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MEMORANDUM

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

FROM: Erin L. Barrett
Assistant Attorney General

DATE: December 30, 2019

SUBJECT: *Regulations Governing Prescribing of Opioids and Buprenorphine*
18VAC85-21-10 *et seq.*

I have reviewed the amendment to the *Regulations Governing Prescribing of Opioids and Buprenorphine*, 18VAC85-21-10 *et seq.*, which will replace the emergency regulation currently in place pursuant to 2019 Va. Acts Ch. 664. The amendment reiterates the statutory requirement that all opioid prescriptions be electronic by July 1, 2020, and provides for a one time, limited exception to this requirement to be granted at the discretion of the Board. The Board of Medicine has the statutory authority to amend this regulation under Virginia Code §§ 54.1-2400 and 54.1-3408.02. The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.