



***COMMONWEALTH of VIRGINIA***  
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June 7, 2019

M. Norman Oliver, M.D., M.A.  
State Health Commissioner  
Virginia Department of Health  
109 Governor Street  
Richmond, Virginia 23219

Re: Immunization Requirements  
12 VAC 5-110-70

Dear Dr. Oliver:

I have reviewed the Board of Health's Immunization Requirements. The amended regulation does not conflict with other federal or state statutes or regulations and does not violate the United States or Virginia Constitutions.

The Board of Health has the authority to promulgate the regulation under Va. Code §§ 32.1-12 and 32.1-46. The regulation is consistent with the Board's mandate as set forth in these sections. The regulation is exempt from the Administrative Process Act pursuant to Va. Code § 2.2-4006(A)(4)(a) under an exemption for "[r]egulations that are necessary to conform to changes in Virginia statutory law." The Board of Health will not exceed its statutory authority in promulgating this regulatory amendment.

Very truly yours,

Robin V. Kurz  
Senior Assistant Attorney General