



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Boards of Pharmacy and Medicine, Department of Health Professions
<b>Virginia Administrative Code (VAC) citation</b>	18VAC110-40-10 et seq.
<b>Regulation title</b>	Regulations Governing Collaborative Practice Agreements
<b>Action title</b>	Conforming regulations to 2013 legislation
<b>Final agency action date</b>	10/24/13 – Medicine; 9/10/13 - Pharmacy
<b>Document preparation date</b>	10/24/13

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, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

Changes to the definition section of 18VAC110-40 will conform the definitions of “agreement” and “practitioner” to the amended definition of a collaborative agreement in § 54.1-3300. Since the “practitioner” with whom a pharmacist may initiate a collaborative agreement now includes “(i) any person licensed to practice medicine, osteopathy, or podiatry together with any person licensed, registered, or certified by a health regulatory board of the Department of Health Professions who provides health care services to patients of such person licensed to practice medicine, osteopathy, or podiatry; (ii) a physician's office as defined in § [32.1-276.3](#), provided such collaborative agreement is signed by each physician participating in the collaborative practice agreement; (iii) any licensed physician assistant working under the supervision of a person licensed to practice medicine, osteopathy, or podiatry; or (iv) any licensed nurse practitioner working as part of a patient care team as defined in § [54.1-2900](#), involved directly in patient care which authorizes cooperative procedures with respect to patients of such

practitioners,” the concept of designating an “alternative practitioner” is eliminated in the Code and in section 20 of the regulations. Additionally, § 54.1-3300, as amended, specifies that the pharmacist and alternate pharmacists named in an agreement must be involved directly in patient care at a “single physical location.” Section 20 is amended to include that provision.

**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 September 10, 2013, the Board of Pharmacy adopted amendments to sections 10 and 20 to conform 18VAC110-40-10 et seq., Regulations Governing Collaborative Practice Agreements to changes in the applicable law made by House Bill 1501 in the 2013 General Assembly. As the regulations must be jointly promulgated, the Board of Medicine adopted the same amendments on October 24, 2013.

**Family impact**

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

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There is no impact on the family.