



**COMMONWEALTH of VIRGINIA**  
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August 22, 2007

William L. Harp, M.D.  
Executive Director  
Virginia Board of Medicine  
9960 Mayland Drive, Suite 300  
Richmond, VA 23233

**RE: Regulations of the Board of Medicine**

Dear Dr. Harp:

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 amendments to correct several Code cites are exempt in accordance with § 2.2-4006 A 4, which provides an exemption for: "Regulations that are...necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved."

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 blue ink that reads "Amy Marschean".

Amy Marschean  
Assistant Attorney General

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