

993793178

HOUSE BILL NO. 2547

Offered January 21, 1999

A BILL to amend §§ 2.1-1.6, 2.1-20.4, 9-6.25:1, 54.1-2900, and 54.1-2901 of the Code of Virginia and to amend the Code of Virginia by adding in Article 4 of Chapter 29 of Title 54.1 sections numbered 54.1-2957.4, 54.1-2957.5, and 54.1-2957.6, relating to regulation of athletic trainers.

Patrons—Crittenden, Behm, Brink, Christian and Spruill; Senators: Maxwell and Miller, Y.B.

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.6, 2.1-20.4, 9-6.25:1, 54.1-2900, and 54.1-2901 of the Code of Virginia are amended and reenacted and the Code of Virginia is amended by adding in Article 4 of Chapter 29 of Title 54.1 sections numbered 54.1-2957.4, 54.1-2957.5, and 54.1-2957.6 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, Certified Interior Designers and Landscape Architects, Board for

Art and Architectural Review Board

~~Athletic Board, Virginia~~

~~Athletic Training, Advisory Board on~~

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

Catoctin Creek State Scenic River Advisory Board

Cattle Industry Board, Virginia

Cave Board

Cemetery Board

Certified Seed Board, State

Charity Food Assistance Advisory Board

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

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

INTRODUCED

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

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

183 Virginia Veterans Care Center Board of Trustees.
184 § 2.1-20.4. Bodies receiving compensation.
185 Notwithstanding any other provision of law, members of the commissions, boards, committees,
186 councils and other similar bodies listed below, and members of any other board, committee, council, or
187 similar body who are appointed at the state level, shall receive compensation from state funds pursuant
188 to § 2.1-20.3:
189 Accountancy, Board for
190 Agriculture and Consumer Services, Board of
191 Air Pollution Control Board, State
192 Airports Authority, Virginia
193 Apprenticeship Council
194 Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape
195 Architects, Board for
196 ~~Athletic Board, Virginia~~
197 *Athletic Training, Advisory Board on*
198 Auctioneers Board
199 Audiology and Speech-Language Pathology, Board of
200 Aviation Board, Virginia
201 Barbers, Board for
202 Branch Pilots, Board for
203 Building Code Technical Review Board, State
204 Charitable Gaming Commission
205 Chesapeake Bay Local Assistance Board
206 Coal Mining Examiners, Board of
207 College Building Authority
208 Commonwealth Competition Council
209 Commonwealth Transportation Board
210 Conservation and Development of Public Beaches, Board on
211 Conservation and Recreation, Board of
212 Contractors, Board for
213 Correctional Education, Board of
214 Corrections, Board of
215 Cosmetology, Board for
216 Criminal Justice Services Board
217 Deaf and Hard-of-Hearing, Advisory Board for the
218 Dentistry, Board of
219 Education, State Board of
220 ~~Education Loan Authority, Virginia - Board of Directors~~
221 Elections, State Board of
222 ~~Environment, Council on the~~
223 Fire Services Board, Virginia
224 Funeral Directors and Embalmers, Board of
225 Game and Inland Fisheries, Board of
226 Geology, Board for
227 Health, State Board of
228 Health Professions, Board of
229 Hearing Aid Specialists, Board for
230 Higher Education, State Council of
231 Historic Resources, Board of
232 Housing and Community Development, Board of
233 Information Management, Council on
234 Juvenile Justice, State Board of
235 *Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment*
236 *Professionals, Board of*
237 Marine Resources Commission
238 Medical Assistance Services, Board of
239 Medical Complaint Investigation Committee
240 Medicine, Board of
241 Mental Health, Mental Retardation and Substance Abuse Services Board, State
242 Milk Commission
243 Mineral Mining Examiners, Board of
244 Motor Vehicle Dealer Board

