

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 250

An Act to amend and reenact § 54.1-108 of the Code of Virginia, relating to Department of Professional and Occupational Regulation, Department of Health Professions, and health regulatory boards; disclosure of information regarding examinations, licensure, certification, registration, or permitting.

[S 1060]

Approved March 22, 2023

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-108 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-108. Disclosure of official records.

Official records of the Department of Professional and Occupational Regulation or the Department of Health Professions or any board named in this title shall be subject to the disclosure provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except for the following:

1. Examination questions, papers, booklets, and answer sheets, which may be disclosed at the discretion of the board administering or causing to be administered such examinations.

2. Applications for admission to examinations or for licensure, certification, registration, or permitting and the scoring records maintained by any board or by the Departments on individuals or applicants. However, this material may be (i) made available during normal working hours for copying by the subject individual or applicant at his expense at the office of the Department or board that possesses the material or (ii) upon the request of the subject individual or applicant and at his expense, mailed or emailed to such individual or applicant at the address or email address on file with the applicable board or Department.

3. Records of active investigations being conducted by the Departments or any board.