



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: EMILY MCCLELLAN
Regulatory Supervisor
Department of Medical Assistance Services

FROM: ELIZABETH M. GUGGENHEIM *E.M.G.*
Assistant Attorney General

DATE: March 24, 2017

SUBJECT: Proposed regulation regarding LDCT Lung Cancer Screening
(12 VAC 30-50-220)

I have reviewed the proposed regulation that would provide Medicaid coverage of annual low-dose computed tomography (LDCT) lung cancer screenings for high-risk adults. Based on my review, DMAS has the authority to promulgate this regulation, subject to compliance with the provisions of Article 2 of the Administrative Process Act and has not exceeded that authority.

Virginia Code §§ 32.1-324 and 32.1-325 grant to the Board of Medical Assistance Services the authority to administer and amend the plan for Medical Assistance and authorizes the Director of DMAS to administer and amend the plan for Medical Assistance according to the Board's requirements. The authority for this proposed regulation derives from Chapter 780, Item 306.0000 of the 2016 *Acts of the Assembly*.

If you have any questions or need additional information, please feel free to contact me at 786-2071.

cc: Kim F. Piner
Senior Assistant Attorney General