



Advisory Board on Midwifery

Virginia Board of Medicine

February 3, 2017

10:00 a.m.

Here you will find a DRAFT AGENDA and a DRAFT PACKET OF SUPPORTING MATERIALS.

This information is in DRAFT form and is subject to change. The official agenda and packet will be approved by the public body at the meeting and will be available to the public pursuant to Virginia Code Section 2.2-3708(D).

Advisory Board of Midwifery
Board of Medicine
Friday, February 3, 2017, 10:00 a.m.
9960 Mayland Drive, Suite 201
Henrico, VA
Board Room 2

Call to Order – Kim Pekin, CPM, –Chair

Emergency Egress Procedures – Alan Heaberlin

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Roll Call – Beulah Archer

Approval of Minutes of October 7, 2016

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Adoption of the Agenda

Public Comment on Agenda Items

New Business

1. Legislative Report – Elaine Yeatts

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2. Electronic Submission of Birth Certificates – Kim Pekin, CPM

3. Medications- can licensed midwives administer medications under the orders of a physician? – Kim Pekin, CPM

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4. Dual credentials - Clarification about dual-credentialed midwives (RN and CPM/LM) – Kim Pekin, CPM

Announcements

Next Meeting Date: February 3, 2017, 10:00 a.m.

Adjournment

**PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS**
(Script to be read at the beginning of each meeting.)

Training Room 2

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

DRAFT

DRAFT UNAPPROVED

ADVISORY BOARD ON MIDWIFERY

Minutes

October 7, 2016

The Advisory Board on Midwifery met on Friday, October 7, 2016 at 10:00 a.m. at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT:

Kim Pekin, CPM, Chair
Maya Hawthorn, CPM
Mayanne Zielinski, CPM
Ami Keatts, MD

MEMBERS ABSENT:

The Citizen Member seat is vacant.

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director
Colanthia Morton, Operations Manager
Beulah Baptist Archer, Licensing Specialist

GUESTS PRESENT:

None

CALL TO ORDER

Kim Pekin, CPM, called the meeting to order at 10:05 a.m.

ROLL CALL –Beulah Baptist Archer

Roll was called and a quorum declared.

APPROVAL OF THE October 9, 2015 MEETING MINUTES

Maya Hawthorn moved to approve the minutes. The motion was seconded and carried.

ADOPTION OF THE AGENDA

Maya Hawthorn moved to adopt the agenda. The motion was seconded and carried.

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PUBLIC COMMENT ON AGENDA ITEMS

There was no public comment.

NEW BUSINESS

Mayanne Zielinski nominated Kim Pekin as Chair and herself as vice-chair. The motion was seconded and carried.

ANNOUNCEMENTS

Colanthia Morton announced that there were currently 87 midwives licensed by the Virginia Board of Medicine.

NEXT MEETING DATE

February 3, 2017.

ADJOURNMENT

Kim Pekin adjourned the meeting at 10:05.

Kim Pekin, CPM, Chair

William L. Harp, MD
Executive Director

Beulah Baptist Archer, Licensing Specialist

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Agenda Item: Regulatory Actions - Chart of Regulatory Actions
As of January 17, 2017

Chapter		Action / Stage Information
[18 VAC 85 - 20]	Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic	<u>Licensure by endorsement</u> [Action 4716] NOIRA - Register Date: 1/23/17
[18 VAC 85 - 20]	Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic	<u>CE credit for volunteer practice</u> [Action 4703] Fast-Track - Register Date: 1/23/17 Effective: 3/9/17
[18 VAC 85 - 40]	Regulations Governing the Practice of Respiratory Therapists	<u>CE credit for volunteer practice and academic course</u> [Action 4706] Fast-Track - Register Date: 1/23/17 Effective: 3/9/17
[18 VAC 85 - 50]	Regulations Governing the Practice of Physician Assistants	<u>Elimination of required submission of certain documents</u> [Action 4629] Fast-Track - DPB Review in progress [Stage 7797]
[18 VAC 85 - 80]	Regulations for Licensure of Occupational Therapists	<u>NBCOT certification as option for CE</u> [Action 4461] Proposed - At Secretary's Office [Stage 7756]
[18 VAC 85 - 80]	Regulations for Licensure of Occupational Therapists	<u>CE credit for volunteer practice</u> [Action 4702] Fast-Track - Register Date: 1/23/17 Effective: 3/9/17
[18 VAC 85 - 101]	Regulations Governing the Licensure of Radiologic Technology	<u>CE credit for volunteer practice</u> [Action 4704] Fast-Track - Register Date: 1/23/17 Effective: 3/9/17
[18 VAC 85 - 101]	Regulations Governing the Licensure of Radiologic Technology	<u>Appeal of traineeships</u> [Action 4707] Fast-Track - Register Date: 1/23/17 Effective: 3/9/17
[18 VAC 85 - 140]	Regulations Governing the Practice of Polysomnographic Technologists	<u>CE credit for volunteer practice</u> [Action 4705] Fast-Track - Register Date: 1/23/17 Effective: 3/9/17
[18 VAC 85 - 150]	Regulations Governing the Practice of Behavior Analysis	<u>increase in hours of CE</u> [Action 4331] Final - Register Date: 2/6/17 Effective: 3/8/17
[18 VAC 85 - 170]	Regulations Governing the Practice of Genetic Counselors [under development]	<u>Initial regulations for licensure</u> [Action 4254] Final - At Secretary's Office

