

DRAFT
Virginia Board of Health Professions
Department of Health Professions
FULL BOARD MEETING
May 14, 2013

TIME AND PLACE: The meeting was called to order at 12:36 p.m. on Tuesday, May 14, 2013 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 2, Henrico, VA, 23233

PRESIDING OFFICER: Jonathan Noble, Chair

MEMBERS PRESENT: Allison Gregory, Nursing
Jeffrey Levin, Dentistry
Charlotte Markva, Counseling
Robert Maroon, Physical Therapy
Jonathan Noble, Optometry
Constance Pozniak, Veterinary Medicine
Wanda Pritekel, ASLP
Robert Rhodes, Pharmacy
Virginia Van de Water, Psychology
Maureen Clancy, Citizen Member
Paul T. Conway, Citizen Member
Amanda Gannon, Long Term Care Administrators
Yvonne Haynes, Social Work
Blair Nelsen, Funeral Directors & Embalmers

MEMBERS NOT PRESENT: Irene V. Farquhar, Medicine

STAFF PRESENT: Elizabeth A. Carter, Ph.D., Executive Director for the Board
Dianne Reynolds-Cane, MD, DHP Director
Elaine Yeatts, DHP Senior Policy Analyst
Diane Powers, DHP Director of Communications
Teresa Garbee, Communications
Justin Crow, Research Assistant
Laura Jackson, Operations Manager

BOARD COUNSEL: Charis Mitchell, Board Counsel

OTHERS PRESENT: Susan Ward, Virginia Hospital and Healthcare Association
Lee Bechtel, Virginia Perfusion Society
Dave Fitzgerald, Virginia Perfusion Society
Mike Brown, Virginia Perfusion Society
Tim Musselman, Virginia Pharmacists Association

QUORUM: With 14 members present a quorum was established.

AGENDA: No changes or additions were made to the agenda.

PUBLIC COMMENT: There was no public comment.

APPROVAL OF MINUTES: Meeting minutes from October 2, 2012 were approved by motion of Mr. Nelsen and properly seconded by Ms. Gregory;

all members were in favor, none opposed.

**DEPARTMENT DIRECTOR'S
REPORT:**

Dr. Reynolds-Cane gave an overview of her recent conferences. In April she traveled to Boston for the Federation of State Medical Boards meeting where license portability-state licensing compacts and medical education's emphasis on outcome based practice were discussed. She also attended the National Governors Policy Academy where seven states were involved in discussing prescription drug abuse solutions. Virginia was well represented at the meeting.

Dr. Reynolds-Cane thanked Ms. Yeatts for her work on the passed legislation.

**LEGISLATIVE/REGULATORY
UPDATE:**

Ms. Yeatts reviewed DHP's bills and regulations. She stated that there was no opposition to any of the DHP bills. She stated that the Board of Counseling license increase was vetoed. There have been six changes to regulations, Long-Term Care (1), Medicine (1), Nursing (2) and Pharmacy (2). (Attachment 1)

**AGENCY COMMUNICATIONS &
EDUCATION:**

Ms. Powers discussed the importance of media relations and how Communications goes about responding to requests. She informed the Board of the savings that have been achieved by the implementation of video conferencing systems utilized by the several Boards, to date. The Board of Dentistry was recently able to obtain testimony from an expert witness by video conference for a hearing. PMP will be celebrating its 10th anniversary. In conjunction, Communications will be producing an online tutorial for prescribers. Communications will also be promoting spokesperson training for executive directors of each board.

COMMITTEE REPORTS:

Regulatory Research

Ms. Haynes advised the Board that at the February 5, 2013 committee meeting it was determined, by majority vote, that the Committee does not recommend state regulation of Perfusionists. She noted that the vote was divided, two to one, with the Chair abstaining. The matter is being moved to the full Board for its final recommendation.

Dr. Noble, Board Chair, opened up the floor for discussion.

Ms. Clancy stated that she was unable to attend the February 5, 2013 Regulatory Research Committee meeting and that she is in favor of regulation for the Perfusionist.

Ms. Gregory stated that the Committee did not recommend regulation because the seven (7) Criteria were not met.

Ms. Haynes stated that licensure would ensure that the minimum standards would be met, that the Perfusionist makes independent decisions from the surgeon, and that she is in favor

of licensure.

MOTIONS:

Dr. Noble asked for a motion to send the Perfusionist study back to the Regulatory Research Committee for further review. On properly seconded motion by Ms. Pritekel, the Board recommended that the Perfusionist study go back to the Regulatory Research Committee for further review. The majority voted in favor.

Ms. Mitchell advised that the Board should offer guidance for the Committee as to what additional information they were seeking. Mr. Nelsen moved for reconsideration of the vote to return the matter to the Regulatory Research Committee. On properly seconded motion, the Board voted unanimously in favor of reconsidering the previous vote.

