



Exempt Action Final Regulation Agency Background Document

Agency name	Department of Health Professions
Virginia Administrative Code (VAC) citation	18VAC76-20-10 et seq.
Regulation title	Regulations Governing the Prescription Monitoring Program
Action title	Conformity to 2009 changes in law
Final agency action date	3/20/09
Document preparation date	3/20/09

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 21 (02) 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.

Pursuant to the 2009 Acts of the Assembly (Chapters 158 and 162), the Director of the Department of Health Professions has amended regulations relating to: 1) disclosures by prescribers that they may query the Prescription Monitoring Program for the purpose of establishing a treatment history; 2) requests for information from health care professionals designated by prescribers to request information; and 3) removal of the requirement for dispensers to hold a license as a non-resident pharmacy in order to permit interoperability among state monitoring programs.

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.

On March 20, 2009, the Director of the Department of Health Professions acted to amend regulations in Chapter 20, *Regulations Governing the Prescription Monitoring Program* to conform requirements for disclosures and requests for information to changes in the law effected by the passage of HB2211 and SB1195. The action is exempt in the Administrative Process Act under § 2.2-4006 of the Code of Virginia.

Family impact

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

This action has no impact on the institution of the family and family stability.