



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*

**Judith Williams Jagdmann**  
Attorney General

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September 2, 2005

Evelyn B. Brown  
Executive Director  
Virginia Board of Counseling  
6603 West Broad Street  
Richmond, VA 23230-1717

**RE: Exempt Regulations**  
**18VAC115-20-10 et seq. Regulations Governing the Practice of Counseling**  
**18VAC115-30-10 et seq. Regulations Governing Certified Substance Abuse Counselors and Assistants**

Dear Ms. Brown:

You have asked whether the proposed changes to the above-cited regulations are exempt from the operation of Article 2 of the Administrative Process Act.

The proposed amendment to reduce fees charged to applicants 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 black ink, appearing to read "H. Casway".

Howard M. Casway  
Assistant Attorney General

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