On properly seconded motion by Dr. Levin that the criteria for recommending regulation was not met. The vote was evenly split. Six members were in favor of the motion (Ms. Markva, Dr. Levin, Mr. Nelsen, Ms. Gannon, Ms. Gregory, and Mr. Rhodes). Six members were opposed (Ms. Pritekel, Mr. Maroon, Dr. Van de Water, Ms. Haynes, Dr. Pozniak and Ms. Clancy). The Chair settled the tie by voting not to recommend state regulation of this profession.

Enforcement Committee

Dr. Pozniak informed the Board that the Committee received an update on the Sanction Reference Points (SRP) evaluation progress and agency performance. She noted that the Board of Nursing anticipates adding Medication Aides to their SRPs. The Board of Pharmacy is updating their SRPs to reflect current adjudication methods (i.e., facility ticketing, confidential consent agreements, and advisory letters) and Pharmacy Technicians case types. Based upon information gathered in the evaluation research, Mr. Kauder recommended that DHP establish an ongoing SRP training schedule for staff, and the public, including attorneys, to ensure that those involved in disciplinary cases remain abreast of updates. He further recommended that training be held at least every two (2) years.

MOTION:

On properly seconded motion by Ms. Pritekel, the Committee recommended that general SRP training be scheduled every two years, at a minimum, for Board staff, public and attorneys. All committee members were in favor.

BOARD REPORTS

There were no Board reports.

EXECUTIVE DIRECTOR'S REPORT:

DHP Performance

Dr. Carter reviewed the agency performance measures with the Board. She stated that the results of the agency's licensure and disciplinary Key Performance Measures have remained at or very near goals. However, Age of Pending Cases (the percentage of pending patient care cases over 250 business

days) has been increasing gradually over the past several quarters and may be substantially attributable to reduced staffing for the Administrative Proceedings Division. She stated that additional analysis is also underway to determine if there are other factors involved.

SRP-Sanction Reference Points

Dr. Carter reiterated that the Board of Nursing and Board of Pharmacy are revising their SRPs in May and June. She stated that Board staff and Communications will coordinate with Visual Research, Inc. to provide for the training of new and existing staff and the public, including attorneys.

Health Care Evolution

Dr. Carter reviewed with the Committee information regarding the expansion of retail clinics. She stated that this new concept is about access to care, electronic health records, performance measurement, and more. There are currently two pharmacy models that have emerged, the Walgreens and CVS approaches. In various states across the country, CVS has been focusing on establishing collaboration with hospital and healthcare systems while Walgreen's appears to favor coordination with community physicians. But all approaches are in a state of flux. She also noted that a new term "Retail Clinician" is being applied to Nurse Practitioners, Pharmacists, Physician Assistants and other healthcare providers who practice in a retail environment. Other new terms emerging related to the new team delivery models are "Nurse Navigator" and "Care Coordinator." The specific duties are varied and still evolving across the country, but the primary focus is on better ensuring patient centered care coordination.

BHP Budget

Dr. Carter reported that the Board of Health Professions' expenditures for the 2013 year are at 75% with May and June expected to come in under budget. She is currently preparing the 2015-2016 budget proposal. BHP/HWDC is down one full-time staff member due to reallocation of the agency's senior management analyst to the Administration Division. Agency performance analyses and operations statistics are becoming increasingly interwoven into the state's formal performance budgeting systems which are squarely in the realm of the Administration Division's. This move frees the Board of Health Professions/DHP Healthcare Workforce Data Center staff to focus on research and consulting rather than the preparation and oversight of standard management statistical reporting.

Military Study

Dr. Carter discussed the activities of the multi-agency Task Force on Veterans Employment, the continued collaboration with the six states partners, and the collaborative efforts of national professional organizations. She praised the outstanding efforts of the National Council of State Boards of Nursing in establishing standard frames of reference for

Licensed Practical and Vocational Nurses and completing cross-walks and gap analyses with the military occupational codes for enlisted-level corpsmen across the various services. National Council's psychometrically sound reference will enable state nursing boards and applicants to determine which military training translates to licensure requirements and, where gaps exist, the education that is needed to bridge the gap. This provides an excellent model for other professions to emulate to provide a transparent translation. She also noted that a Joint Services Transcript is under development to assist in systematizing a service members' training and experiences in a way that strongly references the academic transcript model – again aiding the translation from “military to civilian speak.”

HWDC-Healthcare Workforce Data Center

Dr. Carter informed the Board that the HWDC currently has 20 surveys developed and collecting data, with more to come this fall. Dr. Carter applied for HRSA funding but will not know who wins the award until later in the summer. No specific notification date has been made public.

NEW BUSINESS

Dr. Noble advised the Board that he would be making appointments to the Board Committees and those appointed would be notified by an email from Ms. Jackson.

ADJOURNMENT:

The meeting adjourned at 1:57 p.m.

Jonathan Noble, OD
Board Chair

Elizabeth A. Carter, Ph.D.,
Executive Director for the Board

Report of the 2013 General Assembly

Board of Health Professions

HB 1349 Dental hygiene and dental hygienist; definitions and licensure.

