



# COMMONWEALTH of VIRGINIA

NELSON SMITH  
COMMISSIONER

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](http://www.dbhds.virginia.gov)

## MEMORANDUM

**To:** DBHDS Licensed Providers of Substance Use Services  
**From:** Jae Benz, Director, Office of Licensing  
**Cc:** Veronica Davis, Associate Director for State Licensure Operations  
Mackenzie Glassco, Associate Director of Quality & Compliance  
**Date:** February 17, 2023  
**Re:** Changes from the Emergency Children's ASAM Regulations to the Final Children's ASAM Regulations

**Purpose:** The purpose of this memo is to alert licensed substance use providers that the Children's American Society of Addiction Medicine Levels of Care Criteria (ASAM) regulations will become final and permanent on February 17, 2023, and to highlight changes made to the regulations from the emergency stage to the final stage.

The Department of Behavioral Health and Developmental Services (DBHDS) was directed by the 2020 General Assembly within the Appropriation Act to utilize emergency authority to promulgate licensing regulations that align with ASAM or an equivalent set of criteria to ensure the provision of outcome-oriented and strengths-based care in the treatment of addiction. The emergency regulations became effective on February 20, 2021. The final, permanent regulations will become effective on February 17, 2023.

Although there were a number of substantive edits between the emergency and final stage of the Licensing Regulations within 12VAC35-105, there were no major substantive changes between the emergency and final stage of the Children's Licensing Regulations within 12VAC35-46.

The Office of Licensing offered several training opportunities to support providers in achieving and maintaining compliance with the ASAM criteria when the emergency regulations became effective. These trainings are still available via PowerPoint on the Office of Licensing's [website](#). Please take this opportunity to review these materials if you have not already done so.