



Exempt Action Final Regulation Agency Background Document

Agency name	Boards of Nursing and Medicine, Department of Health Professions
Virginia Administrative Code (VAC) citation	18VAC90-40-10 et seq.
Regulation title	Regulations for Prescriptive Authority for Nurse Practitioners
Action title	Conforming unprofessional conduct provisions to Code
Final agency action date	7/20/10
Document preparation date	7/23/10

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The Boards of Nursing and Medicine have amended regulations relating to unprofessional conduct for nurse practitioners with prescriptive authority to include unauthorized use or disclosure of confidential information obtained from the Prescription Monitoring Program. Such a provision is specified in § 54.1-2525 but not specifically referenced in board regulations on standards of practice as grounds for disciplinary action.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On June 10, 2010, the Board of Medicine and on July 20, 2010, the Board of Nursing acted to amend provisions for unprofessional conduct in Regulations for Prescriptive Authority for Nurse Practitioners to include unlawful disclosure of confidential information from the Prescription Monitoring Program. The action is exempt in the Administrative Process Act under § 2.2-4006 of the Code of Virginia.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This action has no impact on the institution of the family and family stability.