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Exempt Action Final Regulation
Agency Background Document

Agency name	Board of Pharmacy, Department of Health Professions
Virginia Administrative Code (VAC) citation(s)	18VAC110-20
Regulation title(s)	Regulations Governing the Practice of Pharmacy
Action title	Scheduling of chemical in Schedule I and Scheduling or De-scheduling of other drugs in the Drug Control Act
Final agency action date	6/21/18
Date this document prepared	6/21/18

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

As specified in § 54.1-3443 (D), the Virginia Department of Forensic Science (DFS) has identified eight (8) compounds for recommended placement by the Board of Pharmacy into Schedule I in the Code of Virginia. The placement by regulatory action will remain in effect for 18 months or until the compounds are placed in Schedule I by legislative action of the General Assembly. The action is exempt in accordance with § 2.2-4006 of the Administrative Process Act.

As specified in § 54.1-3443 (E), the Board has acted to schedule two drugs and de-schedule one drug in the Virginia Drug Control Act "after the expiration of 30 days from publication in the Federal Register of a final or interim final order or rule."

Statement of final agency action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On June 21, 2018, the Board of Pharmacy amended 18VAC110-20-10 et seq., Regulations Governing the Practice of Pharmacy, to amend section 322 for placement of specified chemicals into Schedule I of the Drug Control Act in accordance with § 54.1-3443 (D) and to add section 323 for conformity with federal law or rule in accordance with § 54.1-3443 (E).

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The placement of chemical compounds that are dangerous to public health and safety may potentially strengthen the family if these drugs are illegal to possess and law enforcement is able to deal with violators.