



# **COMMONWEALTH of VIRGINIA**

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**To:** Mr. Stephen Kirshner, Regulatory Operations Administrator  
Board for Barbers and Cosmetology  
Virginia Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, Virginia 23233

**From:** Elizabeth B. Peay  
Senior Assistant Attorney General

**Date:** August 30, 2021

**Subject:** Letter of Assurance for 18 VAC 41-20 and 18 VAC 41-70  
Fast Track Amendments to the Barbering and Cosmetology Regulations

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I have reviewed the Board for Barbers and Cosmetology amendments to the Esthetics Regulations. In my view, as counsel to the Board for Barbers and Cosmetology, the Board may promulgate these regulations pursuant to §54.1-201.A.5 of the Code of Virginia. This amendment is further appropriate for the fast-track process as the regulation is reducing a regulatory burden for applicants without disrupting the protection of the health, safety, and welfare of the public. It does so by expanding an existing transfer policy that is effective, well accepted, and available to all licensees. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect. This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.

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