



COMMONWEALTH of VIRGINIA
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July 16, 2003

Robert A. Nebiker
Director
Virginia Department of Health Professions
6603 West Broad Street
Richmond, VA 23230-1712

RE: 18 VAC 76-40-10 et seq.
Regulations for Emergency Contact Information

Dear Mr. Nebiker:

I have reviewed the emergency regulations as adopted by the Director on July 16, 2003. I find the new regulations, as required by Chapter 602 of the 2003 Acts of the Assembly, to be constitutional and in conformity with existing statutory provisions.

The "emergency situation" which exists is specified in § 2.2-4011 of the Code of Virginia as one in which the agency is required by statutory law to have a regulation in effect within 280 days from the enactment of the law. Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate this emergency regulation in accordance with the requirements of the Administrative Process Act.

Sincerely,

Howard M. Casway
Assistant Attorney General

cc: Elaine J. Yeatts, Agency Regulatory Coordinator
Department of Health Professions