245 Nursing, Board of
 246 Nursing Home Administrators, Board of
 247 Occupational Therapy, Advisory Board ~~on~~ of
 248 Oil and Gas Conservation Board, Virginia
 249 Opticians, Board for
 250 Optometry, Board of
 251 Pesticide Control Board
 252 Pharmacy, Board of
 253 Physical Therapy, Advisory Board on
 254 Port Authority, Board of Commissioners of the Virginia
 255 Professional and Occupational Regulation, Board for
 256 ~~Professional Counselors, Board of~~
 257 Professional Soil Scientists, Board for
 258 Psychology, Board of
 259 Public Defender Commission
 260 Public School Authority, Virginia
 261 Purchases and Supply Appeals Board
 262 Real Estate Appraiser Board
 263 Real Estate Board
 264 ~~Recreation Specialists, Board of~~
 265 Rehabilitative Services, Board of
 266 Respiratory ~~Therapy~~ Care, Advisory Board on
 267 Safety and Health Codes Board
 268 Seed Potato Board, *State*
 269 Social Services, Board of
 270 Social Work, Board of
 271 State Health Department Sewage Handling and Disposal Appeal Review Board
 272 Substance Abuse Certification Board
 273 Surface Mining Review, Board of
 274 Treasury Board
 275 Veterans' Affairs, Board on
 276 Veterinary Medicine, Board of
 277 Virginia Advanced Shipbuilding and Carrier Integration Center Board
 278 Virginia Board for Asbestos ~~Licensing and Lead~~
 279 Virginia Health Planning Board
 280 Virginia Manufactured Housing Board
 281 Virginia Veterans Care Center Board of Trustees
 282 Virginia Waste Management Board
 283 Visually Handicapped, Virginia Board for the
 284 Waste Management Facility Operators, Board for
 285 Water Control Board, State
 286 Waterworks and Wastewater Works Operators, Board for
 287 Well Review Board, Virginia.
 288 § 9-6.25:1. Advisory boards, commissions and councils.
 289 There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the
 290 following advisory boards, commissions and councils within the executive branch:
 291 Advisory Board for the Department for the Deaf and Hard-of-Hearing
 292 *Advisory Board on Athletic Training*
 293 Advisory Board on Child Abuse and Neglect
 294 Advisory Board on Medicare and Medicaid
 295 Advisory Board ~~on~~ of Occupational Therapy
 296 Advisory Board on Physical Therapy to the Board of Medicine
 297 Advisory Board on Rehabilitation Providers
 298 Advisory Board on Respiratory ~~Therapy~~ Care to the Board of Medicine
 299 Advisory Board on Teacher Education and Licensure
 300 Advisory Commission on the Virginia Schools for the Deaf and the Blind
 301 Advisory Council on Revenue Estimates
 302 Advisory Council on the Virginia Business-Education Partnership Program
 303 Appomattox State Scenic River Advisory Board
 304 Aquaculture Advisory Board
 305 Art and Architectural Review Board

