



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: Karen Shelton, MD
Commissioner
Virginia Department of Health

FROM: Allyson K. Tysinger *AKT*
Senior Assistant Attorney General

DATE: September 21, 2023

SUBJECT: *Certificate of Quality Assurance of Managed Care Health Insurance Plan Licensees, 12 VAC 5-408-170*

I have reviewed the amendments to 12 VAC 5-408-170 approved by Commissioner Shelton on behalf of the Board of Health while the Board was not in session on September 19, 2023. This action is exempt from the operation of the Administrative Process Act and review by the Executive Branch under Virginia Code §§ 2.2-4006(A)(4)(a) and 2023 Va. Acts ch. 376 and 377. The Commissioner has the statutory authority to adopt these amendments on behalf of the Board of Health under Virginia Code § 32.1-20. The proposed Regulations are constitutional and do not conflict with existing federal or state laws or regulations.