

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 38.2-5003 of the Code of Virginia and to amend the Code of Virginia*  
3 *by adding a section numbered 8.01-273.1, relating to the Virginia Birth-Related Neurological Injury*  
4 *Compensation Act; referral to Workers' Compensation Commission.*

5 [H 1555]

6 Approved

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

8 **1. That § 38.2-5003 of the Code of Virginia is amended and reenacted, and that the Code of**  
9 **Virginia is amended by adding a section numbered 8.01-273.1 as follows:**

10 *§ 8.01-273.1. Motion for judgment; motion to refer; Virginia Birth-Related Neurological Injury*  
11 *Compensation Act.*

12 *In any civil action, where a party moves to refer a cause of action to the Workers' Compensation*  
13 *Commission for the purposes of determining whether the cause of action satisfies the requirements of the*  
14 *Virginia Birth-Related Neurological Injury Compensation Act (§ 38.2-5000 et seq.), the court shall*  
15 *forward the motion to refer together with a copy of the motion for judgment to the Commission and stay*  
16 *all proceedings on the cause of action pending an award and notification by the Commission of its*  
17 *disposition.*

18 *§ 38.2-5003. Virginia Workers' Compensation Commission authorized to hear and determine claims.*

19 *The Virginia Workers' Compensation Commission is authorized to hear and pass upon all claims*  
20 *filed pursuant to this chapter. The Commission may exercise the power and authority granted to it in*  
21 *Chapter 2 of Title 65.2 as necessary to carry out the purposes of this chapter.*

22 *When a circuit court refers a civil action to the Commission pursuant to § 8.01-273.1 for the*  
23 *purposes of determining whether the cause of action satisfies the requirements of this chapter, the*  
24 *Commission shall set the matter for hearing pursuant to § 38.2-5006. The Commission shall*  
25 *communicate its decision to the referring circuit court in due course.*

ENROLLED

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