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| 306 | Board for the Visually Handicapped, <i>Virginia</i> |
| 307 | Board of Directors, Virginia Truck and Ornamentals Research Station |
| 308 | Board of Forestry |
| 309 | Board of Military Affairs |
| 310 | Board of Rehabilitative Services |
| 311 | Board of Transportation Safety |
| 312 | Board of Trustees of the Family and Children's Trust Fund |
| 313 | Board of Visitors, Gunston Hall Plantation |
| 314 | Board on Veterans' Affairs |
| 315 | Catoctin Creek State Scenic River Advisory Board |
| 316 | Cave Board |
| 317 | Charity Food Assistance Advisory Board |
| 318 | Chickahominy State Scenic River Advisory Board |
| 319 | Clinch Scenic River Advisory Board |
| 320 | Coal Surface Mining Reclamation Fund Advisory Board |
| 321 | Coastal Land Management Advisory Council, Virginia |
| 322 | Commonwealth Competition Council |
| 323 | Commonwealth Council on Aging |
| 324 | Council on Indians |
| 325 | Council on the Status of Women |
| 326 | Debt Capacity Advisory Committee |
| 327 | Emergency Medical Services Advisory Board |
| 328 | Falls of the James Committee |
| 329 | Goose Creek Scenic River Advisory Board |
| 330 | Governor's Mined Land Reclamation Advisory Committee |
| 331 | Hemophilia Advisory Board |
| 332 | Human Services Information and Referral Advisory Council |
| 333 | Interagency Coordinating Council on Housing for the Disabled |
| 334 | Interdepartmental Board of the State Department of Minority Business Enterprise |
| 335 | Litter Control and Recycling Fund Advisory Board |
| 336 | Local Advisory Board to the Blue Ridge Community College |
| 337 | Local Advisory Board to the Central Virginia Community College |
| 338 | Local Advisory Board to the Dabney S. Lancaster Community College |
| 339 | Local Advisory Board to the Danville Community College |
| 340 | Local Advisory Board to the Eastern Shore Community College |
| 341 | Local Advisory Board to the Germanna Community College |
| 342 | Local Advisory Board to the J. Sargeant Reynolds Community College |
| 343 | Local Advisory Board to the John Tyler Community College |
| 344 | Local Advisory Board to the Lord Fairfax Community College |
| 345 | Local Advisory Board to the Mountain Empire Community College |
| 346 | Local Advisory Board to the New River Community College |
| 347 | Local Advisory Board to the Northern Virginia Community College |
| 348 | Local Advisory Board to the Patrick Henry Community College |
| 349 | Local Advisory Board to the Paul D. Camp Community College |
| 350 | Local Advisory Board to the Piedmont Virginia Community College |
| 351 | Local Advisory Board to the Rappahannock Community College |
| 352 | Local Advisory Board to the Southside Virginia Community College |
| 353 | Local Advisory Board to the Southwest Virginia Community College |
| 354 | Local Advisory Board to the Thomas Nelson Community College |
| 355 | Local Advisory Board to the Tidewater Community College |
| 356 | Local Advisory Board to the Virginia Highlands Community College |
| 357 | Local Advisory Board to the Virginia Western Community College |
| 358 | Local Advisory Board to the Wytheville Community College |
| 359 | Maternal and Child Health Council |
| 360 | Medical Advisory Board, Department of Motor Vehicles |
| 361 | Migrant and Seasonal Farmworkers Board |
| 362 | Motor Vehicle Dealer's Advisory Board |
| 363 | North Meherrin State Scenic River Advisory Board |
| 364 | Nottoway State Scenic River Advisory Board |
| 365 | Personnel Advisory Board |
| 366 | Plant Pollination Advisory Board |
| 367 | Private College Advisory Board |

368 Private Security Services Advisory Board
 369 Psychiatric Advisory Board
 370 Public Guardian and Conservator Advisory Board
 371 Radiation Advisory Board
 372 Rappahannock Scenic River Advisory Board
 373 Recreational Fishing Advisory Board, Virginia
 374 Reforestation Board
 375 Rockfish State Scenic River Advisory Board
 376 Shenandoah State Scenic River Advisory Board
 377 Small Business Advisory Board
 378 Small Business Environmental Compliance Advisory Board
 379 St. Mary's Scenic River Advisory Committee
 380 State Advisory Board for the Virginia Employment Commission
 381 State Advisory Board on Air Pollution
 382 State Building Code Technical Review Board
 383 State Health Benefits Advisory Council
 384 State Land Evaluation Advisory Council
 385 State Networking Users Advisory Board
 386 State Public Records Advisory Council
 387 Statewide Independent Living Council
 388 Statewide Rehabilitation Advisory Council
 389 Statewide Rehabilitation Advisory Council for the Blind
 390 Statewide Workforce Training Council
 391 Staunton Scenic River Advisory Committee
 392 Substance Abuse Services Council
 393 Telecommunications Relay Service Advisory Board
 394 Virginia-Israel Advisory Board
 395 Virginia Advisory Commission on Intergovernmental Relations
 396 Virginia Advisory Council for Adult Education and Literacy
 397 Virginia Coal Mine Safety Board
 398 Virginia Coal Research and Development Advisory Board
 399 Virginia Commission for the Arts
 400 ~~Virginia Commission on the Bicentennial of the United States Constitution~~
 401 Virginia Correctional Enterprises Advisory Board
 402 Virginia Council on Coordinating Prevention
 403 Virginia Equal Employment Opportunity Council
 404 Virginia Geographic Information Network Advisory Board
 405 Virginia Interagency Coordinating Council
 406 Virginia Military Advisory Council
 407 Virginia Public Buildings Board
 408 Virginia Recycling Markets Development Council
 409 Virginia Technology Council
 410 Virginia Transplant Council
 411 Virginia Veterans Cemetery Board
 412 Virginia Water Resources Research Center, Statewide Advisory Board
 413 Virginia Winegrowers Advisory Board.