Chief patron: Bell, Richard P.

Dental hygiene and dental hygienist; definitions and licensure. Defines "dental hygiene" as duties related to patient assessment and the rendering of educational, preventive, and therapeutic dental services specified in regulations of the Board and not otherwise restricted to the practice of dentistry. The bill defines "dental hygienist" as a person who is licensed by the Board of Dentistry to practice dental hygiene. The bill also clarifies the licensure requirement for a dental hygienist of graduation from a dental hygiene program accredited by the Commission on Dental Accreditation and offered by an accredited institution of higher education.

03/13/13 Governor: Acts of Assembly Chapter text (CHAP0240)

HB 1422 Interchangeable biosimilar biological products; permits pharmacists to dispense, etc.

Chief patron: O'Bannon

Dispensing of interchangeable biosimilar biological products. Permits pharmacists to dispense a biosimilar that has been licensed by the U.S. Food and Drug Administration as interchangeable with a prescribed biological product unless the prescriber indicates such substitution is not authorized or the patient insists on dispensing of the prescribed biological product. The bill requires any pharmacist who dispenses an interchangeable biosimilar to inform the patient prior to dispensing the biosimilar and record the brand name or the product name and name of the manufacturer of the biosimilar on the record of dispensing and the prescription label. The bill also requires, until July 1, 2015, that the pharmacist provide notification of the substitution to the prescriber and provide retail cost information for both the prescribed biological product and the interchangeable biosimilar to the patient. This bill is identical to SB 1285.

03/16/13 Governor: Acts of Assembly Chapter text (CHAP0412)

HB 1444 Medications; administration by certain employees or contract service providers.

Chief patron: O'Bannon

Administration of medications by employees or contract service providers of providers licensed by the Department of Behavioral Health and Developmental Services. Provides that employees of or persons providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services may administer insulin, glucagon, and epinephrine pursuant to a written order issued by a prescriber in certain circumstances. The bill provides protection from liability for certain acts related to such administration and requires the Board of Nursing to promulgate regulations governing training in the administration of epinephrine and glucagon by persons authorized to administer epinephrine and glucagon.

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03/12/13 Governor: Acts of Assembly Chapter text (CHAP0183)

HB 1499 Emergency medical services personnel; administration of medications.

Chief patron: Stolle

Administration of medications. Clarifies the circumstances under which emergency medical services personnel may administer medications and provides that emergency medical services personnel may administer medications pursuant to an oral or written order or standing protocol. This bill is identical to SB 773.

03/12/13 Governor: Acts of Assembly Chapter text (CHAP0191)

HB 1501 Pharmacy; collaborative agreements.

Chief patron: O'Bannon

Pharmacy; collaborative agreements. Clarifies parties with whom a pharmacist may enter into a collaborative agreement; provides that a patient who does not wish to participate in a collaborative procedure must notify the prescriber of his decision; and provides that a prescriber may elect to have a patient not participate in a collaborative agreement by contacting the pharmacist or his designated alternative pharmacist or by documenting his decision on the patient's prescription. The bill also clarifies that collaborative agreements may be in writing or in electronic form.

03/12/13 Governor: Acts of Assembly Chapter text (CHAP0192)

HB 1564 Drugs; administration by a person to a child in private school.

Chief patron: Orrock

Administration of drugs; private schools. Allows the administration of drugs by a person to a child in a private school that is accredited by the Virginia Council for Private Education and exempt from licensure by the Board of Social Services, or in a private school that is accredited by the Virginia Council for Private Education in accordance with standards prescribed by the Board of Education, provided the person has completed an approved training program, obtained written authorization of the parent, and administers drugs dispensed from a pharmacy and maintained in the original labeled container only to the child identified on the prescription label and in accordance with the prescriber's instructions. This bill is identical to SB 807.

03/13/13 Governor: Acts of Assembly Chapter text (CHAP0252)

HB 1666 Professional counselors; licensure.

Chief patron: Yost

Licensure of professional counselors. Clarifies the definitions of "counseling" and "professional counselor" and adds definitions for "residency," "resident," and "supervision." The bill also requires the Board of Counseling to maintain a registry of persons who meet the requirements for supervision of residents and to make the registry of approved supervisors available to persons seeking resident status.

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03/13/13 Governor: Acts of Assembly Chapter text (CHAP0264)

HB 1672 Naloxone; administration by unlicensed individual in cases of opiate overdose.

Chief patron: O'Bannon

Naloxone; administration in cases of opiate overdose. Allows a person to obtain a prescription for and to possess and administer naloxone to a family member or friend for the purpose of counteracting the effects of opiate overdose. The bill also requires the Department of Behavioral Health and Developmental Services to work together with the Department of Health, Department of Health Professions, law-enforcement agencies, substance abuse recovery support organizations, and other stakeholders to conduct pilot programs on the administration of naloxone to counteract the effects of opiate overdose. The bill requires the Department of Behavioral Health and Developmental Services to report on such pilot programs to the General Assembly by December 1, 2014.

