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MEMORANDUM

TO: David Brown, Director
Department of Health Professions

FROM: Charis A. Mitchell
Assistant Attorney General

DATE: December 10, 2021

SUBJECT: *Regulations Governing the Health Practitioners' Monitoring Program for the Department of Health Professions*
18 VAC 76-10-10, *et seq.*

I have reviewed the amendments to the *Regulations Governing the Health Practitioners' Monitoring Program for the Department of Health Professions*, 18 VAC 76-10-10, *et seq.* The proposed amendments are exempt from the operation of the Virginia Administrative Process Act and review by the Executive Branch in accordance with Virginia Code § 2.2-4002(B)(18) because they are "regulations for the implementation of the Health Practitioners' Monitoring Program and the activities of the Health Practitioners' Monitoring Program Committee." The Director of the Department of Health Professions amended these regulations on October 12, 2021, and he has the authority to make these amendments under Virginia Code § 54.1-2516. The proposed amendments are constitutional and do not conflict with existing federal or state laws or regulations.