



COMMONWEALTH of VIRGINIA
Office of the Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

Mark R. Herring
Attorney General

MEMORANDUM

TO: Lisa Hahn
Executive Director
Virginia Board of Funeral Directors and Embalmers

FROM: Erin L. Barrett
Assistant Attorney General

DATE: July 27, 2015

SUBJECT: *Regulations of the Board of Funeral Directors and Embalmers*
18VAC65-20-10 *et seq.*

I have reviewed the proposed amendments to the *Regulations of the Board of Funeral Directors and Embalmers*, 18VAC65-20-10, which have been submitted as exempt actions. The proposed amendments to 18VAC65-20-60 and 18VAC65-20-400, which require surface transportation removal surfaces to provide the Board with the name of a manager and keep that information current, are exempt in accordance with Virginia Code § 2.2-4006(A)(4)(a). That section of the Virginia Administrative Process Act provides an exemption for regulations that are “[n]ecessary to conform to changes in Virginia statutory law . . . where no agency discretion is involved.” Va. Code § 2.2-4006(A)(4)(a). The Board has the statutory authority to amend these Regulations under Virginia Code §§ 54.1-2400 and 54.1-2819. The proposed amendments are constitutional and do not conflict with existing federal or state laws or regulations.

