



# 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:** November 13, 2019

**SUBJECT:** *Regulations for Prescriptive Authority for Nurse Practitioners*  
18 VAC 90-40-122

I have reviewed the proposed amendments to the *Regulations for Prescriptive Authority for Nurse Practitioners*, 18 VAC 90-40-122, that were adopted by the Virginia Board of Nursing on September 18, 2019, and the Virginia Board of Medicine on October 17, 2019. The Boards have the authority to adopt this regulation under Virginia Code §§ 54.1-2400, 54.1-2957, and 54.1-3408.02. The proposed regulation is constitutional and does not conflict with existing federal or state laws or regulations. It is proper as an emergency action under Virginia Code § 2.2-4011(B) as it was required by enactment of the General Assembly.