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**HOUSE BILL NO. 2175**

Offered January 16, 1997

*A BILL to amend and reenact §§ 2.1-1.6, 9-6.25:1, and 51.1-124.23 of the Code of Virginia, relating to the Virginia Retirement System; Medical Board and Retirement System Review Board.*

Patrons—Murphy, Callahan, Councill, Croshaw, DeBoer, Dickinson, Hall, Parrish, Putney and Shuler;  
Senators: Gartlan, Holland, Miller, K.G. and Walker

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 2.1-1.6, 9-6.25:1, and 51.1-124.23 of the Code of Virginia are amended and reenacted as follows:**

§ 2.1-1.6. State boards.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies affiliated with a state agency within the executive branch:

Accountancy, Board for

Aging, Advisory Board on the

Agriculture and Consumer Services, Board of

Air Pollution, State Advisory Board on

Alcoholic Beverage Control Board, Virginia

Apple Board, Virginia State

Appomattox State Scenic River Advisory Board

Aquaculture Advisory Board

Architects, Professional Engineers, Land Surveyors and Landscape Architects, State Board for

Art and Architectural Review Board

Athletic Board, Virginia

Auctioneers Board

Audiology and Speech-Language Pathology, Board of

Aviation Board, Virginia

Barbers, Board for

Branch Pilots, Board for

Bright Flue-Cured Tobacco Board, Virginia

Building Code Technical Review Board, State

Catoclin Creek State Scenic River Advisory Board

Cattle Industry Board, Virginia

Cave Board

Certified Seed Board, State

Chesapeake Bay Local Assistance Board

Chickahominy State Scenic River Advisory Board

Child Abuse and Neglect, Advisory Board on

Chippokes Plantation Farm Foundation, Board of Trustees

Clinch Scenic River Advisory Board

Coal Mining Examiners, Board of

Coal Research and Development Advisory Board, Virginia

Coal Surface Mining Reclamation Fund Advisory Board

Coastal Land Management Advisory Council, Virginia

Conservation and Development of Public Beaches, Board on

Conservation and Recreation, Board of

Contractors, Board for

Corn Board, Virginia

Correctional Education, Board of

Corrections, State Board of

Cosmetology, Board for

Criminal Justice Services Board

Dark-Fired Tobacco Board, Virginia

Deaf and Hard-of-Hearing, Advisory Board for the Department for the

Dentistry, Board of

Design-Build/Construction Management Review Board

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60	Education, State Board of
61	Egg Board, Virginia
62	Emergency Medical Services Advisory Board
63	Farmers Market Board, Virginia
64	Film Office Advisory Board
65	Fire Services Board, Virginia
66	Forensic Science Advisory Board
67	Forestry, Board of
68	Funeral Directors and Embalmers, Board of
69	Game and Inland Fisheries, Board of
70	Geology, Board for
71	Goose Creek Scenic River Advisory Board
72	Health Planning Board, Virginia
73	Health Professions, Board of
74	Health, State Board of
75	Hearing Aid Specialists, Board for
76	Hemophilia Advisory Board
77	Historic Resources, Board of
78	Housing and Community Development, Board of
79	Industrial Development Services Advisory Board
80	Irish Potato Board, Virginia
81	Juvenile Justice, State Board of
82	Litter Control and Recycling Fund Advisory Board
83	Marine Products Board, Virginia
84	Medical Advisory Board, Department of Motor Vehicles
85	<del>Medical Board of the Virginia Retirement System</del>
86	Medicare and Medicaid, Advisory Board on
87	Medicine, Board of
88	Mental Health, Mental Retardation and Substance Abuse Services Board, State
89	Migrant and Seasonal Farmworkers Board
90	Military Affairs, Board of
91	Mineral Mining Examiners, Board of
92	Minority Business Enterprise, Interdepartmental Board of the Department of
93	Networking Users Advisory Board, State
94	Nottoway State Scenic River Advisory Board
95	Nursing, Board of
96	Nursing Home Administrators, Board of
97	Occupational Therapy, Advisory Board on
98	Oil and Gas Conservation Board, Virginia
99	Opticians, Board for
100	Optometry, Board of
101	Peanut Board, Virginia
102	Personnel Advisory Board
103	Pesticide Control Board
104	Pharmacy, Board of
105	Physical Therapy to the Board of Medicine, Advisory Board on
106	Plant Pollination Advisory Board
107	Polygraph Examiners Advisory Board
108	Pork Industry Board, Virginia
109	Poultry Products Board, Virginia
110	Private College Advisory Board
111	Private Security Services Advisory Board
112	Professional and Occupational Regulation, Board for
113	Professional Counselors, Board of
114	Professional Soil Scientists, Board for
115	Psychiatric Advisory Board
116	Psychology, Board of
117	Public Buildings Board, Virginia
118	Public Telecommunications Board, Virginia
119	Radiation Advisory Board
120	Real Estate Appraiser Board
121	Real Estate Board

