



***COMMONWEALTH of VIRGINIA***  
***Office of the Attorney General***  
***Richmond 23219***

**Mark R. Herring**  
Attorney General

202 North Ninth Street  
Richmond, Virginia 23219  
(804) 786-2071  
FAX 804-786-1991  
Virginia Relay Services  
800-828-1120  
7-1-1

804-786-2071

September 27, 2021

M. Norman Oliver, M.D., M.A.  
State Health Commissioner  
Virginia Department of Health  
109 Governor Street  
Richmond, Virginia 23219

Re: Prescription Drug Price Transparency Regulations  
12 VAC 5-219

Dear Dr. Oliver:

I have reviewed the Virginia Department of Health's Prescription Drug Price Transparency Regulations. The amended regulations do not conflict with other federal or state statutes or regulations and do not violate the United States or Virginia Constitutions.

The Board of Health has the authority to promulgate the regulations as emergency regulations under Va. Code § 32.1-12 and Chapter 304 of the 2021 Acts of Assembly, Special Session I. The regulations are consistent with the Board's mandate as set forth in these sections. The Board of Health will not exceed its statutory authority in promulgating these regulatory amendments.

Very truly yours,

Robin V. Kurz  
Senior Assistant Attorney General