



Exempt Action Final Regulation Agency Background Document

Agency name	Board of Pharmacy, Department of Health Professions
Virginia Administrative Code (VAC) citation	18VAC110-20-10 et seq.
Regulation title	Regulations Governing the Practice of Pharmacy
Action title	Conform the name of a state agency to the statute
Final agency action date	9/27/06
Document preparation date	9/28/06

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Current regulations of the Board of Pharmacy in Chapter 20 provide an exclusion for the *Division of Forensic Science within the Department of Criminal Justice Services* from requirements to inventory quantities of controlled substances used to conduct chemical analyses and controlled substances received for analyses as evidentiary material as provided in [§54.1-3404 G](#) of the Code of Virginia.

In Chapters 868 and 881 of the 2005 Acts of the Assembly, the Department of Forensic Science was created, replacing the former Division of Forensic Science. Therefore, an amendment to correct the name of the agency consistent with § 9.1-1100 of the Code of Virginia was adopted under an exempt action to conform regulations to the statute.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On September 27, 2006, the Board of Pharmacy adopted an exempt action to amend section 720 to conform to § 9.1-1100 of the Code of Virginia. Although required to comply with the Virginia Register Act, the agency is exempt from provisions of the Administrative Process Act for the implementation of these regulations pursuant to § 2.2-4006 A 4, which grants an exemption if the action is: “Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.”

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

There is no impact of this regulatory action on the institution of the family and family stability.