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SENATE BILL NO. 193

Offered January 14, 2026

Prefiled January 9, 2026

A BILL to amend and reenact §§ 54.1-2915 and 54.1-3007 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 5 of Title 32.1 a section numbered 32.1-137.012, relating to unregulated pregnancy clinics; unprofessional conduct of medical providers.

Patron—Williams Graves

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2915 and 54.1-3007 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 5 of Title 32.1 a section numbered 32.1-137.012 as follows:

§ 32.1-137.012. Unregulated pregnancy clinics; unauthorized practice of medicine; civil penalty.

A. As used in this section:

"Medical care" means conducting the practice of medicine or osteopathic medicine as described in § 54.1-2900.

"Qualified medical provider" means a physician licensed under Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1 or an advanced practice registered nurse, as that term is defined in § 54.1-2900, acting within their scope of practice.

"Unrelated pregnancy clinic" means a facility, including a mobile facility that provides pregnancy-related medical care to clients, such as the administration of obstetric ultrasound, but is not a "covered entity" under the federal Health Insurance Portability and Accountability Act (42 U.S.C. §1320d) and 45 C.F.R. Parts 160 and 164.

B. An unregulated pregnancy clinic shall be required to have a qualified medical provider who provides or supervises, and takes responsibility for, the provision of all medical care at a facility.

C. An unregulated pregnancy clinic shall be required to disclose to a client, upon request, the name and contact information for the qualified medical provider who provides or supervises medical care to that client.

D. An unregulated clinic shall notify the Board, in accordance with rules promulgated by the Board, of the name and contact information of its qualified medical providers.

E. In addition to any other penalty provided by law, any person or facility found violating the provisions of this section shall be subject to a civil penalty of up to \$3,000 for a first violation and civil penalties of up to \$10,000 for a second or subsequent violation. In determining the overall amount of civil penalties to assess against an unregulated pregnancy clinic, the court shall include the following in its consideration: (i) the nature and severity of the violation; (ii) the size scope, and type of the offending organization; and (iii) the good faith cooperation of the offending organization with any investigations conducted pursuant to this section. Such penalty shall be collected by the Board and the proceeds shall be deposited into the general fund.

§ 54.1-2915. Unprofessional conduct; grounds for refusal or disciplinary action.

A. The Board may refuse to issue a certificate or license to any applicant; reprimand any person; place any person on probation for such time as it may designate; impose a monetary penalty or terms as it may designate on any person; suspend any license for a stated period of time or indefinitely; or revoke any license for any of the following acts of unprofessional conduct:

1. False statements or representations or fraud or deceit in obtaining admission to the practice, or fraud or deceit in the practice of any branch of the healing arts;

2. Substance abuse rendering him unfit for the performance of his professional obligations and duties;

3. Intentional or negligent conduct in the practice of any branch of the healing arts that causes or is likely to cause injury to a patient or patients;

4. Mental or physical incapacity or incompetence to practice his profession with safety to his patients and the public;

5. Restriction of a license to practice a branch of the healing arts in another state, the District of Columbia, a United States possession or territory, or a foreign jurisdiction, or for an entity of the federal government;

6. Undertaking in any manner or by any means whatsoever to procure or perform or aid or abet in procuring or performing a criminal abortion;

7. Engaging in the practice of any of the healing arts under a false or assumed name, or impersonating another practitioner of a like, similar, or different name;

8. Prescribing or dispensing any controlled substance with intent or knowledge that it will be used

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otherwise than medicinally, or for accepted therapeutic purposes, or with intent to evade any law with respect to the sale, use, or disposition of such drug;

9. Violating provisions of this chapter on division of fees or practicing any branch of the healing arts in violation of the provisions of this chapter;

10. Knowingly and willfully committing an act that is a felony under the laws of the Commonwealth or the United States, or any act that is a misdemeanor under such laws and involves moral turpitude;

11. Aiding or abetting, having professional connection with, or lending his name to any person known to him to be practicing illegally any of the healing arts;

12. Conducting his practice in a manner contrary to the standards of ethics of his branch of the healing arts;

13. Conducting his practice in such a manner as to be a danger to the health and welfare of his patients or to the public;

