



COMMONWEALTH of VIRGINIA
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February 25, 2008

William L. Harp, M.D.
Executive Director
Virginia Board of Medicine
9960 Mayland Drive, Suite 300
Richmond, VA 23233

**RE: 18VAC85-20-10 et seq., Regulations Governing the Practice of Medicine,
Osteopathic Medicine, Podiatry, and Chiropractic**

Dear Dr. Harp:

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 amendments to reduce the reinstatement fees for doctors and midwives are exempt in accordance with § 2.2-4006 A 7, which provides an exemption for: "Regulations of the regulatory boards served by (i) the Department of Labor and Industry pursuant to Title 40.1 and (ii) the Department of Professional and Occupational Regulation or the Department of Health Professions pursuant to Title 54.1 that are limited to reducing fees charged to regulants and applicants."

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