



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**TO:** Dr. David Brown  
Director  
Virginia Department of Health Professions

**FROM:** James E. Rutkowski  
Assistant Attorney General

**DATE:** August 8, 2018

**SUBJECT:** *Regulations Governing the Prescription Monitoring Program*  
18VAC76-20

I have reviewed the proposed amendments to the *Regulations Governing the Prescription Monitoring Program*, 18VAC76-20, which was approved by the Director of the Department of Health Professions on July 13, 2018. This action qualifies to be exempt from the operation of the Administrative Process Act and review by the Executive Branch under Virginia Code § 2.2-4006(A)(4)(a) as necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The Director has the authority to adopt this regulation under Virginia Code § 54.1-2519. The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.