03/13/13 Governor: Acts of Assembly Chapter text (CHAP0267)

HB 1702 Counseling, Board of; confirmation of appointments by General Assembly.

Chief patron: Carr

Board of Counseling; confirmation of appointments by General Assembly. Provides that all appointments to the Board of Counseling that are made by the Governor shall be subject to confirmation by the General Assembly.

03/12/13 Governor: Acts of Assembly Chapter text (CHAP0201)

HB 1704 Prescription Monitoring Program; disclosure of information to certain agents.

Chief patron: Stolle

Prescription Monitoring Program; disclosure of information to local law enforcement. Adds an agent designated by the chief law-enforcement officer of any county or city to the list of individuals to whom the Department of Health Professions must disclose information relevant to a specific investigation of a specific recipient, dispenser, or prescriber upon request, and provides that agents designated by the superintendent of the Department of State Police or the chief law-enforcement officer of a county or city to receive information relevant to a specific investigation of a specific recipient, dispenser, or prescriber shall have completed the Virginia State Police Drug Diversion School. The bill also provides that the Department may disclose information relating to prescriptions for covered substances issued by a specific prescriber to that prescriber.

04/03/13 Governor: Acts of Assembly Chapter text (CHAP0739)

HB 1791 Practitioners; suspension or revocation of license, etc., by health regulatory board.

Chief patron: Garrett

Suspension of license, registration, or certificate by a health regulatory agency; practice pending appeal. Prohibits a practitioner of the healing arts whose license, certificate, registration, or permit has

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been suspended or revoked by a health regulatory board from engaging in practice pending appeal of the board's order.

03/06/13 Governor: Acts of Assembly Chapter text (CHAP0115)

HB 1796 Death certificate; timely return to funeral director.

Chief patron: Cosgrove

Death certificate; timely return to funeral director. Adds the medical director of an institution in which a death occurred, the chief medical officer or medical director of a hospice or nursing home in which a death occurred, or an individual to whom the physician in charge of a patient's care for the illness or condition that resulted in death has delegated such authority to the list of individuals who may complete and sign a death certificate in the absence of the physician in charge of a patient's care for the illness or condition that resulted in death, or with such physician's approval.

05/03/13 Governor: Acts of Assembly Chapter text (CHAP0799)

HB 1876 Sterilization operations; for persons 18 years of age or older and capable of informed consent.

Chief patron: McClellan

Sterilization operations for persons capable of informed consent. Eliminates the requirement for a 30-day waiting period prior to a sterilization operation for persons who are over the age of 18 and capable of giving informed consent who have not previously become the natural or adoptive parent of a child.

03/21/13 Governor: Acts of Assembly Chapter text (CHAP0671)

HB 1933 Lyme disease; written information to patient when ordering laboratory test for presence of disease.

Chief patron: Comstock

Lyme disease; disclosure of information to patients. Requires physicians to provide to each patient for whom a test for the presence of Lyme disease is ordered a written notice about Lyme disease, about testing for Lyme disease, and about the need for the patient to contact his physician with questions or concerns about Lyme disease. The bill also provides that licensees are immune from civil liability for providing such notice absent gross negligence or willful misconduct. The bill has an expiration date of July 1, 2018.

03/12/13 Governor: Acts of Assembly Chapter text (CHAP0215)

HB 1941 Cannabinoids, research chemicals, synthetic; penalties. Emergency.

Chief patron: Garrett

Synthetic cannabinoids; research chemicals; penalties. Amends provisions added to the Code in previous years regarding the criminalization of synthetic cannabinoids and chemicals known as "research

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chemicals" (previously referred to as "bath salts") to add newly identified chemical compounds and structural classes. In addition to adding new chemical compounds as synthetic cannabinoids, the bill adds newly identified structural classes of synthetic cannabinoids so that new chemical compounds that fit within the structural class will nevertheless be considered synthetic cannabinoids without the precise chemical compound having to be added to the Code. The bill contains an emergency clause and incorporates HB 1843.

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03/13/13 Governor: Acts of Assembly Chapter text (CHAP0295)

HB 2031 Audiology and speech-language pathology; provisional license.

Chief patron: Peace

Audiology and speech-language pathology. Provides that the Board of Audiology and Speech-Language Pathology may issue a provisional license to an applicant for licensure in speech-language pathology who has met the education and examination requirements for licensure, to allow the applicant to obtain clinical experience under the supervision of a licensed speech-language pathologist as specified in the Board's regulations. The bill eliminates language providing that the Director of the Department of Health Professions shall serve as the secretary-treasurer of the Board.

03/16/13 Governor: Acts of Assembly Chapter text (CHAP0436)

HB 2120 Physician, licensed, etc.; may perform procedure for physical evidence recovery kit examination.

