



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Jason S. Miyares
Attorney General

202 North 9th Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

MEMORANDUM

TO: Nelson Smith
Commissioner
Department of Behavioral Health and Developmental Services

FROM: Allyson K. Tysinger
Senior Assistant Attorney General

DATE: November 25, 2024

SUBJECT: *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*
12VAC35-105

I have reviewed the proposed amendments to the *Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services*, 12VAC35-105, as adopted by the State Board of Behavioral Health and Developmental Services on September 25, 2024. The Board has the authority to adopt these regulations under Virginia Code §§ 37.2-203 and 37.2-404. The proposed amendments are constitutional and do not conflict with existing federal or state laws or regulations.