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MEMORANDUM

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

FROM: Erin L. Barrett
Assistant Attorney General

DATE: March 2, 2020

SUBJECT: *Regulations Governing the Practice of Respiratory Therapists*
18VAC85-40-10 *et seq.*

I have reviewed the amendment to the *Regulations Governing the Practice of Respiratory Therapists*, 18VAC85-40-10 *et seq.* The amendment allows a respiratory therapist to receive 20 hours of continuing education credit for passage of a specialty examination of the National Board of Respiratory Care for the biennium in which the practitioner passed the exam. The Board of Medicine has the statutory authority to amend this regulation under Virginia Code § 54.1-2400. The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.