

PROPOSED REGULATIONS

Title of Regulation: 18 VAC 85-20-10 et seq. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic, and Physician Acupuncture.

Virginia Board of Medicine

18 VAC 85-20-22. Required fees.

Unless otherwise provided, fees established by the board shall not be refundable.

- A. The application fee for licensure in medicine, osteopathy, podiatry, or chiropractic shall be \$200.
The fee for board approval to sit for Part 3 of the United States Medical Licensing Examination without subsequent licensure in Virginia shall be \$150.
- B. All examination fees shall be determined by and made payable as designated by the board.
- C. The fee for a temporary permit to practice medicine pursuant to § 54.1-2927 B (i) and (ii) of the Code of Virginia shall be \$25.
- D. The fee for a limited professorial or fellow license issued pursuant to 18 VAC 85-20-200 of this chapter shall be \$125. The annual renewal shall be \$25.
- E. The fee for a limited license to interns and residents pursuant to 18 VAC 85-20-210 of this chapter shall be \$10 a year. An additional fee for late renewal of licensure shall be \$10.
- F. The fee for a duplicate wall certificate shall be \$25; the fee for a duplicate license shall be \$10.

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- G. The fee for biennial renewal of license shall be \$125, due in the licensee's birth month. 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 \$25 for each renewal cycle.
- H. The fee for requesting reinstatement of licensure pursuant to § 54.1-2921 of the Code of Virginia shall be \$750.
- I. The application fee for licensure to practice acupuncture shall be \$100. The biennial renewal fee shall be \$50, due and payable by June 30 of each even-numbered year.
- J. The fee for reinstatement of a license issued by the Board of Medicine pursuant to § 54.1-2904, which has expired for a period of two years or more, shall be \$250 and shall be submitted with an application for licensure reinstatement.
- K. The fee for a letter of good standing/verification to another jurisdiction for a license shall be \$10.
- L. The fee for certification of grades to another jurisdiction by the board shall be \$25. The fee shall be due and payable upon submitting the form to the board.
- M. The fee for biennial renewal of an inactive license shall be \$100, due in the licensee's birth month. An additional fee for late renewal of licensure shall be \$25 for each renewal cycle.

18 VAC 85-20-230. Renewal of an active license.

- A. Every licensee who intends to continue his practice shall renew his license biennially during his birth month, meet the continued competency requirements prescribed in 18 VAC 85-20-235, and pay to the board the renewal fee prescribed in 18 VAC 85-20-22.
- B. An additional fee to cover administrative costs for processing a late application shall be imposed by the board.

18 VAC 85-20-235. Continued competency requirements for renewal of an active license.

- A. In order to renew an active license biennially, a practitioner shall complete the Continued Competency Activity and Assessment Form which is provided by the board and which shall indicate completion of at least 100 hours of continuing learning activities as follows:
1. A minimum of 50 of the 100 hours shall be in Type 1 activities or courses offered by an accredited sponsor or organization sanctioned by the profession. At least 25 of the Type 1 hours shall be earned in face-to-face group activities or courses.
 2. No more than 50 of the 100 hours may be Type 2 activities or courses, which may or may not be approved by an accredited sponsor or organization but which shall be chosen by the licensee to address such areas as ethics, standards of care, patient safety, new medical technology, and patient communication.
- B. A practitioner shall be exempt from the continuing competency requirements for the first biennial renewal following the date of initial licensure in Virginia.
- C. The practitioner shall retain in his records the completed form with all supporting documentation for a period of six years following the renewal of an active license.
- D. The board shall periodically conduct a random audit of at least one to two percent of its active licensees to determine compliance. The practitioners selected for the audit shall provide the completed Continued Competency Activity and Assessment Form and all supporting documentation within 30 days of receiving notification of the audit.
- E. Failure to comply with these requirements may subject the licensee to disciplinary action by the board.

F. The board may grant an extension of the deadline for continuing competency requirements, for up to one year, for good cause shown upon a written request from the licensee prior to the renewal date.

G. The board may grant an exemption for all or part of the requirements for circumstances beyond the control of the licensee, such as temporary disability, mandatory military service, or officially declared disasters.

18 VAC 85-20-236. Inactive license.

A doctor of medicine, osteopathy, podiatry or chiropractic who holds a current, unrestricted license in Virginia may, 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 required to maintain continuing competency requirements and shall not be entitled to perform any act requiring a license to practice medicine, osteopathy, podiatry or chiropractic in Virginia.

18 VAC 85-20-240. Reinstatement of an inactive or lapsed license.

A. A practitioner who has not renewed his certificate in accordance with § 54.1-2904 of the Code of Virginia whose license has been lapsed for two successive years or more and who requests reinstatement of licensure shall:—1. file a completed application for reinstatement; 2. pay the reinstatement fee prescribed in 18 VAC 85-20-22. and provide documentation of having completed continued competency hours equal to the requirement for the number of years, not to exceed four years, in which the license has been lapsed.

B. An inactive licensee may reactivate his license upon submission of the required application, payment of the current renewal fee of \$125, and documentation of having completed continued

competency hours equal to the requirement for the number of years, not to exceed four years, in which the license has been inactive.

C. If a practitioner has not engaged in active practice in his profession for more than four years and wishes to reinstate or reactivate his license, he shall take and pass one of the following as applicable to his practice:

1. The Special Purpose Examination (SPEX) given by the Federation of State Medical Boards.
2. The Comprehensive Special Purpose Examination (ComSpex) given by the National Board of Osteopathic Examiners.
3. The Special Purposes Examination for Chiropractic (SPEC) given by the National Board of Chiropractic Examiners.

D. 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.