

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2408.2 of the Code of Virginia, relating to health regulatory*
3 *boards; burden of proof for reinstatement.*

4
5 Approved

[H 855]

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

7 **1. That § 54.1-2408.2 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 54.1-2408.2. Minimum period for reinstatement after revocation.**

9 When the certificate, registration or license of any person certified, registered or licensed by one of
10 the health regulatory boards has been revoked, the board may, after three years and upon the payment of
11 a fee prescribed by the ~~Board~~ board, consider an application for reinstatement of a certificate,
12 registration or license in the same manner as the original certificates, registrations or licenses are
13 granted; however, if a license has been revoked pursuant to subdivision A 19 of § 54.1-2915, the ~~Board~~
14 board shall not consider an application for reinstatement until five years have passed since revocation. A
15 ~~Board~~ board shall conduct an investigation and review an application for reinstatement after revocation
16 to determine whether there are causes for denial of the application. *The burden of proof shall be on the*
17 *applicant to show by clear and convincing evidence that he is safe and competent to practice.* The
18 reinstatement of a certificate, registration or license shall require the affirmative vote of three-fourths of
19 the members at a ~~meeting~~ the hearing. In the discretion of the board, such reinstatement may be granted
20 without further examination.

ENROLLED

HB855ER