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MEMORANDUM

TO: William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

FROM: Erin L. Barrett
Assistant Attorney General

DATE: December 28, 2015

SUBJECT: *Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry and Chiropractic*
18VAC85-20-10 *et seq.*

I have reviewed the proposed amendment to the Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry and Chiropractic, 18VAC85-20-10 *et seq.* The proposed amendment eliminates pharmacists as practitioners that may perform a second check of mixed, diluted, or reconstituted drugs where such mixing, diluting, or reconstituting is performed in a physician's office under an exemption in the Drug Control Act, Virginia Code § 54.1-3400 *et seq.*, to requirements for compounding medications. The Board has the statutory authority to amend these regulations under Virginia Code § 54.1-2400(6). The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.