



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