

995210685

SENATE BILL NO. 1191

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—Houck, Edwards, Howell, Potts, Quayle and Woods; Delegates: Behm, Darner, DeBoer, Melvin, Moran, Reid, Rhodes, Rust and Van Yahres

Referred to Committee on General Laws

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

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

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

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

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

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

- 368 Private College Advisory Board
- 369 Private Security Services Advisory Board
- 370 Psychiatric Advisory Board
- 371 Public Guardian and Conservator Advisory Board
- 372 Radiation Advisory Board
- 373 Rappahannock Scenic River Advisory Board
- 374 Recreational Fishing Advisory Board, Virginia
- 375 Reforestation Board
- 376 Rockfish State Scenic River Advisory Board
- 377 Shenandoah State Scenic River Advisory Board
- 378 Small Business Advisory Board
- 379 Small Business Environmental Compliance Advisory Board
- 380 St. Mary's Scenic River Advisory Committee
- 381 State Advisory Board for the Virginia Employment Commission
- 382 State Advisory Board on Air Pollution
- 383 State Building Code Technical Review Board
- 384 State Health Benefits Advisory Council
- 385 State Land Evaluation Advisory Council
- 386 State Networking Users Advisory Board
- 387 State Public Records Advisory Council
- 388 Statewide Independent Living Council
- 389 Statewide Rehabilitation Advisory Council
- 390 Statewide Rehabilitation Advisory Council for the Blind
- 391 Statewide Workforce Training Council
- 392 Staunton Scenic River Advisory Committee
- 393 Substance Abuse Services Council
- 394 Telecommunications Relay Service Advisory Board
- 395 Virginia-Israel Advisory Board
- 396 Virginia Advisory Commission on Intergovernmental Relations
- 397 Virginia Advisory Council for Adult Education and Literacy
- 398 Virginia Coal Mine Safety Board
- 399 Virginia Coal Research and Development Advisory Board
- 400 Virginia Commission for the Arts
- 401 ~~Virginia Commission on the Bicentennial of the United States Constitution~~
- 402 Virginia Correctional Enterprises Advisory Board
- 403 Virginia Council on Coordinating Prevention
- 404 Virginia Equal Employment Opportunity Council
- 405 Virginia Geographic Information Network Advisory Board
- 406 Virginia Interagency Coordinating Council
- 407 Virginia Military Advisory Council
- 408 Virginia Public Buildings Board
- 409 Virginia Recycling Markets Development Council
- 410 Virginia Technology Council
- 411 Virginia Transplant Council
- 412 Virginia Veterans Cemetery Board
- 413 Virginia Water Resources Research Center, Statewide Advisory Board
- 414 Virginia Winegrowers Advisory Board.
- 415 § 54.1-2900. Definitions.
- 416 As used in this chapter, unless the context requires a different meaning:
- 417 "Acupuncturist" means individuals approved by the Board to practice acupuncture. This is limited to
- 418 "licensed acupuncturist" which means an individual other than a doctor of medicine, osteopathy or
- 419 podiatry, who has successfully completed the requirements for licensure established by the Board
- 420 (approved titles are limited to: Licensed Acupuncturist, Lic.Ac., and L.Ac.) and "physician
- 421 acupuncturist" which means doctors of medicine, osteopathy, chiropractic and podiatry who have
- 422 fulfilled the physician requirements for licensure to practice acupuncture established by the Board.
- 423 "Auricular acupuncture" means the subcutaneous insertion of sterile, disposable acupuncture needles
- 424 in predetermined, bilateral locations in the outer ear when used exclusively and specifically in the
- 425 context of an approved chemical dependency treatment program, under the appropriate supervision of a
- 426 licensed physician acupuncturist or licensed acupuncturist.
- 427 "Board" means the Board of Medicine.
- 428 "Healing arts" means the arts and sciences dealing with the prevention, diagnosis, treatment and cure

429 or alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities.

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

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

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

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

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

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

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

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

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

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

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

490 "Radiologic technologist" means an individual, other than a licensed doctor of medicine, osteopathy,

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

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

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

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

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

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

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

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

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

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

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

27. Any person licensed pursuant to this title from continuing to practice athletic training when such practice is in accordance with the Board's regulations relating to his scope of practice, any student athletic trainer from practicing athletic training under the supervision and control of a certified athletic trainer or the supervision and control of a person who is exempt from athletic trainer certification or any coach, physical education instructor or person conducting exercise or conditioning programs or classes from preventing injuries or conditions related to physical activity or recognizing, evaluating or treating such injuries or conditions immediately upon the onset of such injury or condition.

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

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

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

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

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

614 § 54.1-2957.5. Advisory Board on Athletic Training established; duties; composition; appointment;
615 terms.

616 A. The Advisory Board on Athletic Training shall assist the Board in formulating its requirements for
617 the certification of athletic trainers. In the exercise of this responsibility, the Advisory Board shall
618 recommend to the Board the criteria for certification of athletic trainers and the standards of
619 professional conduct for certificate holders. The Advisory Board shall also assist in such other matters
620 relating to the practice of athletic training as the Board may require.

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

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

629 § 54.1-2957.6. Exceptions to athletic trainer certification.

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

637 B. Notwithstanding the provisions of §§ 54.1-2957.4 and 54.1-2957.5, any person who, prior to June
638 30, 1999, is employed in Virginia as an athletic trainer, or in the performance of his employment duties
639 engages in the practice of athletic training, shall not be required to obtain a certificate from the Board
640 to continue to be so employed until July 1, 2002.

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