



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring  
Attorney General

202 North 9<sup>th</sup> Street  
Richmond, Virginia 23219  
804-786-2071  
FAX 804-786-1991  
Virginia Relay Services  
800-828-1120  
7-1-1

## MEMORANDUM

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

**FROM:** Charis A. Mitchell  
Assistant Attorney General

**DATE:** March 2, 2017

**SUBJECT:** *Regulations Governing the Practice of Nursing*  
*Regulations Governing the Licensure of Massage Therapists*  
*Regulations Governing the Registration of Medication Aides*  
18 VAC 90-19-10 et seq.  
18 VAC 90-50-10 et seq.  
18 VAC 90-60-10 et seq.

I have reviewed the proposed amendments to the *Regulations Governing the Practice of Nursing, Regulations Governing the Licensure of Massage Therapists, and Regulations Governing the Registration of Medication Aides*, 18 VAC 90-19-10 et seq., 18 VAC 90-50-10 et seq., and 18 VAC 90-60-10 et seq., that were adopted by the Virginia Board of Nursing on January 19, 2017. This action is exempt from the operation of the Administrative Process Act and review by the Executive Branch under § 2.2-4006(A)(6), as it is limited to reducing fees charged to regulants. The Board has the authority to adopt these regulations under Virginia Code § 54.1-2400. The proposed amendments are constitutional and do not conflict with existing federal or state laws or regulations.