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HOUSE BILL NO. 42

Offered January 8, 2020

Prefiled November 19, 2019

A BILL to amend and reenact § 54.1-3005 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2 of Chapter 29 of Title 54.1 a section numbered 54.1-2928.3, relating to health care providers; screening of patients for prenatal and postnatal depression; training.

Patrons—Samirah, Herring, Murphy, Plum and Rasoul; Senator: Morrissey

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3005 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 2 of Chapter 29 of Title 54.1 a section numbered 54.1-2928.3 as follows:

§ 54.1-2928.3. Board to adopt regulations related to identification of prenatal and postnatal depression.

A. The Board shall adopt regulations requiring every practitioner licensed by the Board who provides primary, maternity, obstetrical, or gynecological health care services to screen every patient who is pregnant or who has been pregnant within the previous five years for prenatal or postnatal depression or other depression, as appropriate.

B. The Board shall adopt regulations requiring every practitioner licensed by the Board who provides primary, maternity, obstetrical, or gynecological health care services to complete a training program on depression, including prenatal and postnatal depression and other depression, in women. Such training program shall include information on risk factors for and signs and symptoms of prenatal and postnatal depression, resources for the treatment and management of prenatal and postnatal depression, and steps the practitioner can take to link patients to such resources.

§ 54.1-3005. Specific powers and duties of Board.

In addition to the general powers and duties conferred in this title, the Board shall have the following specific powers and duties:

1. To prescribe minimum standards and approve curricula for educational programs preparing persons for licensure or certification under this chapter;

2. To approve programs that meet the requirements of this chapter and of the Board;

3. To provide consultation service for educational programs as requested;

4. To provide for periodic surveys of educational programs;

5. To deny or withdraw approval from educational or training programs for failure to meet prescribed standards;

6. To provide consultation regarding nursing practice for institutions and agencies as requested and investigate illegal nursing practices;

7. To keep a record of all its proceedings;

8. To certify and maintain a registry of all certified nurse aides and to promulgate regulations consistent with federal law and regulation. The Board shall require all schools to demonstrate their compliance with § 54.1-3006.2 upon application for approval or reapproval, during an on-site visit, or in response to a complaint or a report of noncompliance. The Board may impose a fee pursuant to § 54.1-2401 for any violation thereof. Such regulations may include standards for the authority of licensed practical nurses to teach nurse aides;

9. To maintain a registry of clinical nurse specialists and to promulgate regulations governing clinical nurse specialists;

10. To license and maintain a registry of all licensed massage therapists and to promulgate regulations governing the criteria for licensure as a massage therapist and the standards of professional conduct for licensed massage therapists;

11. To promulgate regulations for the delegation of certain nursing tasks and procedures not involving assessment, evaluation or nursing judgment to an appropriately trained unlicensed person by and under the supervision of a registered nurse, who retains responsibility and accountability for such delegation;

12. To develop and revise as may be necessary, in coordination with the Boards of Medicine and Education, guidelines for the training of employees of a school board in the administration of insulin and glucagon for the purpose of assisting with routine insulin injections and providing emergency treatment for life-threatening hypoglycemia. The first set of such guidelines shall be finalized by

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59 September 1, 1999, and shall be made available to local school boards for a fee not to exceed the costs
60 of publication;

61 13. To enter into the Nurse Licensure Compact as set forth in this chapter and to promulgate
62 regulations for its implementation;

63 14. To collect, store and make available nursing workforce information regarding the various
64 categories of nurses certified, licensed or registered pursuant to § 54.1-3012.1;

65 15. To expedite application processing, to the extent possible, pursuant to § 54.1-119 for an applicant
66 for licensure or certification by the Board upon submission of evidence that the applicant, who is
67 licensed or certified in another state, is relocating to the Commonwealth pursuant to a spouse's official
68 military orders;

69 16. To register medication aides and promulgate regulations governing the criteria for such
70 registration and standards of conduct for medication aides;

71 17. To approve training programs for medication aides to include requirements for instructional
72 personnel, curriculum, continuing education, and a competency evaluation;

73 18. To set guidelines for the collection of data by all approved nursing education programs and to
74 compile this data in an annual report. The data shall include but not be limited to enrollment, graduation
75 rate, attrition rate, and number of qualified applicants who are denied admission;

76 19. To develop, in consultation with the Board of Pharmacy, guidelines for the training of employees
77 of child day programs as defined in § 63.2-100 and regulated by the State Board of Social Services in
78 the administration of prescription drugs as defined in the Drug Control Act (§ 54.1-3400 et seq.). Such
79 training programs shall be taught by a registered nurse, licensed practical nurse, doctor of medicine or
80 osteopathic medicine, or pharmacist;

81 20. In order to protect the privacy and security of health professionals licensed, registered or certified
82 under this chapter, to promulgate regulations permitting use on identification badges of first name and
83 first letter only of last name and appropriate title when practicing in hospital emergency departments, in
84 psychiatric and mental health units and programs, or in health care facility units offering treatment for
85 patients in custody of state or local law-enforcement agencies;

86 21. To revise, as may be necessary, guidelines for seizure management, in coordination with the
87 Board of Medicine, including the list of rescue medications for students with epilepsy and other seizure
88 disorders in the public schools. The revised guidelines shall be finalized and made available to the
89 Board of Education by August 1, 2010. The guidelines shall then be posted on the Department of
90 Education's website; and

91 22. To promulgate, together with the Board of Medicine, regulations governing the licensure of nurse
92 practitioners pursuant to § 54.1-2957; and

93 23. *To adopt regulations requiring every licensee who provides maternity care services to complete a*
94 *training program on prenatal and postnatal depression in women. Such training program shall include*
95 *information on risk factors for and signs and symptoms of prenatal and postnatal depression, resources*
96 *for the treatment and management of prenatal and postnatal depression, and steps the practitioner can*
97 *take to link patients to such resources.*