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# Periodic Review and Small Business Impact Review Report of Findings

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| **Agency name** | Board of Pharmacy, Department of Health Professions |
| **Virginia Administrative Code (VAC) Chapter citation(s)** | 18VAC110-21 |
| **VAC Chapter title(s)** | Regulations Governing the Licensure of Pharmacists and Registration of Pharmacy Technicians |
| **Date this document prepared** | March 17, 2026 |

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), 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, 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.*

## Acronyms and Definitions

*Define all acronyms used in this Report, and any technical terms that are not also defined in the "Definitions" section of the regulation.*

N/A

## Legal Basis

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia or Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.*

Regulations of the Board of Pharmacy are promulgated under the general authority of Chapter 24 of Title 54.1 of the Code of Virginia. Virginia Code § 54.1-2400(6) specifically states that the general powers and

duties of health regulatory boards shall be "[t]o promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) that are reasonable and necessary to administer effectively the regulatory system."

## Alternatives to Regulation

*Describe any viable alternatives for achieving the purpose of the regulation that were considered as part of the periodic review. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving its purpose.*

There are no alternatives to regulation. These regulations exist already. Any changes to the regulations require a regulatory action. Additionally, the General Assembly has directed the agency and the Board to regulate the individuals and entities subject to these regulations.

## Public Comment

*Summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency's response. Be sure to include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. Indicate if an informal advisory group was formed for purposes of assisting in the periodic review.*

| Commenter | Comment | Agency response |
|---|---|---|
| 6 comments via Town Hall | All commenters expressed a wish to have pharmacy technician training requirements changed. | The agency cannot address this issue through a regulatory action. The requirements for pharmacy technician trainees are contained in Virginia Code § 54.1-3321. Any requests for alteration of those requirements should be directed to the General Assembly, which is the only body that can alter statutory language. |

## Effectiveness

*Pursuant to § 2.2-4017 of the Code of Virginia, indicate whether the regulation meets the criteria set out in the ORM procedures, including why the regulation is (a) necessary for the protection of public health, safety, and welfare, and (b) is clearly written and easily understandable.*

This entry is a repetition of portions of others within this document that have been answered more thoroughly. The General Assembly determined that the Board must regulate the licensure of pharmacists and registration of pharmacy technicians to protect the health safety, and welfare of the public. The General Assembly, rather than the Board or the agency, has made that determination. The regulations are written in as clear a manner as possible given the complexity of the subject matter.

## Decision

*Explain the basis for the promulgating agency's decision (retain the regulation as is without making changes, amend the regulation, or repeal the regulation).*

*If the result of the periodic review is to retain the regulation as is, complete the ORM Economic Impact form.*

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This chapter of the regulations of the Board of Pharmacy is necessary for the protection of public health, safety and welfare because it sets forth the requirements for licensure and standards of practice for pharmacy. These regulations are necessary to continue to renew licenses for the provision of pharmacy services and to issue new licenses and registrations for individuals providing pharmacy services, which the General Assembly determined is a necessary component of the provision of healthcare in the Commonwealth. These regulations are additionally necessary to protect public health, safety, and welfare by providing a basis for disciplinary actions against practitioners. The Board of Pharmacy has reviewed this chapter and determined that it is clearly written and understandable.

## Small Business Impact

*As required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to the which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency's decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.*

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There is no impact of this periodic review on small businesses. The continued need for the regulation was discussed in the entry immediately preceding this one. The agency has not received complaints or comments other than those noted in this form, which refer to statutory language that the Board has no control over. The regulation is complex, but that is a necessity given the subject matter. The regulation may overlap with federal law or mirror some portions of federal law, but that is often a necessity with pharmacy and drug laws. These regulations are modified extremely frequently and are constantly under review.