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Exempt Action Final Regulation Agency Background Document

Agency name	Department of Health Professions
Virginia Administrative Code (VAC) citation(s)	18VAC76-20
Regulation title(s)	Regulations Governing the Prescription Monitoring Program
Action title	Conforming reporting schedule to Code
Final agency action date	7/17/17
Date this document prepared	7/17/17

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) or an agency's basic statute, the agency is not required, however, 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, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

On January 1, 2017, the Code was changed to require dispensers of covered substances to report to the Prescription Monitoring Program within 24 hours or the dispenser's next business day, whichever comes first. The current regulation states reporting is within seven days. While the regulation is inconsistent with the Code, dispensers have been required to comply with the 24-hour statutory requirement since January 1, 2017.

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 July 17, 2017, the Director of the Department approved an amendment to 18VAC76-20, Regulations Governing the Prescription Monitoring Program.

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

There is no impact on the family.