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HOUSE BILL NO. 191

Offered January 8, 2014

Prefiled December 23, 2013

A BILL to amend and reenact §§ 8.01-401.2 and 8.01-401.2:1 of the Code of Virginia, relating to expert witness testimony; physician assistant; chiropractor; podiatrist.

Patron—Minchew

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-401.2 and 8.01-401.2:1 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-401.2. Chiropractor or physician assistant as expert witness.

A. A doctor of chiropractic, when properly qualified, may testify as an expert witness in a court of law as to etiology, diagnosis, prognosis, *treatment, treatment plan*, and disability, including anatomical, physiological, and pathological considerations within the scope of the practice of chiropractic as defined in § 54.1-2900.

B. A physician assistant, when properly qualified, may testify as an expert witness in a court of law as to etiology, diagnosis, prognosis, *treatment, treatment plan*, and disability, including anatomical, physiological, and pathological considerations within the scope of their activities as authorized pursuant to § 54.1-2952.

§ 8.01-401.2:1. Podiatrist or physician assistant as expert witness against doctor.

A No podiatrist or physician assistant shall ~~not~~ be permitted to testify as an expert witness against a doctor of medicine or osteopathic medicine in connection with a medical malpractice civil court proceeding or a medical malpractice review panel in any case where the doctor or osteopath is a defendant in such proceeding.

INTRODUCED

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