



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: Colin M. Greene, M.D., M.P.H., Colonel, US Army, retired
State Health Commissioner

FROM: Robin V. Kurz
Senior Assistant Attorney General

DATE: November 10, 2022

SUBJECT: Immunization Requirements, 12 VAC 5-110

I have reviewed the Board of Health's Regulations for the Immunization of School Children. The amended regulation does not conflict with other federal or state statutes or regulations and does not violate the United States or Virginia Constitutions.

The Board of Health has the authority to promulgate the regulation under Va. Code §§ 32.1-12 and 32.1-46. The regulation is consistent with the Board's mandate as set forth in these sections. The regulation is exempt from the Administrative Process Act pursuant to Va. Code § 32.1-46(C). The Board of Health will not exceed its statutory authority in promulgating this regulatory amendment.