

## **Agency Response to Economic Impact Analysis**

In general, the Board of Pharmacy concurs with the Analysis of the Department of Planning and Budget on proposed amended regulations for 18VAC110-30-10 et seq., Regulations for Practitioners of the Healing Arts to Sell Controlled Substances.

The cost/benefit analysis fails to take into account the financial benefit that accrues to a facility in which practitioners are selling controlled substances to their patients. The increase in \$120 and \$60 per year for partnerships of two or three practitioners is an insignificant cost for a business that may resemble a small pharmacy in the number of drugs being stored and sold to patients.

The agency also disagrees with the adverse impact notification to the General Assembly. The Board has acted in compliance with the second enactment clause of Chapter 117 of the 2015 Acts of the Assembly, which required the Board to promulgate regulations to implement the requirement of law that practitioners of the healing arts must dispense controlled substances in permitted facilities. As a non-general fund agency, the Board establishes a fee schedule intended to cover the cost of administering a regulatory program. Any adverse impact of such regulation was a mandate of the General Assembly and the Code of Virginia, so there should be no need for notification.