Department of Health Professions

DIRECTOR'S POLICY # 76-1.6
Disclosure of Information

Effective Date: July 17, 2013

Approved By: _____
Dianne Reynolds-Cane, M.D., Director

Purpose: To ensure compliance with the Freedom of Information Act, the Virginia Privacy Protection Act and provisions of Title 54.1 of the *Code of Virginia* related to disclosure and confidentiality of information in the possession of the Department as they relate to the mission of health regulatory boards.

Policy: Each custodian of records shall be knowledgeable of the law and apply it in accordance with the following procedures in compliance with law.

Procedures:

1) The following information regarding licensees[1] shall be made available upon request and may be published.

   A. Name
   B. Public address or address of record if no public (alternative) address has been provided[2]
   C. License Number
   D. Date of initial licensure
   E. Dates of licensure expiration, withdrawal, restriction, suspension, surrender or revocation
   F. Date of license renewal, reinstatement or restoration
   G. Any conditions, limitations or restrictions on the licensee's practice
   H. Notice of any disciplinary proceeding
   I. All orders (or similar documents including decisional or closure letters that dispose of an informal conference), which result from a disciplinary proceeding not vacated
   J. Information, which is mandated for release pursuant to §54.1-2709.4 and §54.1-2910.1of the *Code of Virginia*
   K. Extracts or summaries of the above information
   L. Owner of a licensed facility and designated person-in-charge or responsibility party

2) Information contained in applications for licensure may not be disclosed, except to the applicant, unless specified above or unless a specific decision has been made by the

---

[1] Where this directive uses "license" the term includes "certificate" or "registration."
[2] Pursuant to §54.1-2400.02 of the *Code of Virginia*, the street address of any licensee shall not be posted on the Department's "License Look-up"

custodian of the record, documented in the record of the applicant or minutes of the Board that such disclosure is authorized.

3) Investigative information not subject to §54.1-2400.2 of the *Code of Virginia* may be disclosed in the furtherance of an investigation. The Enforcement Division, upon scheduling an interview, will release a copy of the initial complaint/report information to the respondent in accordance with § 54.1-2400.2 (F) of the *Code of Virginia*. The Enforcement Director will not release a copy of the complaint information if it obstructs a criminal or regulatory investigation. The respondent will also be given fifteen (15) calendar days to provide any additional information in writing to Enforcement after the interview has been conducted.

4) The following information may be shared with specified entities as follows without further documentation:

   A. Active investigation and application information to state or federal law enforcement agencies or national security agencies including social security number, which indicates a possible violation of criminal law.
   B. Social Security Number or Department of Motor Vehicles Numbers to the following:
      1. The Department of Medical Assistance Services, its agents or contractors
      2. The Neurological Birth Related Injury Fund
      3. The Secretary of the Commonwealth
      4. Department of Social Services
      5. Department of Motor Vehicles
      6. Medical College of Virginia Hospital Authority
      7. Other state licensing authorities, or associations thereof, for the purpose of identification of disciplined practitioners, providing such numbers are not further released for other purposes
   C. Information for the Coordinated Licensure Information System pursuant to §54.1-3036 of the *Code of Virginia.*
   D. Any information in possession of the agency to duly authorized personnel within the Office of the Governor, Secretary of the Commonwealth, and Secretary of Health and Human Resources. Restrictions on the further release of such information shall be noted for any information so transmitted.

5) All agenda material shall be clearly segregated by public and confidential information.

Effective Date: July 17, 2013

Approved By: _____
Dianne Reynolds-Cane, M.D., Director

6) Nothing contained herein shall inhibit disclosure of information to duly authorized personnel within the Office of the Attorney General.

7) Nothing in this directive shall be construed to compel or otherwise prohibit release where specific state or federal law requires or permits otherwise.