Chief patron: Herring

Individual incapable of making an informed decision; procedure for physical evidence recovery kit examination. Authorizes a licensed physician, physician assistant, nurse practitioner, or registered nurse to perform a physical evidence recovery kit examination for a person who is believed to be the victim of a sexual assault and who is incapable of making an informed decision regarding consent to such examination when there is a need to conduct the examination, no legally authorized representative is available to provide consent, and a capacity reviewer provides written certification that the person is incapable of providing informed consent and that the examination should be performed. This bill is identical to SB 1006.

03/16/13 Governor: Acts of Assembly Chapter text (CHAP0441)

HB 2136 Methasterone and prostanazol; added to list of Schedule III controlled substances.

Chief patron: Hodges

Adding methasterone and prostanazol to Schedule III. Adds methasterone and prostanazol to Schedule III.

03/12/13 Governor: Acts of Assembly Chapter text (CHAP0233)

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HB 2161 Nurses; authority to possess and administer oxygen to treat emergency medical conditions.

Chief patron: O'Bannon

Nurses; authority to possess and administer oxygen to treat emergency medical conditions. Provides that a prescriber may authorize registered nurses and licensed practical nurses to possess oxygen for administration in treatment of emergency medical conditions.

03/06/13 Governor: Acts of Assembly Chapter text (CHAP0132)

HB 2177 Counseling, Board of; qualification of members, etc.

Chief patron: Carr

Board of Counseling; qualification of members. Reduces the number of professional counselors on the Board of Counseling from eight to six, increases the number of marriage and family therapists from two to three and requires that such members be clinical fellows of the American Association for Marriage and Family Therapy, increases the number of licensed substance abuse treatment practitioners from two to three, and requires at least two professional members representing each specialty to have been in active practice for at least four years. The bill eliminates the requirement that the professional members of the Board include two full-time faculty and two individuals engaged in private practice. The bill also removes certain conditions of initial appointment for professional members.

03/20/13 Governor: Acts of Assembly Chapter text (CHAP0590)

HB 2181 Medical equipment suppliers; delivery of sterile water and saline.

Chief patron: Hodges

Medical equipment suppliers; delivery of sterile water and saline. Adds sterile water and saline to the list of prescription drugs and devices that a permitted medical equipment supplier may receive, store, and distribute to a consumer.

03/18/13 Governor: Acts of Assembly Chapter text (CHAP0504)

HB 2312 Pharmacies; clarifies definition of compounding, etc.

Chief patron: Jones

Compounding pharmacies. Clarifies the definition of "compounding" and adds a requirement for a current inspection report for registration or renewal of a registration for a nonresident pharmacy. The bill also requires every pharmacist-in-charge or owner of a permitted pharmacy or a non-resident pharmacy engaging in sterile compounding to notify the Board of Pharmacy of its intention to dispense or deliver a sterile compounded drug product into the Commonwealth.

04/03/13 Governor: Acts of Assembly Chapter text (CHAP0765)

HJ 689 Medical doctors; Joint Commission on Health Care to study current and impending shortage in State.

Chief patron: Purkey

Study; severe shortage of medical doctors; report. Directs the Joint Commission on Health Care to study the current and impending severe shortage of medical doctors in Virginia. In conducting its study, the Commission shall (i) determine whether a shortage of medical doctors exists in the Commonwealth, by specialty and by geographical region; (ii) project the future need for medical doctors in Virginia over the next 10 years by field of specialty; and (iii) identify and assess factors that contribute to the shortage of medical doctors, including medical school admissions, the costs of medical education, and the effect of excessive malpractice insurance premiums, malpractice laws and caps, the shortage of nurses, and ancillary regulations such as the Certificate of Public Need; and (iv) identify the medical specialty fields primarily affected by the shortage of doctors and recommend ways to alleviate such shortages. The Commission must submit its preliminary findings and recommendations to the 2014 Session of the General Assembly and its final findings and recommendations to the 2015 Session.

02/19/13 House: Bill text as passed House and Senate (HJ689ER)

SB 898 Practitioners; Board of Medicine to revoke license of certain (Twomey bill).

Chief patron: Reeves

Board of Medicine; license revocation (Twomey bill). Provides that a practitioner whose license has been revoked due to engaging in sexual contact with a patient under certain circumstances may not apply for reinstatement of such license until five years have passed since revocation. Under current law, the person may apply for reinstatement after three years.

03/14/13 Governor: Acts of Assembly Chapter text (CHAP0365)

SB 944 Administrative Process Act; issues on review, duty of court.

Chief patron: Edwards

Administrative Process Act; issues on review. Provides that when a final decision of an agency is appealed under the Administrative Process Act and the decision on review is to be made based on the agency record established from a formal hearing, the duty of the court with respect to issues of fact is to determine whether there was substantial evidence in the record to support the agency decision. In addition, the bill provides that the court shall enter judgment suspending or setting it aside and remanding it to the agency for further proceedings, if any.

