



COMMONWEALTH of VIRGINIA
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May 8, 2006

Susan M. Tlusty
Office of Family Health Services
Virginia Department of Health
109 Governor Street
Richmond, Virginia 23219

Re: Regulations for Virginia Newborn Screening Services
12 VAC 5-71-10 *et seq.*

Dear Ms. Tlusty:

I have reviewed the Virginia Department of Health's regulations for Virginia Newborn Screening Services. The amended regulations do not conflict with other federal or state statutes or regulations and do not violate the United States or Virginia Constitutions.

The Board of Health has the authority to promulgate the regulations under Va. Code §§ 32.1-12 and 32.1-65 to 32.1-67.1. The regulations are consistent with the Board's mandate, and the Board will not exceed its statutory authority by approving these regulations.

Very truly yours,

Robin V. Kurz
Special Counsel

