



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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July 28, 2010

Lisa Russell Hahn, Executive Director
Virginia Board of Funeral Directors and Embalmers
9960 Mayland Drive, Suite 300
Richmond, VA 23233

RE: Regulations of the Board of Funeral Directors and Embalmers

Dear Ms. Hahn:

I have reviewed the amendment to regulations, 18VAC65-20-10 et seq., as adopted by the Board of Funeral Directors and Embalmers at its meeting on July 20, 2010. The amendment to requirements for maintenance of continuing education documentation is constitutional and in conformity with statutory provisions.

I find that § 2.2-4006 (A)(4) is applicable because the current regulation in section 152 is in conflict with § 54.1-2816.1. Therefore, the amendment is exempt from Article 2 of the Administrative Process Act. Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate this exempt regulation with the Registrar of Regulations.

Sincerely,

A handwritten signature in cursive script that reads "Amy Marschean".

Amy Marschean
Senior Assistant Attorney General

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