03/20/13 Governor: Acts of Assembly Chapter text (CHAP0619)

SB 950 Practitioners of medicine, etc.; updates terminology in sections governing licensure, etc.

Chief patron: Garrett

Practice of medicine and other healing arts. Updates terminology in sections governing licensure of practitioners of the healing arts, provides for use of electronic communication, expands the list of

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acceptable accrediting organizations for educational programs for podiatric medicine, and eliminates the Psychiatric Advisory Board.

03/12/13 Governor: Acts of Assembly Chapter text (CHAP0144)

SB 1011 Clinical social workers; educational requirements for licensure.

Chief patron: McWaters

Licensed clinical social workers; educational requirements. Requires the Board of Social Work to accept proof of the successful completion of the following as evidence of the satisfaction of the educational requirements for licensure as a clinical social worker: (i) a master's degree in social work with a clinical course of study from a program accredited by the Council on Social Work Education, (ii) a master's degree in social work with a non-clinical concentration from a program accredited by the Council on Social Work Education together with successful completion of the educational requirements for a clinical course of study through a graduate program accredited by the Council on Social Work Education, or (iii) a program of education and training in social work at an educational institution outside the United States recognized by the Council on Social Work Education.

03/18/13 Governor: Acts of Assembly Chapter text (CHAP0533)

SB 1142 Funeral Directors and Embalmers, Board of; licensure of funeral establishments, hardship waivers.

Chief patron: McEachin

Board of Funeral Directors and Embalmers; licensure of funeral establishments; hardship waivers. Authorizes the Board of Funeral Directors and Embalmers to grant a waiver to allow a single full-time manager or funeral director to divide his time between two funeral establishments provided the distance between the two establishments is 50 miles or less. Under current law, the distance between the two establishments is limited to 35 miles or less.

03/06/13 Governor: Acts of Assembly Chapter text (CHAP0108)

SB 1325 Professional counselors, etc.; Board of Counseling to establish specified fees for licensure, etc.

Chief patron: Barker



Board of Counseling; fees. Requires the Board of Counseling to establish, among other fees, specified fees for the licensure and certification of professional counselors, marriage and family therapists, substance abuse treatment practitioners, substance abuse counselors, substance abuse counseling assistants, and rehabilitation providers and provides that after July 1, 2015, any increase or decrease in the fees of the Board of Counseling shall be governed by the provisions of § 54.1-113 and the Administrative Process Act. This bill contains an emergency clause.


EMERGENCY


04/03/13 Senate: Senate sustained Governor's veto

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**Report of Regulatory Actions (as of May 6, 2013)
Board of Health Professions**

Board Board of Audiology and Speech-Language Pathology	
Chapter	Action / Stage Information
Regulations of the Board of Audiology and Speech-Language Pathology [18 VAC 30 - 20]	<u>Action:</u> Requirements for practice of fiberoptic endoscopic evaluation by speech-language pathologists <u>Stage:</u> Proposed - At Secretary's Office for 644 days
Regulations of the Board of Audiology and Speech-Language Pathology [18 VAC 30 - 20]	<u>Action:</u>  Promulgate Chapter 21 & repeal existing Chapter 20; reduction in number of CE hours <u>Stage:</u> Proposed - At Agency
Regulations of the Board of Audiology and Speech-Language Pathology [18 VAC 30 - 20]	<u>Action:</u>  Reduction in renewal fees <u>Stage:</u> Final - Register Date: 5/6/13 Effective: 6/5/13

Board Board of Counseling	
Chapter	Action / Stage Information
Regulations Governing the Practice of Professional Counseling [18 VAC 115 - 20]	<u>Action:</u>  Regulatory reform changes <u>Stage:</u> Fast-Track - DPB Review in progress

Board Board of Dentistry	
Chapter	Action / Stage Information
Regulations Governing Dental Practice [18 VAC 60 - 20]	<u>Action:</u> Periodic review; reorganizing chapter 20 into four new chapters: 15, 21, 25 and 30 <u>Stage:</u> Proposed - At Governor's Office for 42 days
Regulations Governing Dental Practice [18 VAC 60 - 20]	<u>Action:</u> Sedation and anesthesia permits for dentists <u>Stage:</u> Proposed - At Secretary's Office for 46 days
Regulations Governing Dental Practice [18 VAC 60 - 20]	<u>Action:</u>  Addition of AAHD to approved continuing education providers <u>Stage:</u> Fast-Track - At Secretary's Office for 13 days

Board Board of Funeral Directors and Embalmers	
Chapter	Action / Stage Information
Regulations of the Board of Funeral Directors and Embalmers [18 VAC 65 - 20]	<u>Action:</u> Fee Increase <u>Stage:</u> Re-Proposed - At Secretary's Office for 284 days
Regulations of the Board of Funeral Directors and Embalmers [18 VAC 65 - 20]	<u>Action:</u> Identification of human remains <u>Stage:</u> Proposed - AT Attorney General's Office

