



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

**Robert F. McDonnell**  
Attorney General

900 East Main Street  
Richmond, Virginia 23219  
804 - 786 - 2071  
804 - 371 - 8946 TDD

January 31, 2006

Jay P. Douglas  
Executive Director  
Virginia Board of Nursing  
6603 West Broad Street  
Richmond, VA 23230-1712

**RE: Regulations of the Board of Nursing**

Dear Ms. Douglas:

I have reviewed the amendments to regulations of the Board of Nursing relating to a fee for a check that is returned for insufficient funds. The amendments conform board regulations to § 2.2-614.1 the Code of Virginia.

Therefore, I find the amended regulations are "necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved." § 2.2-4006 (A)(4)(a) is applicable and the amendment is exempt from Article 2 of the Administrative Process Act.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Casway".

Howard M. Casway  
Assistant Attorney General

c: Elaine J. Yeatts, Agency Regulatory Coordinator  
Department of Health Professions