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MEMORANDUM

TO: Alison G. Land, FACHE
Commissioner
Department of Behavioral Health and Developmental Services

FROM: Braden J. Curtis
Assistant Attorney General

DATE: November 10, 2021

SUBJECT: *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*
Amendments to align with American Society of Addiction Medicine levels of care criteria
12VAC35-105

I have reviewed the proposed replacement regulations, the *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*, 12VAC35-105, that were adopted by the Board of Behavioral Health and Developmental Services (“Board”) on July 28, 2021. The Board has the authority to adopt these replacement regulations pursuant to Virginia Code § 37.2-203. The proposed regulations are constitutional and do not conflict with existing federal or state laws or regulations.