



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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TO: **SYREETA STEWART**
Regulatory Coordinator
Virginia Department of Medical Assistance Services

FROM: **ELIZABETH M. GUGGENHEIM** 
Senior Assistant Attorney General

DATE: **October 21, 2026**

SUBJECT: **Fast-Track Regulations – 12 VAC 30-10-710 & 12 VAC 30-20-220**

You have asked the Office of the Attorney General to review and determine if the Department of Medical Assistance Services ("DMAS") has the legal authority to take this action and if the regulations comport with state and federal law. I reviewed the attached fast-track regulations that update the electronic verification procedure for applicant and recipient assets for eligibility purposes, and repeal and relocate 12 VAC 30-20-220.

Based on my review, it is my view that the Director of DMAS, acting on behalf of the Board of Medical Assistance Services, under Virginia Code §§ 32.1-324 and 325, has the authority to amend and promulgate these regulations, subject to compliance with the provisions of Article 2 of the Administrative Process Act and has not exceeded that authority.

Pursuant to Va. Code § 2.2-4012.1, if an objection to the use of the fast-track process is received within the public comment period from 10 or more persons, any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, DMAS shall (i) file notice of the objection with the Registrar of Regulations for publication in the Virginia Register, and (ii) proceed with the normal promulgation process set

out in this article with the initial publication of the Fast-Track regulation serving as the Notice of Intended Regulatory Action.

If you have any questions, please contact me at (804) 786-7363.

cc: Kim F. Piner, Esq.

Attachment



VIRGINIA

REGULATORY TOWN HALL

Proposed Text

[highlight](#)**Action:** Update to Income and Eligibility Verification System Procedures**Stage:** Fast-Track

10/8/26 1:57 PM [latest] ▼

12VAC30-10-710 Income and eligibility verification system

A. The Medicaid-agency Department of Medical Assistance Services has established a system for income and eligibility verification in accordance with the requirements of 42 CFR 435.940 through 435.960.

~~B. 12VAC30-20-220 describes, in accordance with 42 CFR 435.958(a)(6), the information that will be requested in order to verify eligibility or the correct payment amount and the agencies and the state or states from which that information will be requested.~~

~~GB.~~ The Commonwealth has an eligibility determination system that provides for data matching through the Public Assistance Reporting Information System (PARIS), or any successor system, including matching with medical assistance programs operated by other states. The information that is requested will be exchanged with states and other entities legally entitled to verify Title XIX applicants and individuals eligible for covered Title XIX services consistent with applicable PARIS agreements.

C. The Department of Medical Assistance Services meets all of the applicable requirements of 42 CFR 431 Subparts A and F and 42 CFR 435 with respect to the Income and Eligibility Verification System. Income and eligibility data provided by other Commonwealth agencies will also be utilized to verify eligibility for new applicants and ongoing recipients of medical assistance.

12VAC30-20-220 Income and eligibility verification system procedures; requests to other state agencies

~~The Department of Medical Assistance Services will meet all of the applicable requirements of 42 CFR 431 Subparts A and F and 42 CFR 435 with respect to the Income and Eligibility Verification System.~~

~~In addition to the federal regulatory requirements, the additional information match against Virginia Department of Motor Vehicles will be made for new applicants and ongoing recipients of medical assistance.~~