

## MEMORANDUM

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

**FROM:** Sean J. Murphy  
Assistant Attorney General

**DATE:** October 31, 2017

**SUBJECT:** Periodic Review of Regulations  
Regulations for the Licensure of Nursing Facilities  
12 VAC 5-371

In accordance with Code of Virginia § 2.2-4017 and Executive Order 17 (2014), I have reviewed the regulations titled *Regulations for the Licensure of Nursing Facilities*, 12 VAC 5-371. These regulations are undergoing periodic review. In my opinion, the Board had the authority under Virginia Code § 32.1-12 and § 32.1-127 to adopt the current regulations, and the Board has the authority to amend the regulations if it so chooses.