



COMMONWEALTH of VIRGINIA  
Office of the Attorney General

Kenneth T. Cuccinelli, II  
Attorney General

900 East Main Street  
Richmond, Virginia 23219  
804 - 786 - 2071  
804 - 371 - 8946 TDD

August 27, 2010

Lisa Russell Hahn, Executive Director  
Virginia Board of Physical Therapy  
9960 Mayland Drive, Suite 300  
Richmond, VA 23233

Dear Ms. Hahn:

You have asked whether the proposed changes to Regulations Governing the Practice of Physical Therapy are exempt from the operation of Article 2 of the Administrative Process Act.

The proposed amendment to reduce fees charged to regulants is exempt in accordance with § 2.2-4006 A 7, which provides an exemption for: *“Regulations of the regulatory boards served by (i) the Department of Labor and Industry pursuant to Title 40.1 and (ii) the Department of Professional and Occupational Regulation or the Department of Health Professions pursuant to Title 54.1 that are limited to reducing fees charged to regulants and applicants.”*

Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate this exempt regulation with the Registrar of Regulations.

Sincerely,

A handwritten signature in cursive script that reads "Amy Marschean".

Amy Marschean  
Senior Assistant Attorney General

c: Elaine J. Yeatts, Agency Regulatory Coordinator  
Department of Health Professions