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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>	18VAC110-60
<b>VAC Chapter title(s)</b>	Regulations Governing Pharmaceutical Processors
<b>Action title</b>	Repeal of pharmaceutical processor regulations pursuant to statutory change
<b>Final agency action date</b>	January 1, 2024
<b>Date this document prepared</b>	December 1, 2023

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), 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.*

Pursuant to Chapters [740](#) and [773](#) of the 2023 General Assembly, the pharmaceutical processor program moved to the Virginia Cannabis Control Authority as of January 1, 2024, the effective date of the legislation. As a result, the Board of Pharmacy adopted an exempt action, effective January 1, 2024, to repeal all regulations under the Board of Pharmacy related to the pharmaceutical processor program, over which the Board no longer has jurisdiction.

### 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). For purposes of executive branch review, “mandate” has the same meaning as defined in the ORM procedures, “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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part.”*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 mandates for this action are Chapters [740](#) and [773](#) of the 2023 General Assembly.

### **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 December 6, 2023, the Board of Pharmacy voted to repeal 18VAC110-60, Regulations Governing Pharmaceutical Processors, effective January 1, 2024.