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Regulations of the Board of Funeral Directors and Embalmers [18 VAC 65 - 20]	<u>Action:</u> RR Regulatory reform changes <u>Stage:</u> Fast-Track - DPB's fast-track authorization pending
Regulations for Preneed Funeral Planning [18 VAC 65 - 30]	<u>Action:</u> RR Regulatory reform changes <u>Stage:</u> Fast-Track - DPB's fast-track authorization pending
Regulations for the Funeral Service Intern Program [18 VAC 65 - 40]	<u>Action:</u> RR Regulatory reform changes <u>Stage:</u> Fast-Track - DPB's fast-track authorization pending

Board Board of Long-Term Care Administrators

Chapter	Action / Stage Information
Regulations Governing the Practice of Nursing Home Administrators [18 VAC 95 - 20]	<u>Action:</u> Fee increase -- action begun in 2010 <u>Stage:</u> Proposed - At Governor's Office for 42 days
Regulations Governing the Practice of Nursing Home Administrators [18 VAC 95 - 20]	<u>Action:</u> RR Periodic review - more flexibility in CE courses and in administrator-in-training qualification <u>Stage:</u> Fast-Track - At Governor's Office for 188 days
Regulations Governing the Practice of Assisted Living Facility Administrators [18 VAC 95 - 30]	<u>Action:</u> Oversight of acting administrators in an AIT program <u>Stage:</u> Proposed - At Governor's Office for 43 days

Board Board of Medicine

Chapter	Action / Stage Information
Regulations Governing the Practice of Respiratory Care Practitioners [18 VAC 85 - 40]	<u>Action:</u> RR Regulatory reform changes <u>Stage:</u> Fast-Track - At Governor's Office for 10 days
Regulations Governing the Practice of Physician Assistants [18 VAC 85 - 50]	<u>Action:</u> Qualifications for fluoroscopy <u>Stage:</u> Emergency/NOIRA - At Governor's Office for 63 days
Regulations Governing the Practice of Physician Assistants [18 VAC 85 - 50]	<u>Action:</u> RR Regulatory reform changes <u>Stage:</u> Fast-Track - At Secretary's Office for 19 days
Regulations Governing the Practice of Physician Assistants [18 VAC 85 - 50]	<u>Action:</u> RR Elimination of specific requirement for supervising physician to see patients on 4th visit <u>Stage:</u> Final - At Governor's Office for 55 days
Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited [18 VAC 85 - 101]	<u>Action:</u> RR Regulatory reform changes <u>Stage:</u> Fast-Track - At Governor's Office for 10 days

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Regulations Governing the Practice of Licensed Acupuncturists [18 VAC 85 - 110]	<u>Action:</u> Regulatory reform changes <u>Stage:</u> Fast-Track - At Governor's Office for 10 days
Regulations Governing the Licensure of Athletic Trainers [18 VAC 85 - 120]	<u>Action:</u> Regulatory reform changes <u>Stage:</u> Fast-Track - At Secretary's Office for 19 days
Regulations Governing the Practice of Licensed Midwives [18 VAC 85 - 130]	<u>Action:</u> Disclosure requirements for high-risk pregnancies <u>Stage:</u> Final - At Governor's Office for 412 days
Regulations Governing the Practice of Polysomnographic Technologists [18 VAC 85 - 140]	<u>Action:</u> Initial regulations for licensure <u>Stage:</u> Proposed - At Governor's Office for 412 days
Regulations Governing the Practice of Behavior Analysis [18 VAC 85 - 150]	<u>Action:</u> Initial regulations for licensure <u>Stage:</u> Proposed - At Governor's Office for 63 days

Board of Nursing

Chapter	Action / Stage Information
Regulations Governing Delegation to an Agency Subordinate [18 VAC 90 - 15]	<u>Action:</u> Regulatory reform <u>Stage:</u> Fast-Track - At Governor's Office for 17 days
Regulations of the Board of Nursing [18 VAC 90 - 20]	<u>Action:</u> Provisional licensure as a registered nurse <u>Stage:</u> Re-submitted Emergency/NOIRA - At Governor's Office for 42 days
Regulations of the Board of Nursing [18 VAC 90 - 20]	<u>Action:</u> Requirements for approval of nursing education programs <u>Stage:</u> Proposed - At Governor's Office for 42 days
Regulations of the Board of Nursing [18 VAC 90 - 20]	<u>Action:</u> Grounds for disciplinary action for failure to report child or elder abuse <u>Stage:</u> Fast-Track - At Governor's Office for 412 days
Regulations of the Board of Nursing [18 VAC 90 - 20]	<u>Action:</u> Conformity with Nurse Licensure Compact rules <u>Stage:</u> Fast-Track - At Governor's Office for 18 days
Regulations of the Board of Nursing [18 VAC 90 - 20]	<u>Action:</u> Continued competency requirements <u>Stage:</u> Final - At Governor's Office for 55 days
Regulations Governing the Licensure of Nurse Practitioners [18 VAC 90 - 30]	<u>Action:</u> Practice in patient care teams <u>Stage:</u> Emergency/NOIRA - At Governor's Office for 180 days
Regulations for Prescriptive Authority for Nurse Practitioners [18 VAC 90 - 40]	<u>Action:</u> Practice revisions <u>Stage:</u> Emergency/NOIRA - At Governor's Office for 180 days
Regulations Governing the Certification of Massage Therapists [18 VAC 90 - 50]	<u>Action:</u> Regulatory reform

