



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*  
*Richmond 23219*

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April 22, 2005

Carolyn Eddy  
Center for Quality Health Care Services &  
Consumer Protection  
Virginia Department of Health  
3600 West Broad Street, Suite 216  
Richmond, Virginia 23230

**Re: Regulations for the Licensure of Home Care Organizations, 12 VAC 5-381-10 et seq.**

Dear Ms. Eddy:

I have reviewed the proposed amendments to the Regulations for the Licensure of Hospitals in Virginia regarding Perioperative Nurse Requirements, 12 VAC 5-410-420 and 12 VAC 5-410-1190. The amended regulations do not conflict with existing federal or state statutes or regulations.

The Board of Health has the authority to promulgate the regulations under Va. Code §§ 32.1-12 and 32.1-127. The regulations are consistent with the Board's mandate as set forth in Va. Code § 32.1-127 to promulgate regulations "in substantial conformity to the standards of health, hygiene, sanitation, construction, and safety as is established and recognized by medical and health care professionals and by specialists in the matter of public health and safety." The Board of Health will not exceed its statutory authority to promulgate regulatory amendments.

Very truly yours,

Matthew M. Cobb  
Assistant Attorney General

cc: Douglas R. Harris