



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: Jack Barber, M.D.
Interim Commissioner
Department of Behavioral Health and Developmental Services

FROM: Braden J. Curtis
Assistant Attorney General

DATE: December 12, 2017

SUBJECT: Periodic Review of the *Regulations for Children's Residential Facilities*
12 VAC 35-230-46 *et seq.*

In accordance with Code of Virginia § 2.2-4017 and Executive Order 17 (2014), I have reviewed the *Regulations for Children's Residential Facilities*, 12 VAC 35-46-10 *et seq.* These regulations are undergoing periodic review. In my opinion, the Board of Behavioral Health and Developmental Services ("Board") had the authority under Virginia Code §§ 37.2-203 and 37.2-408 to adopt the current regulations, and the Board has the authority to amend the regulations.