



COMMONWEALTH of VIRGINIA
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June 2, 2010

Elizabeth Scott Russell
Executive Director
Virginia Board of Pharmacy
9960 Mayland Drive, Suite 300
Richmond, VA 23233-1463

RE: 18VAC110-20-10 et seq., Regulations Governing the Practice of Pharmacy

Dear Ms. Russell:

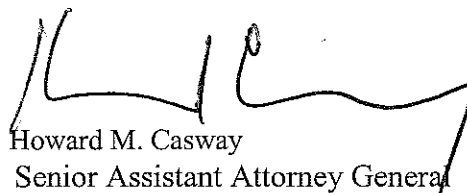
You have asked whether the proposed changes to the above-cited regulations are exempt from the operation of Article 2 of the Administrative Process Act.

The proposed amendment, to correct an error in 18VAC110-20-690 C 4, is exempt in accordance with § 2.2-4006 A 3, which provides an exemption for: "*Regulations that consist only of changes in style or form or corrections of technical errors.*"

The proposed amendment, to conform language in 18VAC110-20-90 D and 18VAC110-20-106 to provisions of § 54.1-3314.1, is exempt in accordance with § 2.2-4006 A 4, which provides an exemption for regulatory changes: "*Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.*"

Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate this exempt regulation with the Registrar of Regulations.

Sincerely,



Howard M. Casway
Senior Assistant Attorney General

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