



# *COMMONWEALTH of VIRGINIA*

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**To:** Ms. Kelley Smith , Executive Director  
Board for Hearing Aid Specialists and Opticians  
Virginia Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, Virginia 23233

**From:** Elizabeth B. Peay  
Senior Assistant Attorney General

**Date:** January 17, 2025

**Subject:** Letter of Assurance for 18 VAC 80-30  
Amendments to the Opticians Regulations

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I have reviewed the Board for Hearing Aid Specialists and Opticians' amendments to the Board's Regulations. In my view, as counsel to the Board for Barbers and Cosmetology, the Board may promulgate these regulations pursuant to §54.1-201.A.5 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect. This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.

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