



Virginia
Regulatory
Town Hall

Exempt Agency Final Regulation Agency Background Document

Agency Name:	Boards of Nursing and Medicine - Department of Health Professions
VAC Chapter Number:	18VAC90-30-10 et seq. 18VAC90-40-10 et seq.
Regulation Title:	Regulations Governing the Licensure of Nurse Practitioners Regulations Governing Prescriptive Authority for Nurse Practitioners
Action Title:	Correction of Code cites
Date:	January 26, 2007

This agency background document may be used by **agencies exempt pursuant to § 9-6.14:4.1(A) of the APA**. Note agencies exempted need not file a Notice of Intended Regulatory Action. Exempt agencies must file with the Registrar beginning at the proposed stage.

Summary

Please provide a brief summary of the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation; instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The Boards are amending subsection A of 18VAC90-30-230, Regulations Governing the Licensure of Nurse Practitioners and subsection B of 18VAC90-40-140, Regulations Governing Prescriptive Authority for Nurse Practitioners to correct an outdated reference to the Administrative Process Act.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

In accordance with the powers and duties of the boards, amendments to 18 VAC 90-30-10 et seq., Regulations Governing the Licensure of Nurse Practitioners and 18VAC90-40-10 et seq., Regulations Governing Prescriptive Authority for Nurse Practitioners were adopted on by the Board of Nursing on January 23, 2007 and by the Board of Medicine on December 8, 2006. Although required to comply with the Virginia Register Act, the agency is exempt from provisions of the Administrative Process Act for the implementation of these regulations pursuant to § [2.2-4006](#) A 4 a.

§ [2.2-4006](#). Exemptions from requirements of this article.

A. The following agency actions otherwise subject to this chapter and § [2.2-4103](#) of the Virginia Register Act shall be exempted from the operation of this article:

1. Agency orders or regulations fixing rates or prices.
2. Regulations that establish or prescribe agency organization, internal practice or procedures, including delegations of authority.
3. Regulations that consist only of changes in style or form or corrections of technical errors. Each promulgating agency shall review all references to sections of the Code of Virginia within their regulations each time a new supplement or replacement volume to the Code of Virginia is published to ensure the accuracy of each section or section subdivision identification listed.
4. Regulations that are:
 - a. *Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved;*
 - b. Required by order of any state or federal court of competent jurisdiction where no agency discretion is involved; or
 - c. Necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation, and the Registrar has so determined in writing. Notice of the proposed adoption of these regulations and the Registrar's determination shall be published in the Virginia Register not less than 30 days prior to the effective date of the regulation.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability.

There is no impact on the family as a result of this regulatory action.