



COMMONWEALTH of VIRGINIA
Office of the Attorney General

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

Mark R. Herring
Attorney General

MEMORANDUM

TO: William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

FROM: Erin L. Barrett
Assistant Attorney General

DATE: October 25, 2019

SUBJECT: *Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic*
18VAC85-20
Regulations Governing the Practice of Respiratory Therapists
18VAC85-40
Regulations Governing the Practice of Physician Assistants
18VAC85-50
Regulations for Licensure of Occupational Therapists
18VAC85-80
Regulations Governing the Licensure of Radiologic Technology
18VAC85-101
Regulations Governing the Practice of Licensed Acupuncturists
18VAC85-110
Regulations Governing the Licensure of Athletic Trainers
18VAC85-120
Regulations Governing the Practice of Licensed Midwives
18VAC85-130
Regulations Governing the Practice of Polysomnographic Technologists
18VAC85-140
Regulations Governing the Practice of Behavior Analysis
18VAC85-150
Regulations Governing the Registration of Surgical Assistants and Surgical Technologists
18VAC85-160
Regulations Governing the Practice of Genetic Counselors

18VAC85-170

I have reviewed the proposed amendments to the *Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic*, 18VAC85-20, the *Regulations Governing the Practice of Respiratory Therapists*, 18VAC85-40, the *Regulations Governing the Practice of Physician Assistants*, 18VAC85-50, the *Regulations for Licensure of Occupational Therapists*, 18VAC85-80, the *Regulations Governing the Licensure of Radiologic Technology*, 18VAC85-101, the *Regulations Governing the Practice of Licensed Acupuncturists*, 18VAC85-110, the *Regulations Governing the Licensure of Athletic Trainers*, 18VAC85-120, the *Regulations Governing the Practice of Licensed Midwives*, 18VAC85-130, the *Regulations Governing the Practice of Polysomnographic Technologists*, 18VAC85-140, the *Regulations Governing the Practice of Behavior Analysis*, 18VAC85-150, the *Regulations Governing the Registration of Surgical Assistants and Surgical Technologists*, 18VAC85-160, and the *Regulations Governing the Practice of Genetic Counselors*, 18VAC85-170. The proposed amendments update fee requirements for returned checks or dishonored credit or debit cards. The Board has the authority to adopt these regulations under Virginia Code § 54.1-2400. The regulations are in compliance with § 2.2-4805 of the Virginia Debt Collection Act, found at Virginia Code § 2.2-4000 *et seq.* The proposed amendments are constitutional and do not conflict with existing federal or state laws or regulations.