



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**TO:** Arne Owens  
Director  
Virginia Department of Health Professions

**FROM:** Allyson K. Tysinger  
Senior Assistant Attorney General

**DATE:** September 10, 2025

**SUBJECT:** *Regulations Governing Practitioner Self-Referral*  
18 VAC 76-50

*Regulations Governing the Criteria for Certification of Dialysis Technicians*  
18 VAC 76-60

I have reviewed the above-referenced regulatory action. The Department of Health Professions has the statutory authority to adopt these amendments under 2025 Va. Acts ch. 341. The amendments are exempt from the requirements of the Administrative Process Act under Virginia Code § 2.2-4006(A)(4)(a) as necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The proposed Regulations are constitutional and do not conflict with existing federal or state laws or regulations.