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Exempt Action: Final Regulation Agency Background Document

Agency name	Board of Medicine, Department of Health Professions
Virginia Administrative Code (VAC) Chapter citation(s)	18VAC85-160
VAC Chapter title(s)	Regulations Governing the Licensure of Surgical Assistants and Registration of Surgical Technologists
Action title	Conformity to 2020 Legislation
Final agency action date	8/7/20
Date this document prepared	8/7/20

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

Amendments to 18VAC85-160 are adopted to conform to changes in the Code of Virginia in Chapter 1222 of the 2020 Acts of the Assembly. The legislation changed the regulatory status of surgical assistants from registration to licensure; surgical technologists continue to be registered by the Board.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or

board decision). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

Chapter 122 of the 2020 Acts of the Assembly mandates that surgical assistants be licensed rather than registered by the Board of Medicine.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On August 7, 2020, the Board of Medicine amended 18VAC85-160-10 et seq., Regulations Governing the Licensure of Surgical Assistants and the Registration of Surgical Technologists.