



COMMONWEALTH of VIRGINIA
Office of the Attorney General
Richmond 23219

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September 30, 2014

Marissa J. Levine, M.D., M.P.H.
State Health Commissioner
Virginia Department of Health
109 Governor Street
Richmond, Virginia 23219

Re: Advance Health Care Directive Registry Regulations
12 VAC 5-67

Dear Dr. Levine:

I have conducted a review of the State Board of Health's Advance Health Care Directive Registry Regulations in 12 VAC 5-67. In my view, as counsel to the State Board of Health, the promulgation of these regulations is within the statutory authority of the State Board of Health pursuant to Virginia Code Section 54.1-2995. Moreover, 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.

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 regulations.

Very truly yours,

Robin V. Kurz
Assistant Attorney General III