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Advisory Boards – Board of Medicine

Legislative Report

HB 1484 Board of Medicine to amend regulations governing licensure of occupational therapists.

Chief patron: Bell, Richard P.

Summary as introduced:

Board of Medicine to amend regulations governing licensure of occupational therapists to specify Type 1 continuous learning activities. Directs the Board of Medicine to amend regulations governing licensure of occupational therapists to provide that Type 1 continuing learning activities that shall be completed by the practitioner prior to renewal of a license shall consist of an organized program of study, classroom experience, or similar educational experience that is related to a licensee's current or anticipated roles and responsibilities in occupational therapy and approved or provided by one of the following organizations or any of its components: the Virginia Occupational Therapy Association; the American Occupational Therapy Association; the National Board for Certification in Occupational Therapy; a local, state, or federal government agency; a regionally accredited college or university; or a health care organization accredited by a national accrediting organization granted authority by the Centers for Medicare and Medicaid Services to assure compliance with Medicare conditions of participation. Such regulations shall also provide that Type 1 continuing learning activities may also include an American Medical Association Category 1 Continuing Medical Education program.

01/06/17 House: Impact statement from VDH (HB1484)

01/12/17 House: Assigned HWI sub: Subcommittee #2

01/19/17 House: Subcommittee recommends reporting with substitute (22-Y 0-N)

01/24/17 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N)

01/24/17 House: Committee substitute printed 17103433D-H1

HB 1637 Possession or distribution of marijuana for medical purposes; Crohn's disease.

Chief patron: Davis

Summary as introduced:

Possession or distribution of marijuana for medical purposes; Crohn's disease. Provides an affirmative defense in a prosecution for the possession of marijuana if the marijuana is in the form of cannabidiol oil or THC-A oil possessed pursuant to a valid written certification issued by a practitioner of medicine or osteopathy licensed by the Board of Medicine for purposes of treating Crohn's disease or alleviating such patient's symptoms. The bill provides that a practitioner shall not be prosecuted for distribution of marijuana for the treatment of or for alleviating the symptoms of Crohn's disease.

01/04/17 House: Prefiled and ordered printed; offered 01/11/17 17101991D

01/04/17 House: Referred to Committee for Courts of Justice

01/13/17 House: Assigned Courts sub: Criminal Law

01/17/17 House: Impact statement from VDH (HB1637)

HB 1748 Persons administering services for patients at certain clinics exempt from liability.

Chief patron: O'Bannon

Summary as introduced:

Persons administering services for patients at certain clinics exempt from liability. Adds to the list of persons who are exempt from liability resulting from the rendering of certain services persons who organize, arrange, promote, or administer health care services voluntarily and without compensation to any patient of any clinic that is organized in whole or in part for the delivery of health care services without charge or any clinic for the indigent and uninsured that is organized for the delivery of primary health care services as a federally qualified health center designated by the Centers for Medicare & Medicaid Services.

01/08/17 House: Prefiled and ordered printed; offered 01/11/17 17101057D

01/08/17 House: Referred to Committee for Courts of Justice

01/13/17 House: Assigned Courts sub: Civil Law

01/16/17 House: Impact statement from VDH (HB1748)

01/23/17 House: Subcommittee recommends reporting (10-Y 0-N)

HB 1885 Opioids; limit on amount prescribed.

