

VIRGINIA BOARD OF MEDICINE
LEGISLATIVE COMMITTEE MINUTES

FRIDAY, JANUARY 9, 2026

DEPARTMENT OF HEALTH PROFESSIONS

HENRICO, VA

- CALL TO ORDER:** Dr. Vaughan called the meeting of the Legislative Committee to order at 8:31 a.m.
- ROLL CALL:** Ms. Brown called the roll; a quorum was established.
- MEMBERS PRESENT:** Peter Apel, MD, President
Krishna Madiraju, MD
Patrick McManus, MD
Michele Nedelka, MD
Jennifer Rathmann, DC
Leroy Vaughan, Jr., MD, Vice-President, Chair
- MEMBERS ABSENT:** Randy Clements, DPM, Past President
- STAFF PRESENT:** William L. Harp, MD - Executive Director
Jennifer Deschenes, JD - Deputy Director, Discipline
Colanthia Morton Opher - Deputy Director, Administration
Michael Sobowale, LLM - Deputy Director, Licensing
Arne Owens – DHP Director
Erin Barrett, JD – Director of Legislative and Regulatory Affairs
Deirdre Brown - Executive Assistant
Mandy Addison – Team Lead, Customer Service Representative
- COUNCIL PRESENT:** Brent Saunders, JD - Senior Assistant Attorney General
- OTHERS PRESENT:** Tamika Hines - Discipline Case Manager
Coleen Grady-Koerner – Medical Society of Virginia

EMERGENCY EGRESS INSTRUCTIONS

Dr. Vaughan provided the emergency egress instructions for Board Room 4.

APPROVAL OF MINUTES OF SEPTEMBER 5, 2025

Dr. McManus moved to approve the meeting minutes of September 5, 2025. The motion was seconded by Dr. Nedelka and carried unanimously.

ADOPTION OF AGENDA

Dr. Rathmann moved to approve the agenda as presented. The motion was seconded by Dr. McManus and carried unanimously.

PUBLIC COMMENT

There was no public comment.

DHP AGENCY DIRECTOR'S REPORT

Mr. Owens, DHP Director, announced that the inauguration of Virginia's new governor is scheduled for January 17, 2026. He noted that no official appointment has been made for DHP's new director and said that his last day serving as Agency Director will be January 16, 2026.

Mr. Owens reported that DHP continues to focus on operational efficiency and confirmed that the biennial budget has been submitted to the General Assembly. He also shared that DHP has experienced significant growth, with an increase of more than 33,000 licensees since 2022.

Dr. Harp noted that at its October meeting, the Board voted to include additional continuing education on nutrition for the 2028–2029 cycle. Mr. Owens explained that the Board's vote on nutrition CE was essential to the federal funding awarded to Virginia on December 29, 2025, by the Centers for Medicare and Medicaid Services (CMS). He said that Virginia will receive \$189M through the new federal Rural Health Transformation Program.

In closing, Mr. Owens expressed his gratitude to the members of the Board for their continued public service.

NEW BUSINESS

1. Regulatory Chart

Ms. Barrett reviewed the Regulatory Actions as of December 17, 2025 and indicated that the following regulatory matters have been moved to the Governor's office:

- 18VAC85-20 - Removal of requirement to provide documentation of continuing competency for reactivation of a license and implement attestation.
- 18VAC85-50 - Removal of patient care team physician or podiatrist name from prescriptions issued by physician assistants.

This report was for informational purposes only and did not require any action.

2. 2026 Legislative Update

Ms. Barrett said that the Virginia General Assembly will begin its Session on January 14, 2026, and noted that additional information about legislation will be provided at the Full Board meeting in February.

She reviewed the agency bill that proposes a change to how fees are adjusted and for fee increases to become exempt regulatory actions. Further, the legislation will allow the agency to impose disciplinary costs which are a significant expenditure for the boards. Most likely, this would be a flat fee for all respondents. She added that the proposal has received positive feedback from legislators.

3. Medical Device Implant Information

Dr. Vaughan provided review of a letter from Senator Barbara Favola asking if the Board of Medicine could amend its regulations to require physicians to record information on medical device implants. He explained that Senator Favola suggested patients should have access to information about the implants they have received, including the brand, manufacturer, serial number, and expiration date.

Dr. Harp noted that a physician's patient records must be retained for 6 years. Patients who wish to retrieve information in the physician's medical record would need to request it in that 6-year timeframe.

Ms. Barrett said that Senator Favola's concern was not related to timing but to the standard of care. She asked the Board to consider whether recording the lot number of a medical device implant in the physician's record should fall under the standard of care.

Dr. Apel responded that it is not currently considered the standard of care to record the lot number of implants, only the type of implant and the manufacturer. He added that information on implants is maintained by the facility to meet federal requirements, noting that hospital operative records at the facility where the procedure was performed contain this information.

Dr. Madiraju shared that children's vaccines are required to be recorded in the child's medical record to include the manufacturer, lot number, and expiration date. He expressed agreement with Senator Favola that similar information should be entered in patient records for medical device implants.

Dr. Vaughan stated that he does seek this information through the facility's operative records and that this information is typically provided to the patient.

Dr. Nedelka expressed that she did not believe that recording the information on medical device implants should be required of the physician.

Ms. Deschenes stated that it should be communicated to patients that this information is readily available through the facility

--- FINAL APPROVED---

In conclusion, Dr. Vaughan stated that no regulatory changes are necessary because hospital operative records already document all required information and is available to patients. The Legislative Committee declined to recommend any regulatory action to the Full Board. Ms. Barrett said she appreciated the Committee's discussion.

ANNOUNCEMENTS

Ms. Deschenes said that she had a proposed PHCO to present to the Committee for its approval before offering it to the licensee. After the Committee read the proposed PHCO, Dr. Rathmann moved to accept it without amendment. The motion was duly seconded by Dr. McManus. The vote to approve the document was unanimous.

NEXT MEETING

May 8, 2026

ADJOURNMENT

With no other business to conduct, the meeting adjourned at 9:15 a.m.

William L. Harp, MD
Executive Director