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# Exempt Action: Final Regulation
# Agency Background Document

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| **Agency name** | Board of Pharmacy, Department of Health Professions |
| **Virginia Administrative Code (VAC) Chapter citation(s)** | 18VAC110-20 |
| **VAC Chapter title(s)** | Regulations Governing the Practice of Pharmacy |
| **Action title** | June 2022 scheduling of chemicals in Schedule I of the Drug Control Act |
| **Final agency action date** | June 6, 2022 |
| **Date this document prepared** | June 6, 2022 |

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.*

As specified in Va. Code § 54.1-3443, the Virginia Department of Forensic Science ("DFS") has identified ten (10) compounds which it recommended the Board of Pharmacy place into Schedule I in the Virginia Administrative Code. The placement by regulatory action will remain in effect for 18 months or until the compounds are placed in Schedule I by legislative action of the General Assembly. This action is exempt in accordance with Va. Code § 2.2-4006 of the Virginia Administrative Process Act.

## 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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."*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 of this action is identification by DFS of ten compounds which DFS recommends be included in Schedule I under the Virginia Administrative Code pursuant to Va. Code § 54.1-3443(D).

## 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 June 6, 2022, the Board of Pharmacy amended 18VAC110-20-322 of the Regulations Governing the Practice of Pharmacy to place chemicals specified by DFS into Schedule I in accordance with Va. Code § 54.1-3443(D).