Chief patron: Hugo

Summary as introduced:

Prescription of opioids; limits. Provides that a prescriber who prescribes a controlled substance containing an opioid to a patient shall not prescribe an amount greater than a seven-day supply unless (i) in the professional medical judgment of the prescriber, more than a seven-day supply of the controlled substance containing an opioid is required to stabilize the patient's acute medical condition, or (ii) the prescription is for the management of pain associated with cancer, use in palliative or hospice care, or management of chronic pain not associated with cancer. The bill also requires a prescriber to obtain information from the Prescription Monitoring Program at the time of initiating a new course of treatment that includes the prescribing of opioids anticipated to last more than seven consecutive days. Currently, a prescriber must request such information when a course of opioid treatment is expected to last more than 14 consecutive days.

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17100971D

01/10/17 House: Referred to Committee on Health, Welfare and Institutions

01/16/17 House: Impact statement from VDH (HB1885)

01/17/17 House: Assigned HWI sub: Subcommittee #1

01/23/17 House: Subcommittee recommends reporting with substitute (9-Y 0-N)

HB 2046 Prescription drug orders; information on proper disposal.

Chief patron: Murphy

Summary as introduced:

Prescription drug orders; information on proper disposal. Requires pharmacies to include written instructions for the proper disposal of unused dispensed drugs, including information about prescription drug disposal programs, in every order for opioids or other prescription drugs dispensed to a patient.

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17103610D

01/10/17 House: Referred to Committee on Health, Welfare and Institutions

01/16/17 House: Impact statement from VDH (HB2046)

01/17/17 House: Assigned HWI sub: Subcommittee #3

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HB 2119 Laser hair removal; limits practice.

Chief patron: Keam

Summary as introduced:

Practice of laser hair removal. Limits the practice of laser hair removal to a person licensed to practice medicine or osteopathic medicine or to a properly trained person under the direction and supervision of a licensed doctor of medicine or osteopathic medicine.

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17102330D

01/10/17 House: Referred to Committee on Health, Welfare and Institutions

01/16/17 House: Impact statement from DPB (HB2119)

01/17/17 House: Assigned HWI sub: Subcommittee #3

HB 2135 Medical marijuana; written certification.

Chief patron: Levine

Summary as introduced:

Medical marijuana; written certification. Allows a person to possess marijuana or tetrahydrocannabinol pursuant to a valid written certification issued by a physician for the treatment of any medical condition and allows a physician or pharmacist to distribute such substances without being subject to prosecution. Under current law, a person has an affirmative defense to prosecution for possession of marijuana if the marijuana is in certain forms and the person has been issued a written certification by a physician that such marijuana is for the purposes of treating or alleviating the person's symptoms of intractable epilepsy. The bill requires that the person issued the written certification register with the Board of Pharmacy which will issue the person an identification card upon registration. The bill also clarifies that the penalties for forging or altering a recommendation for medical marijuana or for making or uttering a false or forged recommendation are the same as the penalties for committing the same acts with regard to prescriptions.

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17102382D

01/11/17 House: Referred to Committee for Courts of Justice

01/12/17 House: Impact statement from VCSC (HB2135)

01/16/17 House: Assigned Courts sub: Criminal Law

01/23/17 House: Impact statement from VDH (HB2135)

HB 2164 Drugs of concern; drug of concern.

Chief patron: Pillion

Summary as introduced:

Drugs of concern; gabapentin. Adds any material, compound, mixture, or preparation containing any quantity of gabapentin, including any of its salts, to the list of drugs of concern.

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17101055D

01/11/17 House: Referred to Committee on Health, Welfare and Institutions

01/17/17 House: Assigned HWI sub: Subcommittee #1

01/17/17 House: Impact statement from VDH (HB2164)

01/23/17 House: Subcommittee recommends reporting with amendment (9-Y 0-N)

SB 848 Naloxone; dispensing for use in opioid overdose reversal, etc.

