



COMMONWEALTH of VIRGINIA
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By Electronic Submission
Virginia Regulatory Town Hall

Re: Periodic Review of the Regulation Governing Juvenile Data Requests and Research Involving Human Subjects (6 VAC35-170)

Dear Sir or Madam:

I have reviewed the proposed amendments associated with the periodic review of regulations governing juvenile data request and research involving human subjects, which is currently in the final stage of the standard regulatory process.

I conclude that the proposed amendments associated with the periodic review of regulations governing juvenile data request and research involving human subjects are within the authority of the Board of Juvenile Justice ("the Board") to promulgate pursuant to Virginia Code § 66-10 "Powers and duties of Board"; Virginia Code § 66-10.1 "Board to establish regulations regarding human research"; the statutes within Virginia Code Title 32.1 "Health," Chapter 5.1. "Human Research"; and 6 Va. Admin. Code § 35-170-130 "Human Research Review Committee."

Specifically, Virginia Code § 66-10.1 grants authority for these regulatory amendments by directing the board to promulgate regulations "pursuant to the Administrative Process Act to effectuate the provisions of Chapter 5.1 of Title 32.1 for human research...to be conducted or authorized by the department."

The Board also maintains the general authority to declare regulations by Virginia Code § 66-10(5), which allows the Board to "promulgate such regulations as may be necessary to carry out the provisions of this title and other laws of the Commonwealth."

Further, I find that the proposed amendments do not conflict with either state or federal law. Thank you.

Very Truly Yours,

Cassandra E. Sheehan
Assistant Attorney General
Correctional Litigation Section
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