414 § 54.1-2900. Definitions.

415 As used in this chapter, unless the context requires a different meaning:

416 "Acupuncturist" means individuals approved by the Board to practice acupuncture. This is limited to
 417 "licensed acupuncturist" which means an individual other than a doctor of medicine, osteopathy or
 418 podiatry, who has successfully completed the requirements for licensure established by the Board
 419 (approved titles are limited to: Licensed Acupuncturist, Lic.Ac., L.Ac.) and "physician acupuncturist"
 420 which means doctors of medicine, osteopathy, chiropractic and podiatry who have fulfilled the physician
 421 requirements for licensure to practice acupuncture established by the Board.

422 "Auricular acupuncture" means the subcutaneous insertion of sterile, disposable acupuncture needles
 423 in predetermined, bilateral locations in the outer ear when used exclusively and specifically in the
 424 context of an approved chemical dependency treatment program, under the appropriate supervision of a
 425 licensed physician acupuncturist or licensed acupuncturist.

426 "Board" means the Board of Medicine.

427 "Healing arts" means the arts and sciences dealing with the prevention, diagnosis, treatment and cure
 428 or alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities.

429 "Physician assistant" means an individual who has met the requirements of the Board for licensure
430 and who works under the supervision of a licensed doctor of medicine, osteopathy, or podiatry.

431 "Practice of acupuncture" means the stimulation of certain points on or near the surface of the body
432 by the insertion of needles to prevent or modify the perception of pain or to normalize physiological
433 functions, including pain control, for the treatment of certain ailments or conditions of the body and
434 includes the techniques of electroacupuncture, cupping and moxibustion. The practice of acupuncture
435 does not include the use of physical therapy, chiropractic, or osteopathic manipulative techniques; the
436 use or prescribing of any drugs, medications, herbal preparations, nutritional supplements, serums or
437 vaccines; ~~nor~~; or the procedure of auricular acupuncture as exempted in § 54.1-2901 when used
438 specifically and exclusively in the context of a publicly supported comprehensive drug treatment
439 program by an employee of the program who is trained and approved by the National Acupuncture
440 Detoxification Association.

441 *"Practice of athletic training" means the prevention, recognition, evaluation, and treatment of*
442 *injuries or conditions related to physical activity immediately upon the onset of such injury or condition,*
443 *and the subsequent treatment and rehabilitation of injuries or conditions related to physical activity,*
444 *under the direction of a licensed physical therapist and the patient's physician or under the direction of*
445 *any doctor of medicine, osteopathy, chiropractic, podiatry or dentistry, while using heat, light, sound,*
446 *cold, electricity, exercise, or mechanical or other devices.*

447 "Practice of chiropractic" means the adjustment of the twenty-four movable vertebrae of the spinal
448 column, and assisting nature for the purpose of normalizing the transmission of nerve energy, but does
449 not include the use of surgery, obstetrics, osteopathy or the administration or prescribing of any drugs,
450 medicines, serums or vaccines.

451 "Practice of medicine or osteopathic medicine" means the prevention, diagnosis and treatment of
452 human physical or mental ailments, conditions, diseases, pain or infirmities by any means or method.

453 "Practice of occupational therapy" means the evaluation, analysis, assessment, and delivery of
454 education and training in activities of daily living (ADL); the design, fabrication, and application of
455 orthoses (splints); guidance in the selection and use of adaptive equipment; therapeutic activities to
456 enhance functional performance; prevocational evaluation and training; and consultation concerning the
457 adaptation of physical environments for individuals who have disabilities.

458 "Practice of physical therapy" means, upon medical referral and direction, the evaluation, testing,
459 treatment, reeducation and rehabilitation by physical, mechanical or electronic measures and procedures
460 of individuals who, because of trauma, disease or birth defect, present physical and emotional disorders,
461 but does not include the use of Roentgen rays and radium for diagnostic or therapeutic purposes or the
462 use of electricity for shock therapy and surgical purposes including cauterization.