Chief patron: Wexton

Summary as introduced:

Dispensing of naloxone. Allows a person who is authorized by the Department of Behavioral Health and Developmental Services to train individuals on the administration of naloxone for use in opioid overdose reversal and who is acting on behalf of an organization that provides substance abuse treatment services to individuals at risk of experiencing opioid overdose or training in the administration of naloxone for overdose reversal and that has obtained a controlled substances registration from the Board of Pharmacy pursuant to § 54.1-3423 to dispense naloxone to a person who has completed a training program on the administration of naloxone for opioid overdose reversal, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber, (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, and (iii) without charge or compensation. The bill also provides that a person who dispenses naloxone shall not be liable for civil damages of ordinary negligence for acts or omissions resulting from the rendering of such treatment if he acts in good faith and that a person to whom naloxone has been dispensed pursuant to the provision of the bill may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

12/01/16 Senate: Referred to Committee on Courts of Justice
01/16/17 Senate: Impact statement from DPB (SB848)
01/16/17 Senate: Rereferred from Courts of Justice (41-Y 0-N)
01/16/17 Senate: Rereferred to Education and Health Professions
01/23/17 Senate: Assigned Education and Health Professions

SB 880 Genetic counselors; licensing; grandfather clause

Chief patron: Howell

Summary as introduced:

Genetic counselors; licensing; grandfather clause. Extends the deadline from July 1, 2016, to December 31, 2017, by which individuals who have at least 20 years of documented work experience practicing genetic counseling and meet other certain requirements may receive a waiver from the Board of Medicine of the requirements of a master's degree and American Board of Genetic Counseling or American Board of Medical Genetics certification for licensure as a genetic counselor.

01/16/17 Senate: Committee amendment agreed to
01/16/17 Senate: Engrossed by Senate as amended SB880E
01/16/17 Senate: Printed as engrossed 17101024D-E
01/17/17 Senate: Impact statement from VDH (SB880E)
01/17/17 Senate: Read third time and passed Senate (40-Y 0-N)

SB 922 Dept of Professional and Occupational Regulation and Department of Health Professions; licensure.

Chief patron: Petersen

Summary as introduced:

Department of Professional and Occupational Regulation and Department of Health Professions; licensure, certification, registration, and permitting. Provides that certain powers of the Department of Professional and

Occupational Regulation, the Department of Health Professions, and health regulatory boards and certain requirements of persons regulated by such entities apply, inclusively, to permits as well as licenses, certifications, and registrations and to holders of permits as well as holders of such licenses, certifications, and registrations.

01/11/17 Senate: Impact statement from DPB (SB922)
01/12/17 Senate: Reported from Education and Health (13-Y 0-N)
01/13/17 Senate: Constitutional reading dispensed (40-Y 0-N)
01/16/17 Senate: Read second time and engrossed
01/17/17 Senate: Read third time and passed Senate (40-Y 0-N)

SB 1020 Registration of peer recovery specialists and qualified mental health professionals.

Chief patron: Barker

Summary as introduced:

Registration of peer recovery specialists and qualified mental health professionals. Authorizes the registration of peer recovery specialists and qualified mental health professionals by the Board of Counseling. The bill defines "qualified mental health professional" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative mental health services for adults or children. The bill requires that a qualified mental health professional provide such services as an employee or independent contractor of a mental health service provider licensed by the Department of Behavioral Health and Developmental Services. The bill defines "registered peer recovery specialist" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative services to assist individuals in achieving sustained recovery from the effects of addiction or mental illness, or both. The bill requires that a registered peer recovery specialist provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services, a mental health service provider licensed by the Department of Behavioral Health and Developmental Services, a practitioner licensed by or holding a permit issued from the Department of Health Professions, or a facility licensed by the Department of Health. The bill adds qualified mental health professionals and registered peer recovery specialists to the list of mental health providers that are required to take actions to protect third parties under certain circumstances and notify clients of their right to report to the Department of Health Professions any unethical, fraudulent, or unprofessional conduct. The bill directs the Board of Counseling and the Board of Behavioral Health and Developmental Services to promulgate regulations to implement the provisions of the bill within 280 days of its enactment.

01/04/17 Senate: Prefiled and ordered printed; offered 01/11/17 17101955D
01/04/17 Senate: Referred to Committee on Education and Health
01/19/17 Senate: Impact statement from VDH (SB1020)

SB 1024 Doctor of medicine, etc.; reporting disabilities of drivers to DMV, not subject to civil liability.

