



Virginia Department of Planning and Budget **Economic Impact Analysis**

18 VAC 110-20 Regulations Governing the Practice of Pharmacy
Department of Health Professions
Town Hall Action/Stage: 6978 / 11133 Fast-Track
May 26, 2026

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 19. The analysis presented below represents DPB’s best estimate of the potential economic impacts as of the date of this analysis.¹

Summary of the Proposed Amendments to Regulation

The Board of Pharmacy (Board) proposes to clarify the delivery requirements of dispensed prescriptions to a practitioner of the healing arts.

Background

The current regulatory text allows delivery of prescriptions dispensed by a pharmacy “to a practitioner of the healing arts licensed to practice pharmacy or to sell controlled substances,” among other alternatives. According to the Department of Health Professions (DHP), a practitioner of the healing arts may be licensed to practice pharmacy under Code § 54.1-3304 and/or may be allowed to sell controlled substances at a location holding a permit for selling controlled substances pursuant to Code § 54.1-3304.1. Under the latter, the physician must hold a license to sell controlled substances and the location must have a facility permit for selling controlled substances.

The Agency Background Document notes that the location requirement for delivery of a dispensed prescription to a physician was confusing for a practitioner and their authorized representative. Thus, the Board proposes to clarify the relevant phrase by adding the italicized

¹ See Code § 2.2-4007.04 (A).

text: “to a practitioner of the healing arts licensed to practice pharmacy *pursuant to § 54.1-3304 of the Code of Virginia* or to sell controlled substances *at a location holding a permit for selling controlled substances pursuant to § 54.1-3304.1 of the Code of Virginia*.”

Estimated Benefits and Costs

The proposal would clarify that the delivery of dispensed controlled substances to a practitioner of the healing arts requires 1) that the physician be licensed to sell controlled substances and 2) that the location must hold a permit for selling controlled substances. Since the proposal clarifies an existing requirement, it is expected to reduce the potential for confusion among the readers of the regulatory text. No other economic impact is expected.

Businesses and Other Entities Affected

The proposed amendments would clarify an existing requirement for the readers of the regulation.

The Code requires DPB to assess whether an adverse impact may result from the proposed regulation.² An adverse impact is indicated if there is any increase in net cost or reduction in net benefit for any entity, even if the benefits exceed the costs for all entities combined.³ As noted above, the proposal is editorial in nature clarifying an existing requirement. Thus, no adverse impact on any entity is indicated.

Small Businesses⁴ Affected:⁵

The proposed amendments do not adversely affect small businesses.

Localities⁶ Affected⁷

The proposed amendments do not introduce costs for localities nor do they disproportionately affect them

² See Code § 2.2-4007.04 (D).

³ Statute does not define “adverse impact,” state whether only Virginia entities should be considered, nor indicate whether an adverse impact results from regulatory requirements mandated by legislation. As a result, DPB has adopted a definition of adverse impact that assesses changes in net costs and benefits for each affected Virginia entity that directly results from discretionary changes to the regulation.

⁴ Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

⁵ See Code § 2.2-4007.04 (A.2). and Code § 2.2-4007.1 (C).

⁶ “Locality” can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulatory change are most likely to occur.

⁷ Code § 2.2-4007.04 defines “particularly affected” as bearing disproportionate material impact.

Projected Impact on Employment

The proposed amendments do not affect employment.

Effects on the Use and Value of Private Property

No effects on the use and value of private property or on real estate development costs are expected.