

**Virginia Board of Medicine on
Use of Confidential Consent Agreements**

Pursuant to the provisions of Section 54.1-2400(14), the Board of Medicine may enter into a confidential consent agreement with a practitioner only in cases involving minor misconduct where there is little or no injury to a patient or the public and little likelihood of repetition by the practitioner. The board cannot enter into a confidential consent agreement if there is probable cause to believe the practitioner has (i) demonstrated gross negligence or intentional misconduct in the care of patients or (ii) conducted his practice in such a manner as to be a danger to the health and welfare of his patients or the public.

The determination as to the appropriateness of a confidential consent agreement shall be made by the Board and/or Board staff at the probable cause stage through a review and recommendation by the Executive Director or Medical Review Coordinator. The types of cases that may be subject to the use of a confidential consent agreement will include, but are not limited to, the following:

- ◆ Failure to complete required hours of continuing education
- ◆ Failure to complete the physician profile
- ◆ Advertising