



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**TO:** Dr. David E. Brown  
Director  
Virginia Department of Health Professions

**FROM:** Charis A. Mitchell  
Assistant Attorney General

**DATE:** April 12, 2017

**SUBJECT:** *Regulations Governing the Licensure of Nurse Practitioners*  
*Regulations for Prescriptive Authority for Nurse Practitioners*  
18 VAC 90-30-10, *et seq.*  
18 VAC 90-40-10, *et seq.*

I have reviewed the proposed amendments to the *Regulations Governing the Licensure of Nurse Practitioners* and the *Regulations for Prescriptive Authority for Nurse Practitioners*, 18 VAC 90-30-10, *et seq.* and 18 VAC 90-40-10, *et seq.*, that were adopted by the Virginia Board of Nursing on January 24, 2017, and the Virginia Board of Medicine on April 7, 2017. The proposed regulations create practice guidelines for the prescribing of opioids for pain management and for the prescribing of buprenorphine for addiction treatment. 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 Department of Health on November 21, 2016. The Boards also have the authority to adopt these regulations under Virginia Code §§ 54.1-2400 and 54.1-2957. The proposed regulations are constitutional and do not conflict with existing federal or state laws or regulations.