



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

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James A. Rothrock  
Commissioner  
Virginia Department for Aging and Rehabilitative Services  
8004 Franklin Farms Drive  
Richmond, Virginia 23229

Re: Periodic Review and Small Business Impact Review  
Public Participation Guidelines  
22 VAC 30-11

Dear Commissioner Rothrock:

The Public Participation Guidelines in 22 VAC 30-11 are undergoing a periodic review and a small business impact review. In accordance with Code of Virginia §§ 2.2-4007.1 and 2.2-4017 and Executive Order 17 (2014), as counsel to the Department for Aging and Rehabilitative Services (DARS), I have reviewed the Public Participation Guidelines, 22 VAC 30-11. In my opinion, the DARS Commissioner had the authority under Virginia Code § 51.5-131 to adopt the current regulations, and the DARS Commissioner has the authority to amend the regulations if the Commissioner so chooses.

Moreover, the current regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve as, nor should it be construed to be, a comment for or against the merits of the regulations.

Very truly yours,

A handwritten signature in cursive script that reads "Pamela B. Beckner".

Pamela B. Beckner  
Assistant Attorney General III