



Exempt Action Final Regulation Agency Background Document

Agency name	Board of Pharmacy, Department of Health Professions
Virginia Administrative Code (VAC) citation	18VAC110-30-10 et seq.
Regulation title	Regulations for Practitioners of the Healing Arts to Sell Controlled Substances
Action title	Elimination of fee for inactive licensure
Final agency action date	12/12/07
Document preparation date	12/17/07

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.

In a periodic review of regulations, the Board of Pharmacy eliminated the inactive license for a physician selling drugs because it was unnecessary and inappropriate. If a physician ceases to sell drugs from his practice, it is not necessary to have any type of license from the Pharmacy Board. During the promulgation process for Chapter 30, the fee for the inactive license was inadvertently left in the regulation. To avoid any confusion for licensees, the Board has acted to eliminate the fee by an exempt action under the APA.

This action is exempt from the Virginia Administrative Process Act in § 2.2-4006 A 7:
“Regulations of the regulatory boards served by (i) the Department of Labor and Industry pursuant to Title 40.1 and (ii) the Department of Professional and Occupational Regulation or the Department of Health Professions pursuant to Title 54.1 that are limited to reducing fees charged to regulants and applicants.”

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 December 12, 2007, the Board of Pharmacy amended 18VAC110-30-10 et seq., Regulations for Practitioners of the Healing Arts to Sell Controlled Substances to eliminate the fee for an inactive license.

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.