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SENATE BILL NO. 1097

Offered January 12, 2011

Prefiled January 11, 2011

A *BILL to amend and reenact §§ 54.1-2709, 54.1-2912.1, and 54.1-3219 of the Code of Virginia, relating to continuing education for prescribers; substance abuse, addiction, and related pain management and prescribing practices.*

Patron—Hanger

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. **That §§ 54.1-2709, 54.1-2912.1, and 54.1-3219 of the Code of Virginia are amended and reenacted as follows:**

§ 54.1-2709. License; application; qualifications; examinations.

A. No person shall practice dentistry unless he possesses a current valid license from the Board of Dentistry.

B. An application for such license shall be made to the Board in writing and shall be accompanied by satisfactory proof that the applicant (i) is of good moral character; (ii) is a graduate of an accredited dental school or college, or dental department of a university or college; (iii) has passed Part I and Part II of the examination given by the Joint Commission on National Dental Examinations; (iv) has successfully completed a clinical examination acceptable to the Board; and (v) has met other qualifications as determined in regulations promulgated by the Board.

C. The Board may grant a license to practice dentistry to an applicant licensed to practice in another jurisdiction if he (i) meets the requirements of subsection B; (ii) holds a current, unrestricted license to practice dentistry in another jurisdiction in the United States and is certified to be in good standing by each jurisdiction in which he currently holds or has held a license; (iii) has not committed any act that would constitute grounds for denial as set forth in § 54.1-2706; and (iv) has been in continuous clinical practice for five out of the six years immediately preceding application for licensure pursuant to this section. Active patient care in the dental corps of the United States Armed Forces, volunteer practice in a public health clinic, or practice in an intern or residency program may be accepted by the Board to satisfy this requirement.

D. The Board shall provide for an inactive license for those dentists who hold a current, unrestricted dental license in the Commonwealth at the time of application for an inactive license and who do not wish to practice in Virginia. The Board shall promulgate such regulations as may be necessary to carry out the provisions of this section, including requirements for remedial education to activate a license.

E. The Board shall promulgate regulations requiring continuing education for any dental license renewal or reinstatement. *Such regulations shall include a requirement for continuing education on the topics of substance abuse, addiction, and related pain management and prescribing practices for all persons licensed pursuant to this chapter who are authorized to prescribe, dispense, or administer controlled substances pursuant to § 54.1-3408.* The Board may grant extensions or exemptions from these continuing education requirements.

§ 54.1-2912.1. Continued competency and office-based anesthesia requirements.

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. *Such regulations shall include a requirement for continuing education on the topics of substance abuse, addiction, and related pain management and prescribing practices for all persons licensed pursuant to this chapter who are authorized to prescribe, dispense, or administer controlled substances pursuant to § 54.1-3408.*

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.

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59 § 54.1-3219. Continuing education.

60 As a prerequisite to renewal of a license or reinstatement of a license, each optometrist shall be
61 required to take annual courses relating to optometry as approved by the Board. The courses may
62 include, but need not be limited to, the utilization and application of new techniques, scientific and
63 clinical advances and new achievements of research. *The Board shall require, as a prerequisite to*
64 *renewal of a license or reinstatement of a license, completion of continuing education coursework on the*
65 *topics of substance abuse, addiction, and related pain management and prescribing practices for all*
66 *persons licensed pursuant to this chapter who are authorized to prescribe, dispense, or administer*
67 *controlled substances pursuant to § 54.1-3408.* The Board shall prescribe criteria for approval of courses
68 of study and credit hour requirements. However, the required number of credit hours shall not exceed
69 sixteen in any one calendar year. The Board may approve alternative courses upon timely application of
70 any licensee. Fulfillment of education requirements shall be certified to the Board upon a form provided
71 by the Board and shall be submitted by each licensed optometrist at the time he applies to the Board for
72 the renewal of his license. The Board may waive individual requirements in cases of certified illness or
73 undue hardship.