- 122 Reciprocity Board, Department of Motor Vehicles
- 123 Recreational Fishing Advisory Board, Virginia
- 124 Recreation Specialists, Board of
- 125 Reforestation Board
- 126 Rehabilitation Providers, Advisory Board on
- 127 Rehabilitative Services, Board of
- 128 Respiratory Therapy, Advisory Board on
- 129 ~~Retirement System Review Board~~
- 130 Rockfish State Scenic River Advisory Board
- 131 Safety and Health Codes Board
- 132 Seed Potato Board
- 133 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 134 Shenandoah State Scenic River Advisory Board
- 135 Small Business Advisory Board
- 136 Small Business Environmental Compliance Advisory Board
- 137 Small Grains Board, Virginia
- 138 Social Services, Board of
- 139 Social Work, Board of
- 140 Soil and Water Conservation Board, Virginia
- 141 Soybean Board, Virginia
- 142 State Air Pollution Control Board
- 143 Substance Abuse Certification Board
- 144 Surface Mining Review, Board of
- 145 Sweet Potato Board, Virginia
- 146 T & M Vehicle Dealers' Advisory Board
- 147 Teacher Education and Licensure, Advisory Board on
- 148 Tourism and Travel Services Advisory Board
- 149 Transportation Board, Commonwealth
- 150 Transportation Safety, Board of
- 151 Treasury Board, The, Department of the Treasury
- 152 Veterans' Affairs, Board on
- 153 Veterinary Medicine, Board of
- 154 Virginia Board for Asbestos Licensing
- 155 Virginia Coal Mine Safety Board
- 156 Virginia Correctional Enterprises Advisory Board
- 157 Virginia Employment Commission, State Advisory Board for the
- 158 Virginia Higher Education Tuition Trust Fund, Board of the
- 159 Virginia Horse Industry Board
- 160 Virginia Manufactured Housing Board
- 161 Virginia Retirement System, Board of Trustees
- 162 Virginia Sheep Industry Board
- 163 Virginia Veterans Cemetery Board
- 164 Virginia Waste Management Board
- 165 Visually Handicapped, Virginia Board for the
- 166 Voluntary Formulary Board, Virginia
- 167 War Memorial Foundation, Virginia, Board of Trustees
- 168 Waste Management Facility Operators, Board for
- 169 Water Resources Research Center Statewide Advisory Board, Virginia
- 170 Waterworks and Wastewater Works Operators, Board for
- 171 Well Review Board, Virginia.
- 172 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 173 referred to as boards:
- 174 Compensation Board
- 175 State Board of Elections
- 176 State Water Control Board
- 177 Virginia Parole Board
- 178 Virginia Veterans Care Center Board of Trustees.
- 179 § 9-6.25:1. Advisory boards, commissions and councils.
- 180 There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the
- 181 following advisory boards, commissions and councils within the executive branch:
- 182 Advisory Board for the Department for the Deaf and Hard-of-Hearing

183	Advisory Board for the Department for the Aging
184	Advisory Board on Child Abuse and Neglect
185	Advisory Board on Medicare and Medicaid
186	Advisory Board on Occupational Therapy
187	Advisory Board on Physical Therapy to the Board of Medicine
188	Advisory Board on Rehabilitation Providers
189	Advisory Board on Respiratory Therapy to the Board of Medicine
190	Advisory Board on Teacher Education and Licensure
191	Advisory Council on Revenue Estimates
192	Advisory Council on the Virginia Business-Education Partnership Program
193	Appomattox State Scenic River Advisory Board
194	Aquaculture Advisory Board
195	Art and Architectural Review Board
196	Board for the Visually Handicapped
197	Board of Directors, Virginia Truck and Ornamentals Research Station
198	Board of Forestry
199	Board of Military Affairs
200	Board of Rehabilitative Services
201	Board of Transportation Safety
202	Board of Trustees of the Family and Children's Trust Fund
203	Board of Visitors, Gunston Hall Plantation
204	Board on Veterans' Affairs
205	Catoctin Creek State Scenic River Advisory Board
206	Cave Board
207	Chickahominy State Scenic River Advisory Board
208	Clinch Scenic River Advisory Board
209	Coal Surface Mining Reclamation Fund Advisory Board
210	Coastal Land Management Advisory Council, Virginia
211	Commonwealth Competition Council
212	Council on Indians
213	Council on the Status of Women
214	Debt Capacity Advisory Committee
215	Emergency Medical Services Advisory Board
216	Falls of the James Committee
217	Forensic Science Advisory Board
218	Goose Creek Scenic River Advisory Board
219	Governor's Council on Alcohol and Drug Abuse Problems
220	Governor's Mined Land Reclamation Advisory Committee
221	Hemophilia Advisory Board
222	Human Services Information and Referral Advisory Council
223	Interagency Coordinating Council on Housing for the Disabled
224	Interdepartmental Board of the State Department of Minority Business Enterprise
225	Litter Control and Recycling Fund Advisory Board
226	Local Advisory Board to the Blue Ridge Community College
227	Local Advisory Board to the Central Virginia Community College
228	Local Advisory Board to the Dabney S. Lancaster Community College
229	Local Advisory Board to the Danville Community College
230	Local Advisory Board to the Eastern Shore Community College
231	Local Advisory Board to the Germanna Community College
232	Local Advisory Board to the J. Sargeant Reynolds Community College
233	Local Advisory Board to the John Tyler Community College
234	Local Advisory Board to the Lord Fairfax Community College
235	Local Advisory Board to the Mountain Empire Community College
236	Local Advisory Board to the New River Community College
237	Local Advisory Board to the Northern Virginia Community College
238	Local Advisory Board to the Patrick Henry Community College
239	Local Advisory Board to the Paul D. Camp Community College
240	Local Advisory Board to the Piedmont Virginia Community College
241	Local Advisory Board to the Rappahannock Community College
242	Local Advisory Board to the Southside Virginia Community College
243	Local Advisory Board to the Southwest Virginia Community College
244	Local Advisory Board to the Thomas Nelson Community College

