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**SENATE BILL NO. 185****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee for Courts of Justice  
on February 17, 2014)

(Patron Prior to Substitute—Senator Stuart)

*A BILL to amend and reenact § 8.01-401.2 of the Code of Virginia, relating to expert witness testimony; chiropractor; physician assistant.*

**Be it enacted by the General Assembly of Virginia:****1. That § 8.01-401.2 of the Code of Virginia is amended and reenacted as follows:****§ 8.01-401.2. Chiropractor or physician assistant as expert witness.**

A. A doctor of chiropractic, when properly qualified, may testify as an expert witness in a court of law as to etiology, diagnosis, prognosis, *treatment, treatment plan*, and disability, including anatomical, physiological, and pathological considerations within the scope of the practice of chiropractic as defined in § 54.1-2900.

B. A physician assistant, when properly qualified, may testify as an expert witness in a court of law as to etiology, diagnosis, prognosis, *treatment, treatment plan*, and disability, including anatomical, physiological, and pathological considerations within the scope of his activities as authorized pursuant to § 54.1-2952. However, no physician assistant shall be permitted to testify as an expert witness for or against (i) a defendant doctor of medicine or osteopathic medicine in a medical malpractice action regarding the standard of care of a doctor of medicine or osteopathic medicine or (ii) a defendant health care provider in a medical malpractice action regarding causation.