

## **Proposed Regulations**

**Title of Regulations:** 18 VAC 85-40-10 et seq. (VR 465-04-01) Regulations Governing the Practice of Respiratory Care Practitioners

**Statutory Authority:** § 54.1-2400 and Chapter 29 of Title 54.1 of the Code of Virginia

**Effective Date:**

**Summary:** These regulations establish requirements for educational training and examination for an Respiratory Care Practitioner to be eligible for licensure to assure safe delivery of respiratory care to the citizens of the Commonwealth.

**PART III.**

**RENEWAL AND REINSTATEMENT.**

**18 VAC 85-40-61. Inactive license.**

A. A licensed respiratory therapist who holds a current, unrestricted license in Virginia shall, upon a request on the renewal application and submission of the required fee, be issued an inactive license. The holder of an inactive license shall not be entitled to perform any act requiring a license to practice respiratory care in Virginia.

B. To reactivate an inactive license, a licensee shall:

1. Submit the required application;
2. Pay a fee equal to the difference between the current renewal fee for inactive licensure and the renewal fee for active licensure; and
3. Submit information on continued practice in another jurisdiction or other evidence of competency to return to active practice.

C. The board reserves the right to deny a request for reactivation to any licensee who has been determined to have committed an act in violation of § 54.1-2914 of the Code of Virginia or any provisions of this chapter.

**18 VAC 85-40-80. Fees.**

The following fees are required:

1. The application fee, payable at the time the application is filed, shall be \$100.
2. The biennial fee for renewal of licensure shall be \$50, payable in each odd-numbered year in the license holder's birth month. The fee for renewal of an inactive license shall be \$35, payable in each odd-numbered year in the license holder's birth month.
3. An additional fee to cover administrative costs for processing a late application may be imposed by the board. The additional fee for late renewal of licensure shall be \$10 for each renewal cycle.
4. Lapsed license. The fee for reinstatement of a license issued by the Board of Medicine pursuant to § 54.1-2904 of the Code of Virginia, which has expired for a period of two years or more, shall be \$100 and must be submitted with an application for licensure reinstatement.