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	<u>Stage:</u> Fast-Track - At Governor's Office for 17 days
Regulations Governing the Registration of Medication Aides [18 VAC 90 - 60]	<u>Action:</u> R Regulatory reform <u>Stage:</u> Fast-Track - At Governor's Office for 20 days

Board Board of Optometry

Chapter	Action / Stage Information
Regulations of the Virginia Board of Optometry [18 VAC 105 - 20]	<u>Action:</u> R Regulatory reform changes <u>Stage:</u> Fast-Track - At Secretary's Office for 19 days

Board Board of Pharmacy

Chapter	Action / Stage Information
Virginia Board of Pharmacy Regulations [18 VAC 110 - 20]	<u>Action:</u> Administrative fees for duplicate licenses and verification <u>Stage:</u> Proposed - At Secretary's Office for 640 days
Virginia Board of Pharmacy Regulations [18 VAC 110 - 20]	<u>Action:</u> R Less restrictive and burdensome record-keeping for on-hold prescriptions <u>Stage:</u> Proposed - At Governor's Office for 353 days
Virginia Board of Pharmacy Regulations [18 VAC 110 - 20]	<u>Action:</u> R Modifications to requirements for automated dispensing devices for less burdensome process <u>Stage:</u> Proposed - At Governor's Office for 188 days
Virginia Board of Pharmacy Regulations [18 VAC 110 - 20]	<u>Action:</u> Continuous quality improvement programs <u>Stage:</u> Proposed - At Governor's Office for 20 days
Virginia Board of Pharmacy Regulations [18 VAC 110 - 20]	<u>Action:</u> Addressing hours of continuous work by pharmacists <u>Stage:</u> Proposed - DPB Review in progress
Virginia Board of Pharmacy Regulations [18 VAC 110 - 20]	<u>Action:</u> R Change to run-dry requirement for automated counting devices <u>Stage:</u> Fast-Track - At Governor's Office for 68 days
Virginia Board of Pharmacy Regulations [18 VAC 110 - 20]	<u>Action:</u> R Regulatory reform changes <u>Stage:</u> Fast-Track - DPB Review in progress
Regulations for Practitioners of the Healing Arts to Sell Controlled Substances [18 VAC 110 - 30]	<u>Action:</u> R Regulatory reform <u>Stage:</u> Fast-Track - At Governor's Office for 54 days
Regulations Governing Wholesale Distributors, Manufacturers and	<u>Action:</u> R

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Warehousers [18 VAC 110 - 50]	Regulatory reform <u>Stage:</u> Fast-Track - At Governor's Office for 55 days
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Board Board of Physical Therapy	
Chapter	Action / Stage Information
Regulations Governing the Practice of Physical Therapy [18 VAC 112 - 20]	<u>Action:</u> RT Change in list of CE providers <u>Stage:</u> Fast-Track - At Governor's Office for 10 days
Regulations Governing the Practice of Physical Therapy [18 VAC 112 - 20]	<u>Action:</u> RT Eliminate face-to face requirement for continuing education; additional option for CE or reinstatement <u>Stage:</u> Final - At Governor's Office for 413 days

Board Board of Social Work	
Chapter	Action / Stage Information
Regulations Governing the Practice of Social Work [18 VAC 140 - 20]	<u>Action:</u> Fee increase and renewal cycle <u>Stage:</u> Proposed - At Secretary's Office for 863 days
Regulations Governing the Practice of Social Work [18 VAC 140 - 20]	<u>Action:</u> RT Regulatory reform <u>Stage:</u> Fast-Track - At Governor's Office for 10 days
Regulations Governing the Practice of Social Work [18 VAC 140 - 20]	<u>Action:</u> Licensure requirements <u>Stage:</u> Final - At Governor's Office for 42 days

Board Board of Veterinary Medicine	
Chapter	Action / Stage Information
Regulations Governing the Practice of Veterinary Medicine [18 VAC 150 - 20]	<u>Action:</u> RT Regulatory reform changes <u>Stage:</u> Fast-Track - At Governor's Office for 10 days
Regulations Governing the Practice of Veterinary Medicine [18 VAC 150 - 20]	<u>Action:</u> Fee increase – action begun in 2010 <u>Stage:</u> Re-submitted Final - At Governor's Office for 42 days

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