



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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Attorney General

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February 2, 2006

Elizabeth Young
Executive Director
Virginia Board of Physical Therapy
6603 West Broad Street
Richmond, VA 23230-1717

RE: Proposed Regulations
18VAC112-20-10 et seq. Regulations Governing the Practice of Physical Therapy

Dear Ms. Young:

I have reviewed the amendments to regulations of the Board of Funeral Directors and Embalmers relating to a fee for a check that is returned for insufficient funds. The amendments conform board regulations to § 2.2-614.1 the Code of Virginia. I find the amended regulations are "necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved." § 2.2-4006 (A)(4)(a) is applicable and the amendment is exempt from Article 2 of the Administrative Process Act.

I have also reviewed the amendment to conform the renewal date in section 130 to the current regulations and procedures of the Board. 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 2, which grants an exemption if the regulations "establish or prescribe agency organization, internal practice or procedures, including delegations of authority."

Sincerely,

A handwritten signature in blue ink, appearing to read "J. E. Kotvas".

Jack Edward Kotvas
Assistant Attorney General

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