia Workers' Compensation Commission, these regulations may be repealed pursuant to Title 65.2 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

The regulations also appear to qualify for the fast-track rulemaking process under § 2.2-4012.1 of the Code of Virginia because they are expected to be noncontroversial.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.