



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: Dr. David Brown
Director
Virginia Department of Health Professions

FROM: Charis A. Mitchell
Assistant Attorney General

DATE: July 26, 2016

SUBJECT: *Regulations for Nurse Aide Education Programs*
18 VAC 90-26-40

I have reviewed the proposed amendments to the *Regulations for Nurse Aide Education Programs*, 18 VAC 90-26-40, that were adopted by the Board of Nursing on July 19, 2016. This action is exempt from the operation of the Administrative Process Act and review by the Executive Branch under Virginia Code § 2.2-4006(A)(4)(a), as it is necessary to conform to changes in Virginia statutory law. The Board has authority to adopt this regulation under Virginia Code §§ 54.1-2400 and 54.1-3028.1. The proposed amendments are constitutional and do not conflict with existing federal or state laws or regulations.