



**COMMONWEALTH of VIRGINIA**  
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**MEMORANDUM**

**TO:** Arne Owens  
Director  
Virginia Department of Health Professions

**FROM:** M. Brent Saunders  
Senior Assistant Attorney General

**DATE:** August 16, 2024

**SUBJECT:** Regulations Governing the Prescribing of Opioids and Buprenorphine  
18VAC85-21-22

I have reviewed the proposed amendment to the Regulations Governing the Prescribing of Opioids and Buprenorphine, 18VAC85-21-22, as adopted by the Board of Medicine on June 13, 2024. The Board has the authority to adopt this amendment as an exempt regulatory action under Virginia Code § 2.2-4006(A)(4)(a) pursuant to the Section 1 bill passed during the 2024 General Assembly Session directing the Board of Medicine to amend its regulations to include specific patient counseling requirements (HB699). The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.