

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 54.1-2408.4, relating to*
3 *out-of-state health care practitioners; temporary authorization to practice pending licensure;*
4 *licensure by reciprocity for physicians; emergency.*

5 [H 1187]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That the Code of Virginia is amended by adding a section numbered 54.1-2408.4 as follows:**9 **§ 54.1-2408.4. Temporary authorization to practice.**10 *A. A health care practitioner licensed, certified, or registered in another state or the District of*
11 *Columbia may temporarily practice for one 90-day period, provided that the following conditions are*
12 *met:*13 *1. The practitioner is contracted by or has received an offer of employment in the Commonwealth*
14 *from a licensed hospital, a nursing home, a dialysis facility, the Department of Health, or a local health*
15 *department;*16 *2. The employer or contractor verifies that the out-of-state health care provider possesses an active*
17 *and unencumbered license, certification, or registration for the profession in which he will be employed*
18 *or contracted in another state or the District of Columbia;*19 *3. The employer or contractor obtains a report from the National Practitioner Data Bank if the*
20 *applicant is subject to reporting; and*21 *4. Prior to the out-of-state health care practitioner's practicing, the employer or contractor notifies*
22 *the appropriate health regulatory board that the out-of-state health care practitioner is employed or*
23 *under contract and will practice under the temporary authorization. This notice shall include the*
24 *out-of-state health care practitioner's out-of-state license, certification, or registration number and a*
25 *statement that such practitioner meets all of the requirements set forth in this section.*26 *B. If the health care practitioner practicing with a temporary authorization has submitted an*
27 *application for licensure, certification, or registration, the applicable health regulatory board shall*
28 *expedite such applications for out-of-state health care practitioners practicing pursuant to this section. If*
29 *licensure, certification, or registration remains pending after the initial 90-day temporary authorization,*
30 *the authorization may be extended for an additional 60 days, provided that the employer or contractor*
31 *submits notice to the applicable health regulatory board.*32 *C. Out-of-state health care practitioners practicing pursuant to this section shall be subject to the*
33 *laws and regulations of the Commonwealth and shall be subject to disciplinary action by the applicable*
34 *health regulatory board.*35 **2. That the Board of Medicine shall pursue reciprocity agreements with jurisdictions that**
36 **surround the Commonwealth to streamline the application process in order to facilitate the**
37 **practice of medicine. Such agreements shall include a provision that, as a requirement for**
38 **reciprocal licensure, the applicant shall not be the subject of any pending disciplinary actions in**
39 **the reciprocal jurisdiction. The Board of Medicine shall grant a license by reciprocity to a**
40 **physician who meets the requirements for licensure by reciprocity within 20 days of receipt of an**
41 **application that complies with the criteria established in the applicable reciprocity agreement and**
42 **in an expedited manner consistent with the Commonwealth's reciprocal agreements with each**
43 **surrounding jurisdiction.**44 **3. That the Department of Health Professions shall, beginning July 1, 2023, annually report to the**
45 **Chairmen of the Senate Committee on Education and Health and the House Committee on Health,**
46 **Welfare and Institutions the number of out-of-state health care practitioners who have utilized the**
47 **temporary authorization to practice pending licensure and have not subsequently been issued full**
48 **licensure.**49 **4. That an emergency exists and this act is in force from its passage.**