- 245 Local Advisory Board to the Tidewater Community College
- 246 Local Advisory Board to the Virginia Highlands Community College
- 247 Local Advisory Board to the Virginia Western Community College
- 248 Local Advisory Board to the Wytheville Community College
- 249 Maternal and Child Health Council
- 250 Medical Advisory Board, Department of Motor Vehicles
- 251 ~~Medical Board of the Virginia Retirement System~~
- 252 Migrant and Seasonal Farmworkers Board
- 253 Motor Vehicle Dealer's Advisory Board
- 254 Nottoway State Scenic River Advisory Board
- 255 Personnel Advisory Board
- 256 Plant Pollination Advisory Board
- 257 Private College Advisory Board
- 258 Private Enterprise Commission
- 259 Private Security Services Advisory Board
- 260 Psychiatric Advisory Board
- 261 Radiation Advisory Board
- 262 Rappahannock Scenic River Advisory Board
- 263 Recreational Fishing Advisory Board, Virginia
- 264 Reforestation Board
- 265 ~~Retirement System Review Board~~
- 266 Rockfish State Scenic River Advisory Board
- 267 Shenandoah State Scenic River Advisory Board
- 268 Small Business Advisory Board
- 269 Small Business Environmental Compliance Advisory Board
- 270 St. Mary's Scenic River Advisory Committee
- 271 State Advisory Board on Air Pollution
- 272 State Advisory Board for the Virginia Employment Commission
- 273 State Building Code Technical Review Board
- 274 State Health Benefits Advisory Council
- 275 State Land Evaluation Advisory Council
- 276 State Networking Users Advisory Board
- 277 State Public Records Advisory Council
- 278 Statewide Independent Living Council
- 279 Statewide Rehabilitation Advisory Council
- 280 Statewide Rehabilitation Advisory Council for the Blind
- 281 Staunton Scenic River Advisory Committee
- 282 Telecommunications Relay Service Advisory Board
- 283 Virginia-Israel Advisory Board
- 284 Virginia Advisory Commission on Intergovernmental Relations
- 285 Virginia Advisory Council for Adult Education and Literacy
- 286 Virginia Coal Mine Safety Board
- 287 Virginia Coal Research and Development Advisory Board
- 288 Virginia Commission for the Arts
- 289 Virginia Commission on the Bicentennial of the United States Constitution
- 290 Virginia Correctional Enterprises Advisory Board
- 291 Virginia Council on Coordinating Prevention
- 292 Virginia Equal Employment Opportunity Council
- 293 Virginia Interagency Coordinating Council
- 294 Virginia Military Advisory Council
- 295 Virginia Public Buildings Board
- 296 Virginia Recycling Markets Development Council
- 297 Virginia Technology Council
- 298 Virginia Transplant Council
- 299 Virginia Veterans Cemetery Board
- 300 Virginia Water Resources Research Center, Statewide Advisory Board
- 301 Virginia Winegrowers Advisory Board.
- 302 § 51.1-124.23. Medical Board.
- 303 A. The Board shall employ a Medical Board of ~~three~~ *four* physicians who are not eligible to
- 304 participate in the Retirement System. Each physician shall be employed for a four-year term to
- 305 commence at the expiration of the term of his predecessor. Employment to fill a vacancy shall be for

306 the unexpired portion of the term. The Medical Board shall appoint ~~three~~ *four* physicians, subject to  
307 confirmation by the Board, to serve as substitutes when members of the Medical Board cannot serve in  
308 their official capacity. Members of the Medical Board and their substitutes shall serve at the pleasure of  
309 the Board.

310 B. The Medical Board shall:

311 1. Review all reports of medical examinations required by this chapter.

312 2. Investigate all essential health and medical statements and certificates filed in connection with  
313 disability retirement.

314 3. Submit to the Board a written report of its conclusions and recommendations on all matters  
315 referred to it.

316 C. The Medical Board, its substitutes, and its employees shall not be held personally liable for  
317 conclusions, advice, or recommendations made in accordance with the duties of the Medical Board  
318 under the provisions of this title.