



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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**18 VAC 85-20 – Regulations Governing the Practice of Medicine, Osteopathic Medicine,  
Podiatry and Chiropractic**  
**Department of Health Professions**  
November 30, 2006

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### **Summary of the Proposed Amendments to Regulation**

The Board of Medicine (board) proposes to exempt individuals practicing solely as a medical examiner from the standard 60 hours of continuing education per two year licensure period typically required for an active medical license, provided that the licensee obtains six hours of medical examiner training per year provided by the Office of the Chief Medical Examiner.

### **Result of Analysis**

The benefits likely exceed the costs for all proposed changes.

### **Estimated Economic Impact**

Pursuant to Section § [32.1-282](#) of the Code of Virginia, the Commonwealth's Chief Medical Examiner appoints for each county and city one or more medical examiners. Section § [32.1-282](#) specifies that each medical examiner be licensed to practice medicine in Virginia. The Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry and Chiropractic specify that in order to renew a Virginia medical license, physicians must complete at least 60 hours of continuing learning activities per two year licensure period.

The board is concerned about the availability of persons who are willing to serve as medical examiners, especially in more isolated regions of the state.<sup>1</sup> In response, the board proposes to exempt individuals practicing solely as a medical examiner from the requirement for

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<sup>1</sup> Source: Department of Health Professions

60 hours of continuing learning activities, provided the licensee obtains six hours of medical examiner training per year provided by the Office of the Chief Medical Examiner.

According to the Department of Health Professions the proposed changes would encourage and support the older physicians, who have retired from active practice, but are willing to continue serving as a local medical examiner. Compensation for a medical examiner is minimal, so the additional expense of acquiring continuing medical education relating to clinical practice is burdensome. An exemption from continuing education for a physician practicing solely as a local medical examiner would not represent any risk of harm to the public or any diminution in the quality of health care.

Reducing the required amount of continuing medical education from 60 hours per two year licensure period to 12 hours (6 hours per year) is a significant reduction in the burden. The current regulations do not specify that any of the continuing education be on topics directly related to work as a medical examiner, such as determining cause of death. According to Virginia's Chief Medical Examiner, a significant number of medical examiners do not currently participate in continuing education related to work as a medical examiner. Thus by specifying that the continuing medical education be medical examiner training provided by the Office of the Chief Medical Examiner, the proposed amendments will likely increase the overall average competency level of medical examiners, as well as reduce the costs for those older physicians who have retired from active practice, but are willing to continue serving as a local medical examiner. Therefore the proposed amendments to the regulations will create a net benefit for the Commonwealth.

### **Businesses and Entities Affected**

The proposed amendments particularly affect older physicians, who have retired from active practice, but are willing to continue serving as a local medical examiner.

### **Localities Particularly Affected**

The proposed regulations particularly affect rural Virginia localities.

## **Projected Impact on Employment**

The proposed amendments may encourage a small number of older physicians who have retired from active practice to serve as a local medical examiner.

## **Effects on the Use and Value of Private Property**

The proposed amendments reduce costs (time and fees) for physicians who wish to serve as a medical examiner, but not otherwise practice medicine. The net financial worth of these individuals will increase. The reduction in costs may encourage a small number of older physicians who have retired from active practice to serve as a local medical examiner.

## **Small Businesses: Costs and Other Effects**

The proposed amendments reduce costs (time and fees) for physicians who wish to serve as a medical examiner, but not otherwise practice medicine. Most or all of these physicians would work as individuals or otherwise work for small businesses.

## **Small Businesses: Alternative Method that Minimizes Adverse Impact**

The proposed amendments reduce costs for small businesses.

## **Legal Mandate**

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a

description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.