463 "Practice of podiatry" means the medical, mechanical and surgical treatment of the ailments of the
464 human foot and ankle, but does not include amputation proximal to the metatarsal-phalangeal joints. The
465 Board of Medicine shall determine whether a specific type of treatment of the foot and ankle is within
466 the scope of practice of podiatry.

467 "Practice of radiologic technology" means the application of x-rays to human beings for diagnostic or
468 therapeutic purposes.

469 "Practice of respiratory care" means the (i) administration of pharmacological, diagnostic, and
470 therapeutic agents related to respiratory care procedures necessary to implement a treatment, disease
471 prevention, pulmonary rehabilitative, or diagnostic regimen prescribed by a practitioner of medicine or
472 osteopathic medicine; (ii) transcription and implementation of the written or verbal orders of a
473 practitioner of medicine or osteopathic medicine pertaining to the practice of respiratory care; (iii)
474 observation and monitoring of signs and symptoms, general behavior, general physical response to
475 respiratory care treatment and diagnostic testing, including determination of whether such signs,
476 symptoms, reactions, behavior or general physical response exhibit abnormal characteristics; and (iv)
477 implementation of respiratory care procedures, based on observed abnormalities, or appropriate reporting,
478 referral, respiratory care protocols or changes in treatment pursuant to the written or verbal orders by a
479 licensed practitioner of medicine or osteopathic medicine or the initiation of emergency procedures,
480 pursuant to the Board's regulations or as otherwise authorized by law. The practice of respiratory care
481 may be performed in any clinic, hospital, skilled nursing facility, private dwelling or other place deemed
482 appropriate by the Board in accordance with the written or verbal order of a practitioner of medicine or
483 osteopathic medicine, and shall be performed under qualified medical direction.

484 "Qualified medical direction" means, in the context of the practice of respiratory care, having readily
485 accessible to the respiratory care practitioner a licensed practitioner of medicine or osteopathic medicine
486 who has specialty training or experience in the management of acute and chronic respiratory disorders
487 and who is responsible for the quality, safety, and appropriateness of the respiratory services provided
488 by the respiratory care practitioner.

489 "Radiologic technologist" means an individual, other than a licensed doctor of medicine, osteopathy,
490 podiatry, or chiropractic, or a dentist licensed pursuant to Chapter 27 (§ 54.1-2700 et seq.) of this title,

who (i) performs, may be called upon to perform, or who is licensed to perform a comprehensive scope of diagnostic radiologic procedures employing equipment which emits ionizing radiation and (ii) is delegated or exercises responsibility for the operation of radiation-generating equipment, the shielding of patient and staff from unnecessary radiation, the appropriate exposure of radiographs or other procedures which contribute to any significant extent to the site or dosage of ionizing radiation to which a patient is exposed.

"Radiologic technologist, limited" means an individual, other than a licensed radiologic technologist, dental hygienist or *person* who is otherwise authorized by the Board of Dentistry under Chapter 27 of this title and the regulations pursuant thereto, who performs diagnostic radiographic procedures employing equipment which emits ionizing radiation which is limited to specific areas of the human body.

"Respiratory care" means the practice of the allied health profession responsible for the direct and indirect services, including inhalation therapy and respiratory therapy, in the treatment, management, diagnostic testing, control and care of patients with deficiencies and abnormalities associated with the cardiopulmonary system under qualified medical direction.

§ 54.1-2901. Exceptions and exemptions generally.

