

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2506 of the Code of Virginia, relating to investigative procedures*
3 *of the Department of Health Professions.*

4
5 Approved

[S 218]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 54.1-2506 of the Code of Virginia is amended and reenacted as follows:**

8 § 54.1-2506. Enforcement of laws by Director and investigative personnel; authority of investigative
9 personnel and Director.

10 A. The Director and investigative personnel appointed by him shall be sworn to enforce the statutes
11 and regulations pertaining to the Department, the Board, and the health regulatory boards and shall have
12 the authority to investigate any violations of those statutes and regulations and to the extent otherwise
13 authorized by law inspect any office or facility operated, owned or employing individuals regulated by
14 any health regulatory board. The Director or his designee shall have the power to subpoena witnesses
15 ~~and issue subpoenas requiring the production of~~ *and to request and obtain* patient records, business
16 records, papers, and physical or other evidence in the course of any investigation ~~or to issue subpoenas~~
17 ~~requiring the production of such evidence.~~

18 B. All investigative personnel shall be vested with the authority to (i) administer oaths or
19 affirmations for the purpose of receiving complaints of violations of this subtitle, (ii) serve and execute
20 any warrant, paper or process issued by any court or magistrate, the Board, the Director or in his
21 absence a designated subordinate, or by any regulatory board under the authority of the Director, and
22 (iii) request and receive criminal history information under the provisions of § 19.2-389.

23 C. The Director shall have the authority to issue summonses for violations of statutes and regulations
24 governing the unlicensed practice of professions regulated by the Department. The Director may delegate
25 such authority to investigators appointed by him. In the event a person issued such a summons fails or
26 refuses to discontinue the unlawful acts or refuses to give a written promise to appear at the time and
27 place specified in the summons, the investigator may appear before a magistrate or other issuing
28 authority having jurisdiction to obtain a criminal warrant pursuant to § 19.2-72.

ENROLLED

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