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HOUSE BILL NO. 319

Offered January 13, 2016

Prefiled January 5, 2016

A BILL to amend and reenact § 54.1-2912.1 of the Code of Virginia and to amend the Code of Virginia by adding in Title 32.1 a chapter numbered 18, consisting of a section numbered 32.1-371, relating to volunteer health care providers.

Patrons—Rasoul, LaRock, Peace, Collins, Edmunds, Farrell, Fowler, Helsel, Robinson and Yost

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2912.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Title 32.1 a chapter numbered 18, consisting of a section numbered 32.1-371, as follows:

CHAPTER 18.

VOLUNTEER HEALTH CARE PROVIDERS.

§ 32.1-371. Volunteer health care providers; agreements with Department.

A. The Department may enter into written agreements with licensed health care providers for the provision of health care services, without compensation, to low-income individuals receiving health services through a local health department or a health care facility licensed by the Department and operated by a nonprofit entity. Such agreements shall describe the health care services to be provided, the duties and responsibilities of the volunteer health care provider, and the duties and responsibilities of the Department. A health care provider who enters into an agreement with the Department pursuant to this section shall enjoy the protection of the Commonwealth's sovereign immunity to the same extent as paid staff of the Department while acting within the scope of the volunteer agreement.

B. The Department shall include provisions for a program of quality assurance to monitor the quality of services delivered by volunteer health care providers pursuant to this section.

C. The Department shall maintain a list of all volunteer health care providers providing health care services pursuant to an agreement entered into in accordance with this section, together with information about the location at which each volunteer health care provider provides health care services, on a website maintained by the Department.

D. The Department shall report annually by December 1 to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health regarding the number of volunteer health care providers with whom the Department has entered into agreements pursuant to this section, the number of low-income individuals receiving services from volunteer health care providers pursuant to such agreements, the value of health care services provided by volunteer health care providers, and any claims of malpractice brought against any volunteer health care provider during the preceding year.

§ 54.1-2912.1. Continued competency and office-based anesthesia requirements.

A. The Board shall prescribe by regulation such requirements as may be necessary to ensure continued practitioner competence which may include continuing education, testing, and/or any other requirement.

B. In promulgating such regulations, the Board shall consider (i) the need to promote ethical practice, (ii) an appropriate standard of care, (iii) patient safety, (iv) application of new medical technology, (v) appropriate communication with patients, and (vi) knowledge of the changing health care system. Such regulations shall also include provisions for satisfaction of continuing education requirements for health care providers through provision of volunteer health care services in accordance with the requirements of Chapter 18 (§ 32.1-371 et seq.) of Title 32.1.

C. The Board may approve persons who provide or accredit such programs in order to accomplish the purposes of this section.

D. Pursuant to § 54.1-2400 and its authority to establish the qualifications for registration, certification or licensure that are necessary to ensure competence and integrity to engage in the regulated practice, the Board of Medicine shall promulgate regulations governing the practice of medicine related to the administration of anesthesia in physicians' offices.

INTRODUCED

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