



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

TO: James S. Reinhard, M.D.
Commissioner

FROM: Allyson K. Tysinger
Assistant Attorney General

DATE: April 18, 2006

SUBJECT: *Regulations for Providers of Mental Health, Mental Retardation and Substance Abuse Residential Services for Children*
12 VAC 35-45-10 *et seq.*

Rules and Regulations for the Licensing of Providers of Mental Health, Mental Retardation and Substance Abuse Services
12 VAC 35-105-10 *et seq.*

I have reviewed the proposed amendments to the *Regulations for Providers of Mental Health, Mental Retardation and Substance Abuse Residential Services for Children*, 12 VAC 35-45-10 *et seq.*, and the *Rules and Regulations for the Licensing of Providers of Mental Health, Mental Retardation and Substance Abuse Services*, 12 VAC 35-105-10 *et seq.* that were adopted by the State Mental Health, Mental Retardation and Substance Abuse Services Board on April 7, 2006. These amendments relate to the licensing of providers of residential services to persons with brain injury. The Board has the statutory authority to adopt these Regulations under Va. Code § 37.2-203 and Chapter 725 of the 2005 Virginia Acts of Assembly. The proposed Regulation is constitutional and does not conflict with existing federal or state laws or regulations.