



COMMONWEALTH of VIRGINIA
Office of the Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

Mark R. Herring
Attorney General

MEMORANDUM

TO: David E. Brown, D.C.
Director
Virginia Department of Health Professions

FROM: Erin L. Barrett
Assistant Attorney General

DATE: June 29, 2016

SUBJECT: *Public Participation Guidelines*
18VAC76-31-10 *et seq.*

I have reviewed the proposed amendment to the Public Participation Guidelines, 18VAC76-31-10 *et seq.* The proposed amendment requires the Department to allow public participants to be accompanied by or represented by counsel when presenting views regarding the promulgation of any regulatory action. The Department has the statutory authority to amend this regulation under Virginia Code § 54.1-2505(14). The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.