



COMMONWEALTH of VIRGINIA
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February 24, 2005

C. Diane Woolard, Ph.D., M.P.H.
Director, Division of Surveillance and Investigation
Virginia Department of Health
109 Governor Street
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 Amended Regulations for Disease Reporting and Control, 12 VAC 5-90-10 *et seq.* The amended regulations do not conflict with other 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, 32.1-35 through 32.1-73. The regulations are consistent with the Board's mandate to implement the procedures and standards for disease reporting and control. The Board of Health will not exceed its statutory authority by approving these regulations. Having satisfied all legal requirements, you may proceed to take the necessary steps to publish these regulations for public comment in accordance with the requirements of the Administrative Process Act.

In addition, the Board of Health has the authority to promulgate emergency regulations for isolation and quarantine pursuant to Va. Code § 32.1-48.05. The Board will not exceed its statutory authority by promulgating these regulations.

Very truly yours,

Robin V. Kurz
Special Counsel

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