

MEMORANDUM

TO: Marissa J. Levine, MD, MPH
Commissioner, Department of Health

FROM: Sean J. Murphy
Assistant Attorney General - HESS

DATE: February 15, 2017

SUBJECT: Periodic Review of Regulations
Virginia Medical Care Facilities Certificate of Public Need
Rules and Regulations, 12 VAC 5-220

In accordance with Code of Virginia § 2.2-4017 and Executive Order 17 (2014), I have reviewed the Regulations for Virginia Medical Care Facilities Certificate of Public Need Rules 12 VAC 5-220. These regulations are undergoing periodic review. In my opinion, the Board had the authority under Virginia Code § 32.1-102.2 to adopt the current regulations, and the Board has the authority to amend the regulations if it so chooses.