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MEMORANDUM

TO: William L. Harp, MD
Executive Director
Virginia Board of Medicine

FROM: Erin L. Barrett
Assistant Attorney General

DATE: August 7, 2017

SUBJECT: *Regulations Governing Opioid Prescribing for Pain and Prescribing of Buprenorphine for Addiction Treatment*
18VAC85-21-10 *et seq.*

I have reviewed the amendments to the *Regulations Governing Opioid Prescribing for Pain and Prescribing of Buprenorphine for Addiction Treatment*, 18VAC85-21-10 *et seq.*, which were enacted as emergency regulations in February 2017. The proposed amendments make changes to the regulations governing the prescription of the buprenorphine mono-product. These proposed amendments are emergency regulations promulgated pursuant to Virginia Code § 2.2-4011 following the declaration of an opioid addiction crisis public health emergency by the Virginia State Health Commissioner on November 21, 2016. The Board of Medicine has the statutory authority to promulgate these regulations under Virginia Code § 54.1-2400. The proposed regulations are constitutional and do not conflict with existing federal or state laws or regulations.