



COMMONWEALTH of VIRGINIA  
Office of the Attorney General

Robert F. McDonnell  
Attorney General

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May 23, 2007

Evelyn B. Brown  
Executive Director  
Virginia Board of Counseling  
6603 West Broad Street  
Richmond, VA 23230-1717

**RE: Exempt Regulations for the Board of Counseling**

Dear Ms. Brown:

You have asked whether the proposed changes to the above-cited regulations are exempt from the operation of Article 2 of the Administrative Process Act.

The proposed amendment to conform the standards of practice to requirements of § 54.1-2400.4 is exempt in accordance with § 2.2-4006 A 4, which provides an exemption for: "*Regulations that are...Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.*"

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 black ink, appearing to be "C. J. Yeatts", written over a light blue background.

Senior Assistant Attorney General

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