



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*

**Kenneth T. Cuccinelli, II**  
Attorney General

900 East Main Street  
Richmond, Virginia 23219  
804-786-2071  
FAX 804-786-1991  
Virginia Relay Services  
800-828-1120  
7-1-1

**MEMORANDUM**

**TO:** Lisa R. Hahn  
Executive Director

**FROM:** Erin L. Barrett  
Assistant Attorney General

**DATE:** August 1, 2012

**SUBJECT:** *Regulations of the Board of Funeral Directors and Embalmers*  
18VAC65-20

I have reviewed the amendment to the *Regulations of the Board of Funeral Directors and Embalmers*, 18VAC65-20, which has been submitted as an exempt action. The proposed amendment in 18VAC65-20-151, which amends the requirements for continuing education pursuant to Chapter 497 of the 2012 Virginia Acts of Assembly, is exempt in accordance with Va. Code § 2.2-4006(A)(4). That section of the Virginia Administrative Process Act provides an exemption for regulations "[n]ecessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved." Va. Code § 2.2-4006(A)(4)(a). The Board has the statutory authority to amend this Regulation under Virginia Code §§ 54.1-2400 and 54.1-2816.1. The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.