



COMMONWEALTH of VIRGINIA

DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

Post Office Box 1797
Richmond, Virginia 23218-1797
Telephone (804) 786-3921

Fax (804) 371-6638
www.dbhds.virginia.gov

ALISON G. LAND, FACHE
COMMISSIONER

MEMORANDUM

To: DBHDS Licensed Providers
From: Jae Benz, Director, Office of Licensing
Date: August 6, 2020
Re: Final DOJ Regulations

Purpose: The purpose of this memorandum is to inform DBHDS licensed providers that the permanent regulatory action intended to ensure compliance with the requirements of Section V. Quality and Risk Management System of the U. S. Department of Justice's Settlement Agreement with Virginia through amendments to the Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services, became effective on August 1, 2020.

Transition: Permanent amendments to the Rules and Regulations for Licensing Providers by the Department of Behavioral Health and Developmental Services intended to ensure compliance with the requirements of Section V. Quality and Risk Management System of the U. S. Department of Justice's Settlement Agreement with Virginia, became effective on August 1, 2020. These final regulations replace the previous emergency regulations that were in effect since September 1, 2018. A copy of the final permanent regulations can be found [here](#). Although the final regulations are effective now, the Office of Licensing will continue to monitor provider compliance in accordance with the requirements of the previously effective *emergency* regulations until November 1, 2020 so that providers have time to train staff and implement the requirements within the final permanent regulations.

During the next three months, the Office of Licensing will conduct web-based trainings to assist providers with the transition from the emergency regulations to the final permanent regulations. Also, the Office of Licensing published three guidance documents corresponding with the final permanent regulations on the Virginia Regulatory Town Hall website for public comment in June 2020. In response to those public comment forums, changes to the guidance will be published this month, including clarifying edits related to the need for amending a corrective action plan pursuant to 12 VAC 35-105-170 and 12 VAC 35-105-620.

A line-by-line guide of changes in the final permanent regulations, and additional related information can be found in this [agency background document](#) and on the [action page for these amendments](#) on Virginia's Regulatory Town Hall. For any additional questions related to the final permanent regulations or guidance document revisions, please contact John Cimino, Legal and Regulatory Manager, at John.Cimino@dbhds.virginia.

Sincerely,

Jae Benz

Jae Benz
Director, Office of
Licensing DBHDS