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Exempt Action: Final Regulation Agency Background Document

Agency name	Department of Health Professions
Virginia Administrative Code (VAC) Chapter citation(s)	18VAC76-10
VAC Chapter title(s)	Regulations Governing the Health Practitioners Monitoring Program
Action title	2023 Periodic Review Amendments
Final agency action date	November 13, 2023
Date this document prepared	November 13, 2023

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The Health Practitioners' Monitoring Program has submitted changes to its regulations to update language to reflect current procedures, to ensure individuals on the Committee are appropriately credentialed, and to ensure conflicts of interest are disclosed and appropriately avoided.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

The impetus for these regulatory changes was the 2023 periodic review of this chapter of the regulations.

This action is exempt from the operation of the Administrative Process Act pursuant to Virginia Code § 2.2-4002(B)(18), as these are regulations for the implementation of the Health Practitioners' Monitoring Program. The Director of the agency has the authority to promulgate these regulations under Virginia Code § 54.1-2516(A).

Statement of Final Agency Action

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 November 13, 2023, the Director of the Department of Health Professions amended 18VAC76-10, Regulations Governing the Health Practitioners' Monitoring Program.