Chief patron: Dunnivant

Summary as introduced:

Health care practitioners; reporting disabilities of drivers. Provides that any doctor of medicine, osteopathy, chiropractic, or podiatry, any nurse practitioner, or any physician assistant who reports to the Department of Motor Vehicles the existence, or probable existence, of a mental or physical disability or infirmity of any person licensed to operate a motor vehicle which the reporting individual believes affects such person's ability to operate a motor vehicle safely is not subject to civil liability unless he has acted in bad faith or with malicious intent.

01/23/17 Senate: Read second time
01/23/17 Senate: Reading of substitute waived
01/23/17 Senate: Committee substitute agreed to 17104028D-S1
01/23/17 Senate: Engrossed by Senate - committee substitute SB1024S1
01/24/17 Senate: Read third time and passed Senate (28-Y 12-N)

SB 1046 Board of Medicine; requirements for licensure.

Chief patron: Stanley

Summary as introduced:

Board of Medicine; requirements for licensure. Removes provisions related to licensure of graduates of an institution not approved by an accrediting agency recognized by the Board of Medicine. Under the bill, only graduates of institutions approved by an accrediting agency recognized by the Board of Medicine are eligible for licensure.

01/16/17 Senate: Impact statement from VDH (SB1046)
01/19/17 Senate: Reported from Education and Health (15-Y 0-N)
01/20/17 Senate: Constitutional reading dispensed (38-Y 0-N)
01/23/17 Senate: Read second time and engrossed
01/24/17 Senate: Read third time and passed Senate (39-Y 0-N)

SB 1062 Definition of mental health service provider.

Chief patron: Deeds

Summary as introduced:

Definition of mental health service provider. Adds physician assistant to the list of mental health service providers who have a duty to take precautions to protect third parties from violent behavior or other serious harm.

01/12/17 Senate: Reported from Education and Health (13-Y 0-N)
01/13/17 Senate: Constitutional reading dispensed (40-Y 0-N)
01/16/17 Senate: Read second time and engrossed
01/17/17 Senate: Impact statement from DPB (SB1062)
01/17/17 Senate: Read third time and passed Senate (40-Y 0-N)

SB 1178 Buprenorphine without naloxone; prescription limitation.

Chief patron: Chafin

Summary as introduced:

Prescription of buprenorphine without naloxone; limitation. Provides that buprenorphine mono or products containing buprenorphine without naloxone shall be issued only for a patient who is pregnant.

01/23/17 Senate: Committee amendment agreed to
01/23/17 Senate: Engrossed by Senate as amended SB1178E
01/23/17 Senate: Printed as engrossed 17101156D-E
01/24/17 Senate: Impact statement from VDH (SB1178E)
01/24/17 Senate: Read third time and passed Senate (39-Y 0-N)

SB 1179 Secretary of Health and Human Resources; workgroup to establish educational guidelines for training.

Chief patron: Chafin

Summary as introduced:

Secretary of Health and Human Resources; workgroup to establish educational guidelines for training health care providers in the safe prescribing and appropriate use of opioids. Requires the Secretary of Health and Human Resources to convene a workgroup that shall include representatives of the Departments of Behavioral Health and Developmental Services, Health, and Health Professions as well as representatives of the State Council of Higher Education for Virginia and each of the Commonwealth's medical schools, dental schools, schools of optometry, schools of pharmacy, physician assistant education programs, and nursing education programs to develop educational standards and curricula for training health care providers, including physicians, dentists, optometrists, pharmacists, physician assistants, and nurses, in the safe and appropriate use of opioids to treat pain while minimizing the risk of addiction and substance abuse. The workgroup shall report its progress and the outcomes of its activities to the Governor and the General Assembly by December 1, 2017.

01/10/17 Senate: Prefiled and offered printed; offered 01/11/17 17101155D

01/10/17 Senate: Referred to Committee on Rules

01/12/17 Senate: Impact statement from HBP (SB1179)

SB 1180 Opioids and buprenorphine; Boards of Dentistry and Medicine to adopt regulations for prescribing.

Chief patron: Chafin

Summary as introduced:

Boards of Dentistry and Medicine; regulations for the prescribing of opioids and buprenorphine. Directs the Boards of Dentistry and Medicine to adopt regulations for the prescribing of opioids and products containing buprenorphine. The bill contains an emergency clause.

