

2020 SPECIAL SESSION I

INTRODUCED

20200164D

SENATE BILL NO. 5026

Offered August 18, 2020

Prefiled August 13, 2020

A *BILL to amend and reenact §§ 32.1-23 and 32.1-41 of the Code of Virginia, relating to nursing homes; publication of information about certain communicable diseases.*

Patrons—Newman, Kiggans, DeSteph, Dunnivant and Pillion; Delegate: Cole, M.L.

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-23 and 32.1-41 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-23. Publication of information.

A. The Commissioner may provide for the publication and distribution of such information as may contribute to the preservation of the public health and the prevention of disease.

B. The Commissioner shall establish, maintain and publicize a toll-free number to provide resource and referral information on pharmaceutical companies' free and discount drug programs for persons who demonstrate financial hardship or otherwise meet program eligibility criteria. Such information shall include, but not be limited to, available drugs, participating pharmaceutical companies, and application procedures for each of the pharmaceutical companies and dispensing methods. Such information shall also include the locations of various Pharmacy Connect programs accessible by that person. The Commissioner may contract with one or more public or private organizations to administer this resource and referral program.

C. *The Commissioner shall make available to the public on a website maintained by the Department information about confirmed cases of a communicable disease at nursing homes in the Commonwealth when a public health emergency related to such communicable disease has been declared. Such information shall include (i) the name of each nursing home with at least one confirmed case of such communicable disease among the patients or staff of the nursing home, (ii) the total number of confirmed cases of such communicable disease among the patients of the nursing home, and (iii) the total number of confirmed cases of such communicable disease among the staff of the nursing home.*

§ 32.1-41. Anonymity of patients and practitioners to be preserved in use of medical records.

The Commissioner or his designee shall preserve the anonymity of each patient and practitioner of the healing arts whose records are examined pursuant to § 32.1-40 except that the Commissioner, in his sole discretion, may divulge the identity of such patients and practitioners if pertinent to an investigation, research or study. Any person to whom such identities are divulged shall preserve their anonymity.

Nothing in this section shall prohibit the release of information regarding the number of confirmed cases of a communicable disease at nursing homes in the Commonwealth when a public health emergency related to such communicable disease has been declared, in accordance with subsection C of § 32.1-23.

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