



2022 VIRGINIA GENERAL ASSEMBLY OVERVIEW

Setting Up the 2022 Session

- 2021 Elections
 - Republicans take control of the Governor's Mansion, Office of the Lt. Governor, Office of the Attorney General, and the House of Delegates.
 - Democrats retain control of the Senate.
 - The Senate was not up for election.
 - Democrats have a two seat majority. The Lt. Governor breaks any ties.
- 2022 Big Issues
 - Education
 - Adult use, recreational marijuana
 - The budget
 - COVID 19 restrictions

2022 Legislation of Interest

HB 145 - Head - Physician assistants; practice.

- Removes the requirement that physician assistants appointed as medical examiners practice as part of a patient care team.
- For hospice program licensing, the bill adds physician assistants to the list of hospice personnel who may be part of a medically directed interdisciplinary team.
- the bill permits physician assistants working in the field of orthopedics as part of a patient care team to utilize fluoroscopy for guidance of diagnostic and therapeutic procedures.
- Signed by the Governor.

2022 Legislation of Interest

HB 213 - Robinson - Optometrists; allowed to perform laser surgery if certified by Board of Optometry.

- Allows an optometrist to perform laser surgery upon certification by the Board of Optometry.
- Must satisfactorily completed such didactic and clinical training programs provided by an accredited school or college of optometry that includes training in the use of lasers for the medically appropriate and recognized treatment of the human eye.
- Must report annually:
 - Disciplinary action, malpractice judgment, or malpractice settlement against the provider.
 - Information regarding the number and types of laser surgeries performed and the conditions treated, as well as any adverse treatment outcomes associated with the performance of such laser surgeries
- Signed by the Governor.

2022 Legislation of Interest

HB 243 - Adams, D.M. - Medicine, osteopathy, chiropractic, and podiatric medicine; requirements for practitioners.

- Increases the duration of postgraduate training required for issuance of a license to practice medicine, osteopathy, chiropractic, or podiatric medicine from 12 months to 36 months.
- Requires every practitioner licensed to practice medicine, osteopathy, chiropractic, and podiatric medicine to obtain and maintain coverage by or to be named the insured on a professional liability insurance policy with limits equal to the current limitation on damages set forth in the Code of Virginia.
- Left in committee (Dead).

2022 Legislation of Interest

HB 773 - Hodges - Health insurance; provider credentialing, receipt of application.

- Requires that a carrier provide recognition or notification of receipt of an applicant's credentialing application.
 - Electronically if the carrier uses an online credentialing system for new provider applicants.
 - By mail or electronic mail, as selected by the applicant, within 10 days of receiving the application if the carrier does not use an online credentialing system.
- The bill is identical to SB 427 (Dunnavant).
- Signed by the Governor.

2022 Legislation of Interest

HB 896 - Adams, D.M. - Nurse practitioner; patient care team provider.

- As introduced:
 - Replaces the term "patient care team physician" with the term "patient care team provider" and would allow an NP to lead such patient care team.
 - Removes the requirement that an NP carry medical malpractice insurance.
 - Removes the ability of a patient care team physician to require an NP to carry medical malpractice insurance.

- As passed by the House and Senate:
 - Removes the requirement that an NP carry medical malpractice insurance.
 - Removes the ability of a patient care team physician to require an NP to carry medical malpractice insurance.

- Signed by the Governor.

2022 Legislation of Interest

HB 1245 - Adams, D.M. - Decreasing years of NP clinical experience for autonomous practice.

- Would permanently decrease the number of years of clinical experience required for a nurse practitioner to practice independently from five to two.
- Failed to pass from Committee of Conference.

2022 Legislation of Interest

HB 1323 - Orrock - Pharmacists; initiation of treatment with and dispensing and administration of vaccines.

- Allows pharmacists and pharmacy technicians under the supervision of a pharmacist to:
 - Dispense and administer vaccines for COVID-19, nicotine replacement and other tobacco cessation therapies, and tests for COVID-19 and other coronaviruses to persons aged 18 years and older.
 - Administer vaccines included on the Immunization Schedule published by the Centers for Disease Control and Prevention and vaccines for COVID-19 and tests for COVID-19 and other coronaviruses to persons three years of age or older in accordance with a statewide protocol established by the Board of Medicine in collaboration with the Board of Pharmacy and the Department of Health.
- HB 1323 and SB 672 (Dunnavant) are now identical.
- Amended by the Governor to revert back to Dunnavant's much more expansive bill. The amendment failed and the original HB 1323 was signed by the Governor.

2022 Legislation of Interest

SB 599 - Stanley - Medical malpractice actions, certain; limitation on recovery.

- Removes the medical malpractice cap if the jury or judge, if such an action is tried without a jury, determines that there is :
 - Permanent loss or impairment of a bodily function or;
 - Permanent brain injury
- Passed by indefinitely in committee (Dead).

Questions?
