



COMMONWEALTH of VIRGINIA

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MEMORANDUM

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

FROM: James E. Rutkowski
Assistant Attorney General

DATE: August 9, 2017

SUBJECT: *Regulations Governing the Prescription Monitoring Program*
18VAC76-20

I have reviewed the proposed amendment to the *Regulations Governing the Prescription Monitoring Program*, 18VAC76-20, that was approved by the Director of the Department of Health Professions on July 17, 2017. This action qualifies to be exempt from the operation of the Administrative Process Act and review by the Executive Branch under Virginia Code § 2.2-4006(A)(4)(a) as necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Director has the authority to adopt this regulation under Virginia Code §§ 54.1-2520 and 54.1-2521. The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.