



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: October 5, 2020

SUBJECT: *Regulations for Practitioners of the Healing Arts to Sell Controlled Substances*
18 VAC 110-30

I have reviewed the proposed amendments to the *Regulations for Practitioners of the Healing Arts to Sell Controlled Substances*, 18 VAC 110-30, which were adopted by the Board of Pharmacy on September 9, 2020. The Board has the authority to adopt these regulations under Virginia Code §§ 54.1-2400 and 54.1-3304.1. These are properly emergency regulations pursuant to Virginia Code § 2.2-4011(B) because the enactment clauses in Chapters 609 and 610 of the 2020 Acts of the General Assembly require the Board to promulgate regulations within 280 days of enactment. The proposed amendments are constitutional and do not conflict with existing federal or state laws or regulations.