



Department of Health Professions

DIRECTOR'S POLICY # 76-3.7

Applicant cases heard by Special Conferences Committees

Effective Date: July 1, 2014

Approved By: _____

David E. Brown, D.C., Director

Purpose:

The purpose of this Policy is to implement provisions of Chapter 426 of the 2014 Acts of the Assembly relating to powers and duties of health regulatory boards and the use of special conference committees.

Statutory Basis:

This Policy relates to the authority of a special conference committee as set forth in § 54.1-2400 (10) of the Code of Virginia as amended.

Procedures:

- Effective July 1, 2014, an addition to Virginia Code § 54.1-2400 (10) will change the process for handling cases where there may be grounds to deny an application for licensure, certification, registration, or permit. This change to the law was recommended by the case streamlining committee of the agency efficiency measures task force in order to reduce the number of steps and time required to process such applications.
- Prior to July 1, 2014, if a Board informed an applicant that grounds exists to deny an application, the applicant could request an informal conference. An informal conference committee could approve the application and issue an unrestricted license. The informal conference committee could not deny an application or issue a restricted license. Any such decision had to be made in the form of a recommendation to the full Board. The informal conference committee could also refer the matter to the Board for a formal administrative hearing. Only the Board could deny a licensure application or issue a restricted license.
- The change in the law allows a Special Conference Committee to consider applications and broadens the available options. In addition to granting an unrestricted license, certification, registration, or permit, a Special Conference Committee may deny a licensure application or issue a restricted license, certification, registration, or permit. There is no need to make a recommendation to the Board. If the applicant is not satisfied with the outcome of the informal conference, she or he may appeal the decision to the Board for a formal administrative hearing. Effective immediately, APD will draft applicant notices of informal conference to reflect this change in procedure for proceedings to be held after July 1, 2014.