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MEMORANDUM

TO: William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

FROM: Erin L. Barrett
Assistant Attorney General

DATE: June 29, 2016

SUBJECT: *Public Participation Guidelines*
18VAC85-11-10 *et seq.*

I have reviewed the proposed amendment to the Public Participation Guidelines, 18VAC85-11-10 *et seq.* The proposed amendment requires the Board to allow public participants to be accompanied by or represented by counsel when presenting views regarding the promulgation of any regulatory action. The Board has the statutory authority to amend this regulation under Virginia Code § 54.1-2400(6). The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.