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MEMORANDUM

TO: William L. Harp, MD
Executive Director
Virginia Board of Medicine

FROM: Erin L. Barrett
Assistant Attorney General

DATE: June 27, 2018

SUBJECT: *Regulations Governing the Practice of Genetic Counselors*
18VAC85-170-10 *et seq.*

I have reviewed the proposed amendment to the *Regulations Governing the Practice of Genetic Counselors*, 18VAC85-170-10 *et seq.* The proposed amendment clarifies that if an individual holding a temporary license fails the licensure examination for genetic counseling, that individual's active candidate status with the American Board of Genetic Counseling is terminated and the individual is no longer eligible for a temporary license. The amendment allows those temporary license holders who pass the licensure examination to continue practice under a temporary license until a permanent license is issued. The Board of Medicine has the statutory authority to amend this regulation under Virginia Code §§ 54.1-2400 and 54.1-2957.19. The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.