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Exempt Action: Final Regulation
Agency Background Document

Agency name	Board of Pharmacy, Department of Health Professions
Virginia Administrative Code (VAC) Chapter citation(s)	18VAC110-30
VAC Chapter title(s)	Regulations for Practitioners of the Healing Arts to Sell Controlled Substances
Action title	Regulations for TPA-certified optometrists to sell and dispense Schedule VI controlled substances pursuant to 2026 legislation
Final agency action date	September 15, 2026
Date this document prepared	September 15, 2026

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

As directed by Chapters 929 and 941 of the 2026 Acts of Assembly, the Board of Pharmacy adopted regulatory amendments by exempt action to permit TPA-certified optometrists licensed by the Board of Optometry to sell and dispense Schedule VI controlled substances to their own patients, provided that the optometrists obtain a license from the Board of Pharmacy.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or

board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

The mandate for this action is Chapters 929 and 941 of the 2026 Acts of Assembly.

These regulatory changes are exempt pursuant to enactment clause 2 of Chapters 929 and 941 of the 2026 Acts of Assembly.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has "adopted final amendments" to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, "On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)]."

On September 15, 2026, the Board of Pharmacy adopted final amendments to the Regulations Governing the Practice of Pharmacy.