The provisions of this chapter shall not prevent or prohibit:

1. Any person entitled to practice his profession under any prior law on June 24, 1944, from continuing such practice within the scope of the definition of his particular school of practice;

2. Any person licensed to practice naturopathy prior to June 30, 1980, from continuing such practice in accordance with regulations promulgated by the Board;

3. Any licensed nurse practitioner from rendering care under the supervision of a duly licensed physician when such services are authorized by regulations promulgated jointly by the Board of Medicine and the Board of Nursing;

4. Any registered professional nurse, registered midwife, licensed nurse practitioner, graduate laboratory technician or other technical personnel who have been properly trained from rendering care or services within the scope of their usual professional activities which shall include the taking of blood, the giving of intravenous infusions and intravenous injections, and the insertion of tubes when performed under the orders of a person licensed to practice medicine;

5. Any dentist, pharmacist or optometrist from rendering care or services within the scope of his usual professional activities;

6. Any practitioner licensed or certified by the Board from delegating to personnel in his personal employ and supervised by him, such activities or functions as are nondiscretionary and do not require the exercise of professional judgment for their performance and which are usually or customarily delegated to such persons by practitioners of the healing arts, if such activities or functions are authorized by and performed for such practitioners of the healing arts and responsibility for such activities or functions is assumed by such practitioners of the healing arts;

7. The rendering of medical advice or information through telecommunications from a physician licensed to practice medicine in Virginia or an adjoining state to emergency medical personnel acting in an emergency situation;

8. The domestic administration of family remedies;

9. The giving or use of massages, steam baths, dry heat rooms, infrared heat or ultraviolet lamps in public or private health clubs and spas;

10. The manufacture or sale of proprietary medicines in this Commonwealth by licensed pharmacists or druggists;

11. The advertising or sale of commercial appliances or remedies;

12. The fitting by nonitinerant persons or manufacturers of artificial eyes, limbs or other apparatus or appliances or the fitting of plaster cast counterparts of deformed portions of the body by a nonitinerant bracer or prosthetist for the purpose of having a three-dimensional record of the deformity, when such bracer or prosthetist has received a prescription from a licensed physician directing the fitting of such casts and such activities are conducted in conformity with the laws of Virginia;

13. Any person from the rendering of first aid or medical assistance in an emergency in the absence of a person licensed to practice medicine or osteopathy under the provisions of this chapter;

14. The practice of the religious tenets of any church in the ministration to the sick and suffering by mental or spiritual means without the use of any drug or material remedy, whether gratuitously or for compensation;

15. Any legally qualified out-of-state or foreign practitioner from meeting in consultation with legally licensed practitioners in this Commonwealth;

16. Any practitioner of the healing arts licensed or certified and in good standing with the applicable regulatory agency in another state or Canada when that practitioner of the healing arts is in Virginia temporarily and such practitioner has been issued a temporary license or certification by the Board from

552 practicing medicine or the duties of the profession for which he is licensed or certified (i) in a summer
553 camp or in conjunction with patients who are participating in recreational activities, (ii) while
554 participating in continuing educational programs prescribed by the Board, or (iii) by rendering at any
555 site any health care services within the limits of his license, voluntarily and without compensation, to
556 any patient of any clinic which is organized in whole or in part for the delivery of health care services
557 without charge as provided in § 54.1-106;

558 17. The performance of the duties of any commissioned or contract medical officer, physical
559 therapist, or podiatrist in active service in the army, navy, coast guard, marine corps, air force, or public
560 health service of the United States while such individual is so commissioned or serving;

561 18. Any masseur, who publicly represents himself as such, from performing services within the scope
562 of his usual professional activities and in conformance with state law;

563 19. Any person from performing services in the lawful conduct of his particular profession or
564 business under state law;

565 20. Any person from rendering emergency care pursuant to the provisions of § 8.01-225;

566 21. Qualified emergency medical personnel, hospital emergency department health care providers or
567 other licensed hospital personnel, when acting within their scope of practice, from following Do Not
568 Resuscitate Orders in accordance with § 54.1-2987.1 and Board of Health regulations;

569 22. Any visiting or home care nurse licensed by the Board of Nursing acting in compliance with the
570 written order of the attending physician not to resuscitate a patient in the event of cardiac or respiratory
571 arrest;

572 23. Any commissioned or contract medical officer of the army, navy, coast guard or air force
573 rendering services voluntarily and without compensation while deemed to be licensed pursuant to
574 § 54.1-106;

575 24. Any provider of a chemical dependency treatment program who is certified as an "acupuncture
576 detoxification specialist" by the National Acupuncture Detoxification Association or an equivalent
577 certifying body, from administering auricular acupuncture treatment under the appropriate supervision of
578 a licensed physician acupuncturist or licensed acupuncturist;

579 25. Any employee of any adult care residence who is certified in cardiopulmonary resuscitation
580 (CPR) acting in compliance with the patient's individualized service plan and with the written order of
581 the attending physician not to resuscitate a patient in the event of cardiac or respiratory arrest; or

582 26. Any person working as a health assistant under the direction of a licensed medical or osteopathic
583 doctor within the Department of Corrections, the Department of Juvenile Justice or local correctional
584 facilities; or

585 27. Any person licensed pursuant to this title from continuing to practice athletic training when such
586 practice is in accordance with the Board's regulations relating to his scope of practice.

