



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Board of Optometry, Department of Health Professions
<b>Virginia Administrative Code (VAC) citation</b>	18VAC105-11-10 et seq. – new chapter 18VAC105-10-10 et seq. – current chapter being repealed
<b>Regulation title</b>	Public Participation Guidelines
<b>Action title</b>	Adoption of model PPG regulations/Repeal of current PPG regulations
<b>Final agency action date</b>	8/6/08
<b>Document preparation date</b>	8/6/08

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 36 (06) 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.*

Under [Virginia Code § 2.2-4007.02](#), every rulemaking body in Virginia is required to adopt public participation guidelines and to use these guidelines in the development of its regulations. Pursuant to [SB 734/HB 1167](#) of the 2008 General Assembly, the law was modified to require state agencies either to adopt the model public participation guidelines (PPG) issued by the Department of Planning and Budget (DPB), or, if they need to make significant changes to the guidelines, to file a fast-track regulatory action with DPB by December 1, 2008. The Board of Optometry has chosen to adopt the model PPG regulations issued by DPB as an exempt action and to repeal the current public participation guidelines.

Public participation guidelines exist to promote public involvement in the development, amendment, or repeal of state regulations. The legislative intent is to standardize the public participation process so that interested members of the public know how and when to comment and/or participate in various topics of interest. Highlights of the model public participation

guidelines include the addition of negotiated rulemaking panels and regulatory advisory panels and instructions for notification lists.

**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.*

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On August 6, 2008, the Board of Optometry repealed its current PPG regulations (18VAC105-10-10 et seq.) and adopted model regulations, 18VAC105-11-10 et seq., Public Participation Guidelines.

**Family impact**

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

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There is no impact on the family and family stability.