



COMMONWEALTH of VIRGINIA
Office of the Attorney General
Richmond 23219

Jerry W. Kilgore
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071

804-371-8947 TDD

December 16, 2004

Rene Cabral-Daniels, J.D., M.P.H.
Office of Health Policy
Virginia Department of Health
109 Governor Street
Richmond, Virginia 23219

Re: Review of Proposed Revision to 12 VAC 5-410-10

Dear Ms. Cabral-Daniels:

I have reviewed the proposed amendment to the Regulations for Licensure of Hospitals in Virginia, 12 VAC 5-410-10. The amended regulation does not conflict with federal or state statutes or regulations and does not violate the United States or Virginia Constitutions.

The Board of Health has the authority to promulgate the amended regulation under Va. Code §§ 32.1-12 and 32.1-127. The amended regulation is consistent with the Board's mandate as set forth in these sections. The Board of Health will not exceed its statutory authority by approving this regulation. Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate this regulation.

Sincerely,

Matthew M. Cobb
Assistant Attorney General

cc: Douglas R. Harris
Regulatory Compliance Coordinator

