



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia State Police
<b>Virginia Administrative Code (VAC) citation</b>	19 VAC 30-220
<b>Regulation title</b>	19VAC30-220. Virginia Methamphetamine Precursor Information System
<b>Action title</b>	19VAC30-220. Virginia Methamphetamine Precursor Information System, Acces and Exemptions 2012 (FINAL)
<b>Final agency action date</b>	July 23, 2012
<b>Document preparation date</b>	July 23, 2012

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 36 (06) and 58 (99).

### Summary

Chapters 160 (Senate Bill 294) and 252 (House Bill 1161) of the Acts of Assembly (2012 regular session), requires all pharmacies and retailers in the Commonwealth of Virginia that sell over the counter cold and allergy medications containing ephedrine and/or pseudoephedrine products (PSE) to participate in a statewide, real-time electronic PSE monitoring program for the purpose of tracking illegal PSE purchases. The Virginia Methamphetamine Precursor Information System is a web-accessed database available at no charge to pharmacies and retailers. Pursuant to the Combat

Methamphetamine Epidemic Act of 2005 (CMEA) (Title VII of Public Law 109-177) pharmacies and retailers are currently required to capture certain data regarding PSE sales. This system enables pharmacies to easily enter the same PSE sales data currently being gathered online rather than recording the information into a manual log or in-store computer system. Data will be stored in a secure, central repository that treats the data collected as if it were HIPAA data. Furthermore, the collected data will be viewable (at no cost) by authorized city, state, and federal law enforcement in keeping with CMEA, the Code of Virginia, and these regulations.

### 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.*

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On July 23, 2012, the Virginia State Police adopted final regulations for 19 VAC 30-220, to implement the provisions of the Virginia Methamphetamine Precursor Information System which was established by Chapters 160 (Senate Bill 294) and 252 (House Bill 1161) of the Acts of Assembly (2012 regular session).

### Family impact

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

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The following Regulations are consistent with the controlling Virginia laws and to ensure the safety of Virginia families by helping to fight the manufacturing and distribution of illegal methamphetamine.