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**MEMORANDUM**

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

**FROM:** Erin L. Barrett  
Assistant Attorney General

**DATE:** November 13, 2017

**SUBJECT:** *Regulations Governing the Practice of Licensed Midwives*  
18VAC85-130-10 *et seq.*

I have reviewed the amendment to the *Regulations Governing the Practice of Licensed Midwives*, 18VAC85-130-10, *et seq.* The proposed amendment increases the time, from three to ten years, in which an individual in a midwifery educational program or completing practice portfolio requirements may practice without a license under direct supervision of an applicable supervisor. The Board of Medicine has the statutory authority to amend this regulation under Virginia Code §§ 54.1-2400 and 54.1-2957.9. The proposed amendment is constitutional and does not conflict with existing federal or state laws or regulations.