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## SENATE BILL NO. 993

Offered January 16, 2020

A BILL to amend and reenact §§ 32.1-17, 32.1-30, and 32.1-34 of the Code of Virginia, relating to State Health Commissioner; local health director; qualifications; variance.

Patron—Locke

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-17, 32.1-30, and 32.1-34 of the Code of Virginia is amended and reenacted as follows:

**§ 32.1-17. Appointment of Commissioner; qualifications; term.**

A. There shall be a State Health Commissioner appointed by the Governor, subject to confirmation by each house of the General Assembly. The Commissioner shall be a physician licensed to practice medicine in ~~this~~ the Commonwealth and shall be certified by the American Board of Preventive Medicine or a recognized board in a primary care specialty as approved by the American Board of Medical Specialties; *shall be* experienced in public health duties, sanitary science, and environmental health; *shall possess a Doctor of Public Health degree, a Master of Public Health degree, or a doctoral degree in the area of public health;* and shall be otherwise qualified to execute the duties incumbent upon him by law.

B. The Commissioner shall be appointed for a term coincident with that of the Governor and shall serve at the pleasure of the Governor.

**§ 32.1-30. Local health departments.**

Each county and city shall establish and maintain a local department of health which shall be headed by a local health director. Each such local health director shall be a physician licensed to practice medicine in ~~this~~ the Commonwealth *or possess a Doctor of Public Health degree, a Master of Public Health degree, or a doctoral degree in the area of public health.*

**§ 32.1-34. Scope of local health ordinances and regulations.**

A. No county, city, or town ordinance or regulation shall be less stringent in the protection of the public health than any applicable state law or any applicable regulations of the Board.

B. *The Commissioner may grant a variance to a state law or regulation of the Board when the Commissioner determines that, upon review of an application from a county, city, or town, (i) an applicant for such variance has demonstrated that the implementation of a regulation would impose a substantial financial or programmatic hardship and (ii) the variance would not adversely affect the safety and well-being of residents of the county, city, or town or the Commonwealth.*

INTRODUCED

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