EMERGENCY

01/23/17 Senate: Amendment by Senator Dunnivant agreed to

01/23/17 Senate: Engrossed by Senate as amended SB1180E

01/23/17 Senate: Printed as engrossed 17101154D-E

01/24/17 Senate: Impact statement from VDH (SB1180E)

01/24/17 Senate: Read third time and passed Senate (39-Y 0-N)

SB 1230 Opiate prescriptions; electronic prescriptions.

Chief patron: Dunnivant

Summary as introduced:

Opiate prescriptions; electronic prescriptions. Requires a prescription for any controlled substance containing an opiate to be issued as an electronic prescription and prohibits a pharmacist from dispensing a controlled substance that contains an opiate unless the prescription is issued as an electronic prescription, beginning July 1, 2020. The bill defines electronic prescription as a written prescription that is generated on an electronic application in accordance with federal regulations and is transmitted to a pharmacy as an electronic data file. The bill requires the Secretary of Health and Human Resources to convene a work group to review actions necessary

for the implementation of the bill's provisions and report on the work group's progress to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2017 and a final report to such Chairmen by November 1, 2018.

01/23/17 Senate: Committee amendment agreed to
01/23/17 Senate: Engrossed by Senate as amended SB1230E
01/23/17 Senate: Printed as engrossed 17101418D-E
01/24/17 Senate: Impact statement from DPB (SB1230E)
01/24/17 Senate: Read third time and passed Senate (39-Y 0-N)

SB 1321 Ophthalmic prescriptions and eye examinations; definitions, requirements, penalty.

Chief patron: Carrico

Summary as introduced:

Requirements for ophthalmic prescriptions; eye examinations; penalty. Defines "eye examination" and "ophthalmic prescription" and sets out requirements for each. The bill prohibits the dispensing of eyeglasses or contact lenses unless the patient provides a valid ophthalmic prescription and prohibits ophthalmologists and optometrists from requiring patients to purchase ophthalmic goods, pay additional fees, or sign a waiver or release in exchange for a copy of an ophthalmic prescription. The bill provides that a violation of its requirements is a Class 2 misdemeanor.

01/10/17 Senate: Prefiled and ordered printed; offered 01/11/17 17101389D
01/10/17 Senate: Referred to Committee on Education and Health
01/16/17 Senate: Assigned Education sub: Health Professions
01/17/17 Senate: Impact statement from VDH (SB1321)
01/23/17 Senate: Assigned Education sub: Health Professions

SB 1327 Doctors; licensure of medical science.

Chief patron: Carrico

Summary as introduced:

Licensure of doctors of medical science. Establishes criteria for licensure of a doctor of medical science and establishes the Advisory Board on Doctors of Medical Science.

01/10/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102807D
01/10/17 Senate: Referred to Committee on Education and Health
01/24/17 Senate: Impact statement from VDH (SB1327)

CODE OF VIRGINIA

§ 54.1-2901. Exceptions and exemptions generally.

A. The provisions of this chapter shall not prevent or prohibit:

6. Any practitioner licensed or certified by the Board from delegating to personnel supervised by him, such activities or functions as are nondiscretionary and do not require the exercise of professional judgment for their performance and which are usually or customarily delegated to such persons by practitioners of the healing arts, if such activities or functions are authorized by and performed for such practitioners of the healing arts and responsibility for such activities or functions is assumed by such practitioners of the healing arts;

§ 54.1-3408. Professional use by practitioners.

A. A practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine or a licensed nurse practitioner pursuant to § 54.1-2957.01, a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 shall only prescribe, dispense, or administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice.

B. The prescribing practitioner's order may be on a written prescription or pursuant to an oral prescription as authorized by this chapter. The prescriber may administer drugs and devices, or he may cause drugs or devices to be administered by:

1. A nurse, physician assistant, or intern under his direction and supervision;
2. Persons trained to administer drugs and devices to patients in state-owned or state-operated hospitals or facilities licensed as hospitals by the Board of Health, psychiatric hospitals licensed by the Department of Behavioral Health and Developmental Services who administer drugs under the control and supervision of the prescriber or a pharmacist;
3. Emergency medical services personnel certified and authorized to administer drugs and devices pursuant to regulations of the Board of Health who act within the scope of such certification and pursuant to an oral or written order or standing protocol; or
4. A licensed respiratory therapist as defined in § 54.1-2954 who administers by inhalation controlled substances used in inhalation or respiratory therapy.

There is no provision in the Drug Control Act for possession and administration of drugs (including Schedule VI) by licensed midwives.

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