



COMMONWEALTH of VIRGINIA
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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 9, 2021

SUBJECT: *Regulations for Children's Residential Facilities*
Amendments to align with the Family First Prevention Service Act
12VAC35-46

I have reviewed the proposed amendments to the *Regulations for Children's Residential Facilities*, 12VAC35-46, which were adopted by the Board of Behavioral Health and Developmental Services ("Board") on September 29, 2021. The Board has the authority to promulgate these emergency regulations pursuant to 2021 (Spec. Sess. 1) Va. Acts ch. 552 and Virginia Code § 37.2-203. The proposed emergency regulations are constitutional and do not conflict with existing federal or state laws or regulations.