



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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June 10, 2013

Ms. Jay P. Douglas
Executive Director
Virginia Board of Nursing
9960 Mayland Drive, Suite 300
Richmond, VA 23233

RE: 18 VAC 90-20-10 et seq. Regulations Governing the Practice of Nursing

Dear Ms. Douglas:

I have reviewed Emergency Regulation, 18VAC90-20-10 et seq., in accordance with the Administrative Process Act. The amended regulations for administration of medications via a gastrostomy tube are constitutional and in conformity with statutory provisions of Chapter 114 of the 2013 Acts of the Assembly.

The "emergency situation" which exists is specified in § 2.2-4011 of the Code of Virginia as one in which the agency is required by statutory law to have a regulation in effect within 280 days from the enactment of the Act. Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate this emergency regulation.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard M. Casway".

Howard M. Casway
Senior Assistant Attorney General

c: Elaine J. Yeatts, Agency Regulatory Coordinator
Department of Health Professions