



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Robert F. McDonnell
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

MEMORANDUM

TO: Karen Remley, M.D., M.B.A., F.A.A.P.
Commissioner, Virginia Department of Health

CC: Carrie Eddy
Policy Analyst, Virginia Department of Health

FROM: Ishneila Moore
Assistant Attorney General

DATE: September 2, 2011

SUBJECT: 12 VAC 5-410-200 and 1170

I have reviewed the proposed changes to 12 VAC 5-410-200 and 1170. Pursuant to Virginia Code § 32.1-20, the Commissioner of the Virginia Department of Health adopted these proposed changes on August 18, 2011 when the Board of Health was not in session. The Commissioner has authority to adopt these regulations pursuant to Virginia Code § 32.1-127.

The proposed changes are constitutional and do not conflict with existing federal or state laws or regulations. Pursuant to Virginia Code § 2.2-4006(A)(4)(a), these regulatory changes are exempt from the regulatory review process of the Administrative Process Act.

Please do not hesitate to contact me at imoore@oag.state.va.us or 804-371-6019 with any questions.