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HOUSE BILL NO. 1535

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare, and Institutions
on January 18, 2011)

(Patron Prior to Substitute—Delegate Merricks)

A BILL to amend and reenact §§ 54.1-2951.1, 54.1-2954.1, 54.1-2956.1, 54.1-2956.8:2, 54.1-3017, 54.1-3020, and 54.1-3023 of the Code of Virginia, relating to licensure or certification by Board of Medicine or Board of Nursing; consideration of military training and experience.

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2951.1, 54.1-2954.1, 54.1-2956.1, 54.1-2956.8:2, 54.1-3017, 54.1-3020, and 54.1-3023 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2951.1. Requirements for licensure as a physician assistant.

A. The Board shall promulgate regulations establishing requirements for licensure as a physician assistant which shall include, but not be limited to, the following:

1. Successful completion of a physician assistant program or ~~surgeon~~ surgical physician assistant program accredited by the American Medical Association or a committee of the American Medical Association established to approve or accredit allied health education programs;

2. Passage of the certifying examination administered by the National Commission on Certification of Physician Assistants; and

3. Documentation that the applicant for licensure has not had his license or certification as a physician assistant suspended or revoked and is not the subject of any disciplinary proceedings in another jurisdiction.

B. Prior to initiating practice with a supervising physician, the physician assistant shall notify the Board and provide information which shall include, but not be limited to, the following:

1. The name, address, telephone number and any changes thereto, of the physician or physicians who will supervise the assistant in the relevant practice setting; and

2. A description of the practice and the way in which the physician assistant will be utilized.

§ 54.1-2954.1. Powers of Board concerning respiratory care.

The Board shall take such actions as may be necessary to ensure the competence and integrity of any person who claims to be a respiratory care practitioner or who holds himself out to the public as a respiratory care practitioner or who engages in the practice of respiratory care and to that end the Board shall license persons as respiratory care practitioners. *The Board shall consider and may accept relevant practical experience and didactic and clinical components of education and training completed by an applicant for licensure as a respiratory care practitioner during his service as a member of any branch of the armed forces of the United States as evidence of the satisfaction of the educational requirements for licensure as a respiratory care practitioner.* The provisions hereof shall not prevent or prohibit other persons licensed pursuant to this chapter from continuing to practice respiratory care when such practice is in accordance with regulations promulgated by the Board.

The Board shall establish requirements for the supervised, structured education of respiratory care practitioners, including preclinical, didactic and laboratory, and clinical activities, and an examination to evaluate competency. All such training programs shall be approved by the Board.

§ 54.1-2956.1. Powers of Board concerning occupational therapy.

The Board shall take such actions as may be necessary to ensure the competence and integrity of any person who practices occupational therapy or claims to be an occupational therapist or occupational therapy assistant or who holds himself out to the public as an occupational therapist or occupational therapy assistant or who engages in the practice of occupational therapy, and to that end it may license practitioners as occupational therapists or occupational therapy assistants who have met the qualifications established in regulation by the Board.

The Board shall consider and may accept relevant practical experience and didactic and clinical components of education and training completed by an applicant for licensure as an occupational therapist during his service as a member of any branch of the armed forces of the United States as evidence of the satisfaction of the educational requirements for licensure as an occupational therapist.

§ 54.1-2956.8:2. Requisite training and educational achievements of radiologist assistants, radiologic technologists, and radiologic technologists, limited.

The Board shall establish a testing program to determine the training and educational achievements of radiologist assistants, radiologic technologists, or radiologic technologists, limited, ~~or the~~. The Board may accept other evidence such as successful completion of a national certification examination, experience, or completion of an approved training program in lieu of testing and shall establish this as a prerequisite for approval of the licensee's application. *The Board shall consider and may accept relevant*

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60 *practical experience and didactic and clinical components of education and training completed by an*
61 *applicant for licensure as a radiologist assistant, radiologic technologist, or radiologic technologist,*
62 *limited, during his service as a member of any branch of the armed forces of the United States as*
63 *evidence of the satisfaction of the educational requirements for licensure.*

64 § 54.1-3017. Qualifications of applicant for registered nurse's license; examination; graduates of
65 foreign nursing education programs.

66 A. An applicant for a license to practice professional nursing shall submit evidence satisfactory to the
67 Board that such applicant:

68 1. Has completed an approved four-year high school course of study or the equivalent as determined
69 by the appropriate educational agency;

70 2. Has received a diploma or degree from an approved professional nursing education program;

71 3. Has passed a written examination as required by the Board; and

72 4. Has committed no acts which are grounds for disciplinary action as set forth in this chapter.

73 B. *The Board shall consider and may accept relevant practical experience and didactic and clinical*
74 *components of education and training completed by an applicant for licensure as a registered nurse*
75 *during his service as a member of any branch of the armed forces of the United States as evidence of*
76 *the satisfaction of the educational requirements for licensure.*

77 C. An applicant who graduated from a nursing education program in a foreign country may be
78 required to pass the Commission on Graduates of Foreign Nursing Schools Qualifying Examination prior
79 to admission to the examination for licensure in ~~this~~ the Commonwealth.

80 § 54.1-3020. Qualifications of applicant for practical nurse's license.

81 A. An applicant for a license to practice as a practical nurse shall furnish evidence satisfactory to the
82 Board that the applicant:

83 1. Has completed two years of high school or its equivalent;

84 2. Has received a diploma from an approved practical nursing program;

85 3. Has passed a written examination as required by the Board; and

86 4. Has committed no acts which are grounds for disciplinary action as set forth in this chapter.

87 B. *The Board shall consider and may accept relevant practical experience and didactic and clinical*
88 *components of education and training completed by an applicant for licensure as a practical nurse*
89 *during his service as a member of any branch of the armed forces of the United States as evidence of*
90 *the satisfaction of the educational requirements for licensure.*

91 § 54.1-3023. Application for certification by competency evaluation.

92 A. Every applicant for certification by competency evaluation shall pay the required application fee
93 and shall submit written evidence that the applicant:

94 1. Has not committed any act or omission that would be grounds for discipline or denial of
95 certification under this article; and

96 2. Has successfully completed an education or training program approved by the Board.

97 B. *The Board shall consider and may accept relevant practical experience and didactic and clinical*
98 *components of education and training completed by an applicant for certification as a nurse aide during*
99 *his service as a member of any branch of the armed forces of the United States as evidence of the*
100 *satisfaction of the educational requirements for certification.*