



COMMONWEALTH of VIRGINIA
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September 22, 2004

C. Diane Woolard, Ph.D., M.P.H.
Director, Division of Surveillance and Investigation
Virginia Department of Health
109 Governor Street, Fifth Floor
Richmond, Virginia 23219

Re: Amended Regulations Governing Disease Reporting and Control
12 VAC 5-90-10 *et seq.*

Dear Dr. Woolard:

I have reviewed the Virginia Department of Health's amendments to the disease reporting regulations to comport with the statutory changes to the isolation and quarantine laws. The amended regulations do not conflict with federal or state statutes or regulations and do not violate the United States or Virginia Constitutions.

The Board of Health has the authority to promulgate the regulations under Va. Code §§ 32.1-12 and 32.1-48.05. The Board may promulgate these regulations as emergency regulations pursuant to Va. Code § 2.2-4011, because Va. Code § 32.1-48.05 requires that the regulations be effective in 280 days or less from its enactment. The regulations shall become effective upon approval by the Governor and filing with the Registrar of Regulations. The regulations are consistent with the Board's mandate to implement the procedures and standards for disease reporting and control, and the Board will not exceed its statutory authority by approving these regulations.

Very truly yours,

Robin V. Kurz
Assistant Attorney General

cc: Douglas R. Harris, Administrative Law and Regulatory Compliance Advisor

