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HOUSE BILL NO. 597

Offered January 13, 2010

Prefiled January 12, 2010

A BILL to amend and reenact § 54.1-2912.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-2972.1, relating to signing of death certificates; continuing education upon receipt of three or more complaints.

Patron—Massie

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2912.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 54.1-2972.1 as follows:

§ 54.1-2912.1. Continued competency; office-based anesthesia; medical certification for death certificates.

A. The Board shall prescribe by regulation such requirements as may be necessary to ensure continued practitioner competence which may include continuing education, testing, and/or any other requirement.

B. In promulgating such regulations, the Board shall consider (i) the need to promote ethical practice, (ii) an appropriate standard of care, (iii) patient safety, (iv) application of new medical technology, (v) appropriate communication with patients, and (vi) knowledge of the changing health care system.

C. The Board may approve persons who provide or accredit such programs in order to accomplish the purposes of this section.

D. Pursuant to § 54.1-2400 and its authority to establish the qualifications for registration, certification or licensure that are necessary to ensure competence and integrity to engage in the regulated practice, the Board of Medicine shall promulgate regulations governing the practice of medicine related to the administration of anesthesia in physicians' offices.

E. The Board shall promulgate regulations requiring continuing education on the requirements and procedures for medical certification of death for death certificates, for physicians about whom three or more complaints regarding failure to complete medical certifications of death, pursuant to §§ 32.1-263 and 54.1-2972.1, have been received, and a process for approving continuing education programs on such topics as sufficient to accomplish the purpose of this subsection.

§ 54.1-2972.1. Medical certification and signing of death certificates.

Any physician authorized to complete the medical certification of death pursuant to § 32.1-263 shall complete, sign, and return the certification within 24 hours after death as required. Upon receipt of a third complaint regarding failure of any physician to complete, sign, and return a medical certification of death, as required by § 32.1-263 and this section, the Board of Medicine may require the physician who is the subject of the complaints to complete a continuing education program on the requirements and process for medical certification of death.

INTRODUCED

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