

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2995 of the Code of Virginia, relating to the Advance Health Care*
3 *Directive Registry; submission of documents.*

4 [S 575]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 54.1-2995 of the Code of Virginia is amended and reenacted as follows:**8 **§ 54.1-2995. Filing of documents with the registry; regulations; fees.**9 A. A person may submit any of the following documents and the revocations of these documents to
10 the Department of Health for filing in the Advance Health Care Directive Registry established pursuant
11 to this article:

12 1. A health care power of attorney.

13 2. An advance directive created pursuant to Article 8 (§ 54.1-2981 et seq.) or a subsequent act of the
14 General Assembly.15 3. A declaration of an anatomical gift made pursuant to the Revised Uniform Anatomical Gift Act
16 (§ 32.1-291.1 et seq.).17 B. The document may be submitted for filing only by the person who executed the document *or his*
18 *legal representative or designee* and shall be accompanied by any fee required by the Department of
19 Health.20 C. All data and information contained in the registry shall remain confidential and shall be exempt
21 from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).22 D. The Board of Health shall promulgate regulations to carry out the provisions of this article, which
23 shall include, but not be limited to (i) a determination of who may access the registry, including
24 physicians, other licensed health care providers, the declarant, and his legal representative or designee;
25 (ii) a means of annually reminding registry users of which documents they have registered; and (iii) fees
26 for filing a document with the registry. Such fees shall not exceed the direct costs associated with
27 development and maintenance of the registry and with the education of the public about the availability
28 of the registry, and shall be exempt from statewide indirect costs charged and collected by the
29 Department of Accounts. No fee shall be charged for the filing of a document revoking any document
30 previously filed with the registry.

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