



Exempt Action Final Regulation Agency Background Document

Agency name	Board of Medicine, Department of Health Professions
Virginia Administrative Code (VAC) citation	18VAC85-40-10 et seq. 18VAC85-50-10 et seq. 18VAC85-80-10 et seq. 18VAC85-101-10 et seq. 18VAC85-110-10 et seq.
Regulation title	Regulations Governing the: Practice of Respiratory Care Practitioners Practice of Physician Assistants Licensure of Occupational Therapists Licensure of Radiologic Technologists and Radiologic Technologists-Limited Licensed Acupuncturists
Action title	Correction of Code cite
Final agency action date	8/10/07
Document preparation date	8/10/07

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

§ 54.1-2914 of the Code of Virginia was amended in Chapter 163 of the 2005 Acts of the Assembly to consolidate the provisions on unprofessional conduct into Code section, § 54.1-2915. In several regulations of the Board, the sections on inactive licensure provide that the

Board reserves the right to deny a request for reactivation to any licensee who has been determined to have committed an act in violation of §[54.1-2914](#) of the Code of Virginia or any provisions of the regulations. The correct Code cite should be § [54.1-2915](#). By this action, those chapters are amended under an exemption in the Administrative Process Act in which amendments are “necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.” (§ [2.2-4006](#))

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On August 10, 2007, the Board of Medicine amended 18VAC85-40-10 et seq., Regulations Governing Practice of Respiratory Care Practitioners, 18VAC85-50-10 et seq., Regulations Governing the Practice of Physician Assistants, 18VAC85-80-10 et seq., Regulations Governing the Licensure of Occupational Therapists, 18VAC85-101-10 et seq., Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited, and 18VAC85-110-10 et seq., Regulations Governing Licensed Acupuncturists to correct a Code cite in regulation.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

There is no impact of this regulatory action on the institution of the family and family stability.