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SENATE BILL NO. 1436

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on January 28, 2021)

(Patron Prior to Substitute—Senator Hanger)

A *BILL to amend the Code of Virginia by adding in Article 2 of Chapter 1 of Title 23.1 a section numbered 23.1-110, by adding in Article 3 of Chapter 1 of Title 32.1 a section numbered 32.1-23.3, and by adding a section numbered 54.1-2400.03, relating to Department of Health; Eligible Health Care Provider Reserve Directory.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2 of Chapter 1 of Title 23.1 a section numbered 23.1-110, by adding in Article 3 of Chapter 1 of Title 32.1 a section numbered 32.1-23.3, and by adding a section numbered 54.1-2400.03 as follows:

§ 23.1-110. Medical schools to report information concerning fourth-year medical students to the Department of Health; Eligible Health Care Provider Reserve Directory.

All medical schools in the Commonwealth shall report information prescribed in subsection B of § 32.1-23.3 for fourth-year medical students who are in good standing and scheduled to graduate early or on time to the Department of Health for inclusion in the Eligible Health Care Provider Reserve Directory (the Directory) when such students register for inclusion in the Directory and consent to the release of their education records required for inclusion in the Directory in compliance with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g.

§ 32.1-23.3. Eligible Health Care Provider Reserve Directory.

A. As used in this section, "eligible health care provider" means (i) any person licensed, registered, or certified by a health regulatory board within the Department of Health Professions whose license, registration, or certification is in good standing, or was in good standing within five years or less prior and only lapsed because such person retired; (ii) any emergency medical services provider certified or licensed by the Department of Health whose certification or licensing is in good standing, or was in good standing within five years or less prior and only lapsed because such person retired; and (iii) any fourth-year medical student who is engaged in a course of study approved by the Board of Medicine and is in good standing with the student's medical school and is scheduled to graduate early or on time who registers for the Eligible Health Care Provider Reserve Directory (the Directory).

B. The Department shall establish an Eligible Health Care Provider Reserve Directory to collect information regarding eligible health care providers in the Commonwealth who are qualified and who may be available to assist in the response to a public health emergency. The Directory shall include the name, contact information, and licensure, certification, or registration type and status of the eligible health care provider or, if the eligible health care provider is a fourth-year medical student, academic standing and anticipated graduation date of the fourth-year medical student. Every health regulatory board of the Department of Health Professions, the Office of Emergency Medical Services of the Department of Health, and each medical school located in the Commonwealth, upon the request of a fourth-year medical student, shall provide such information to the Department for inclusion in the Directory.

C. During a declared public health emergency, the Governor may request and the Commissioner may provide information regarding eligible health care providers from the Directory. Information obtained from the Directory may be used to (i) identify eligible health care providers who may be able to assist in responding to the public health emergency and (ii) contact such eligible health care providers to request assistance in responding to the public health emergency. Information contained in the Directory shall not be used for any other purpose.

§ 54.1-2400.03. Health regulatory boards to report information concerning health professionals to the Department of Health; Eligible Health Care Provider Reserve Directory.

Every health regulatory board within the Department of Health Professions shall report information prescribed in subsection B of § 32.1-23.3 for persons licensed, registered, or certified or previously licensed, registered, or certified by the health regulatory board to the Department of Health for inclusion in the Eligible Health Care Provider Reserve Directory.