

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2408.4 of the Code of Virginia, relating to out-of-state health care*
3 *practitioners; temporary authorization to practice; assisted living facilities.*

4 [H 511]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 54.1-2408.4 of the Code of Virginia is amended and reenacted as follows:**8 **§ 54.1-2408.4. Temporary authorization to practice.**

9 A. A health care practitioner licensed, certified, or registered in another state or the District of
10 Columbia may temporarily practice for one 90-day period, provided that the following conditions are
11 met:

12 1. The practitioner is contracted by or has received an offer of employment in the Commonwealth
13 from a licensed hospital, a nursing home, *an assisted living facility*, a dialysis facility, the Department of
14 Health, or a local health department;

15 2. The employer or contractor verifies that the out-of-state health care provider possesses an active
16 and unencumbered license, certification, or registration for the profession in which he will be employed
17 or contracted in another state or the District of Columbia;

18 3. The employer or contractor obtains a report from the National Practitioner Data Bank if the
19 applicant is subject to reporting; and

20 4. Prior to the out-of-state health care practitioner's practicing, the employer or contractor notifies the
21 appropriate health regulatory board that the out-of-state health care practitioner is employed or under
22 contract and will practice under the temporary authorization. This notice shall include the out-of-state
23 health care practitioner's out-of-state license, certification, or registration number and a statement that
24 such practitioner meets all of the requirements set forth in this section.

25 B. If the health care practitioner practicing with a temporary authorization has submitted an
26 application for licensure, certification, or registration, the applicable health regulatory board shall
27 expedite such applications for out-of-state health care practitioners practicing pursuant to this section. If
28 licensure, certification, or registration remains pending after the initial 90-day temporary authorization,
29 the authorization may be extended for an additional 60 days, provided that the employer or contractor
30 submits notice to the applicable health regulatory board.

31 C. Out-of-state health care practitioners practicing pursuant to this section shall be subject to the laws
32 and regulations of the Commonwealth and shall be subject to disciplinary action by the applicable health
33 regulatory board.

34 D. The Department of Health Professions shall, beginning July 1, 2023, annually report to the
35 Chairmen of the Senate Committee on Education and Health and the House Committee on Health,
36 Welfare and Institutions the number of out-of-state health care practitioners who have utilized the
37 temporary authorization to practice pending licensure and have not subsequently been issued full
38 licensure.

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