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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: November 2, 2016

SUBJECT: *Regulations Governing the Practice of Polysomnographic Technologists*
18VAC85-140-10 *et seq.*

I have reviewed the proposed amendment to the Regulations Governing the Practice of Polysomnographic Technologists, 18VAC85-140-10 *et seq.* The proposed amendment allows two hours of continuing education credit to be satisfied by the delivery of services, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or in part for the delivery of such services. The proposed amendment is consistent with changes in the Code of Virginia following the passage of 2016 Va. Acts ch. 82. The Board has the statutory authority to amend this regulation under Virginia Code § 54.1-2400(6). The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.