



COMMONWEALTH of VIRGINIA
Office of the Attorney General

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

Mark R. Herring
Attorney General

MEMORANDUM

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

FROM: Erin L. Barrett
Assistant Attorney General

DATE: August 21, 2017

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

I have reviewed the amendments to the *Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic*, 18VAC85-20-10 *et seq.* The proposed amendments create parity in the requirement for postgraduate training following medical school for all applicants by eliminating the requirement for two years of training for graduates of foreign medical schools and requiring one year of postgraduate training for all applicants. These changes are consistent with changes in the Code of Virginia following the passage of 2017 Va. Acts Ch. 117. These proposed amendments are exempt from the operation of the Virginia Administrative Process Act and review by the Executive Branch in accordance with Virginia Code § 2.2-4006(A)(4)(a), which provides an exemption for regulations “[n]ecessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.” Va. Code § 2.2-4006(A)(4)(a). The Board of Medicine has the statutory authority to amend these Regulations under Virginia Code § 54.1-2400. The proposed amendments are constitutional and do not conflict with existing federal or state laws or regulations.

