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## Exempt Action: Final Regulation Agency Background Document

<b>Agency name</b>	Board of Pharmacy, Department of Health Professions
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	18VAC110-40
<b>VAC Chapter title(s)</b>	Regulations Governing Collaborative Practice Agreements
<b>Action title</b>	Changes to informed consent
<b>Final agency action date</b>	9/9/20
<b>Date this document prepared</b>	9/9/20

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

### Brief Summary

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

The action will amend the requirements for documented informed consent by a patient for participation in a collaborative practice agreement between a prescriber and a pharmacist. The amendment will conform to changes made in HB1506 of the 2020 General Assembly that specifies a patient must opt out of participation rather than signing a document for consent to such an agreement.

### Mandate and Impetus

*Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or*

*board decision). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."*

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The impetus for this regulatory change is compliance with changes in § 54.1-3300.1 by Chapter 731 of the 2020 Acts of the Assembly. The action is exempt in accordance with § 2.2-4006 (A) (4)(a) of the Administrative Process Act.

### **Statement of Final Agency Action**

*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 September 9, 2020, the Board of Pharmacy amended 18VAC110-40-10 et seq., Regulations Governing Collaborative Practice Agreements, to amend section 20.