587 § 54.1-2957.4. Certification as athletic trainer required; requisite training and educational
588 requirements; other powers of the Board.

589 A. It shall be unlawful for any person to practice or to hold himself out as practicing as an athletic
590 trainer unless he holds a certificate as an athletic trainer issued by the Board. The Board shall issue
591 certificates to practice athletic training to applicants for such certification who meet the requirements of
592 this chapter and the Board's regulations.

593 B. The Board shall establish criteria for the certification of athletic trainers to ensure the
594 appropriate training and educational credentials for the practice of athletic training. Such criteria may
595 include experiential requirements and shall include one of the following: (i) a Virginia testing program
596 to determine the quality of the training and educational credentials for and competence of athletic
597 trainers, (ii) successful completion of a training program and passage of the certifying examination
598 administered by the National Athletic Training Association Board of Certification resulting in
599 certification as an athletic trainer by such national association, or (iii) completion of another
600 Board-approved training program and certifying examination.

601 C. At its discretion, the Board may grant provisional certification to persons who have successfully
602 completed an approved training program or who have met requisite experience criteria established by
603 the Board.

604 D. The Board shall promulgate such regulations as may be necessary for the certification of athletic
605 trainers and the issuance of certificates to athletic trainers to practice in the Commonwealth. The
606 Board's regulations shall ensure the competence and integrity of any person claiming to be an athletic
607 trainer or who engages in the practice of athletic training.

608 § 54.1-2957.5. Advisory Board on Athletic Training established; duties; composition; appointment;
609 terms.

610 A. The Advisory Board on Athletic Training shall assist the Board in formulating its requirements for
611 the certification of athletic trainers. In the exercise of this responsibility, the Advisory Board shall
612 recommend to the Board the criteria for certification of athletic trainers and the standards of
613 professional conduct for certificate holders. The Advisory Board shall also assist in such other matters

614 relating to the practice of athletic training as the Board may require.

615 B. The Advisory Board shall consist of five members appointed by the Governor for four-year terms.
616 Three members shall be at the time of appointment athletic trainers who have practiced for not less than
617 three years, including one athletic trainer practicing at a secondary school, one practicing at an
618 institution of higher education, and one practicing in a nonacademic environment. One member shall be
619 a physician licensed to practice medicine in the Commonwealth and one member shall be a citizen
620 appointed by the Governor from the Commonwealth at large.

621 Vacancies occurring other than by expiration of term shall be filled for the unexpired term. No
622 person shall be eligible to serve on the Advisory Board for more than two consecutive terms.

623 § 54.1-2957.6. Exceptions to athletic trainer certification.

624 A. The requirements for certification of athletic trainers shall not prohibit the recognition,
625 evaluation, and treatment of injuries or conditions related to physical activity immediately upon the
626 onset of such injury or condition, or the prevention of injuries or conditions, by any coach, physical
627 education instructor or person conducting exercise or conditioning programs or classes within the scope
628 of their employment; nor shall the requirements for certification of athletic trainers prevent student
629 athletic trainers from practicing athletic training under the supervision of a certified athletic trainer or
630 a person who is otherwise exempt from the athletic certification requirements.

631 B. Notwithstanding the provisions of §§ 54.1-2957.4 and 54.1-2957.5, any person who, prior to June
632 30, 1999, is employed in Virginia as an athletic trainer, or in the performance of his employment duties
633 engages in the practice of athletic training, shall not be required to obtain a certificate from the Board
634 to continue to be so employed until July 1, 2002.

635 2. That this act shall become effective on January 1, 2000.