14. Inability to practice with reasonable skill or safety because of illness or substance abuse;

15. Publishing in any manner an advertisement relating to his professional practice that contains a claim of superiority or violates Board regulations governing advertising;

16. Performing any act likely to deceive, defraud, or harm the public;

17. Violating any provision of statute or regulation, state or federal, relating to the manufacture, distribution, dispensing, or administration of drugs;

18. Violating or cooperating with others in violating any of the provisions of Chapters 1 (§ 54.1-100 et seq.), 24 (§ 54.1-2400 et seq.) and this chapter or regulations of the Board;

19. Engaging in sexual contact with a patient concurrent with and by virtue of the practitioner and patient relationship or otherwise engaging at any time during the course of the practitioner and patient relationship in conduct of a sexual nature that a reasonable patient would consider lewd and offensive;

20. Conviction in any state, territory, or country of any felony or of any crime involving moral turpitude;

21. Adjudication of legal incompetence or incapacity in any state if such adjudication is in effect and the person has not been declared restored to competence or capacity;

22. Performing the services of a medical examiner as defined in 49 C.F.R. § 390.5 if, at the time such services are performed, the person performing such services is not listed on the National Registry of Certified Medical Examiners as provided in 49 C.F.R. § 390.109 or fails to meet the requirements for continuing to be listed on the National Registry of Certified Medical Examiners as provided in 49 C.F.R. § 390.111;

23. Failing or refusing to complete and file electronically using the Electronic Death Registration System any medical certification in accordance with the requirements of subsection C of § 32.1-263. However, failure to complete and file a medical certification electronically using the Electronic Death Registration System in accordance with the requirements of subsection C of § 32.1-263 shall not constitute unprofessional conduct if such failure was the result of a temporary technological or electrical failure or other temporary extenuating circumstance that prevented the electronic completion and filing of the medical certification using the Electronic Death Registration System; ~~or~~

24. Engaging in a pattern of violations of § 38.2-3445.01; or

25. *Willfully representing or knowing of the willful representation of any of the following at an unregulated pregnancy clinic as defined by § 32.1-137.012 if such representation is not true:*

a. That the clinic is a medical facility that diagnoses and treats medical conditions;

b. That an examination or test, such as an ultrasound examination, is being conducted, supervised, or interpreted in accordance with accepted medical standards;

c. That a patient's sensitive personal information is kept confidential; or

d. That the medical care provided at the facility is supervised in accordance with accepted medical standards.

B. The commission or conviction of an offense in another state, territory, or country, which if committed in Virginia would be a felony, shall be treated as a felony conviction or commission under this section regardless of its designation in the other state, territory, or country.

C. The Board shall refuse to issue a certificate or license to any applicant if the candidate or applicant has had his certificate or license to practice a branch of the healing arts revoked or suspended, and has not had his certificate or license to so practice reinstated, in another state, the District of Columbia, a United States possession or territory, or a foreign jurisdiction.

§ 54.1-3007. Refusal, revocation or suspension, censure or probation.

The Board may refuse to admit a candidate to any examination, refuse to issue a license, certificate, or registration to any applicant and may suspend any license, certificate, registration, or multistate licensure privilege for a stated period or indefinitely, or revoke any license, certificate, registration, or multistate licensure privilege, or censure or reprimand any licensee, certificate holder, registrant, or multistate licensure privilege holder, or place him on probation for such time as it may designate for any of the following causes:

1. Fraud or deceit in procuring or attempting to procure a license, certificate, or registration;

2. Unprofessional conduct;

3. Willful or repeated violation of any of the provisions of this chapter;

- 121 4. Conviction of any felony or any misdemeanor involving moral turpitude;
- 122 5. Practicing in a manner contrary to the standards of ethics or in such a manner as to make his practice a
- 123 danger to the health and welfare of patients or to the public;
- 124 6. Use of alcohol or drugs to the extent that such use renders him unsafe to practice, or any mental or
- 125 physical illness rendering him unsafe to practice;
- 126 7. The denial, revocation, suspension or restriction of a license, certificate, registration, or multistate
- 127 licensure privilege to practice in another state, the District of Columbia or a United States possession or
- 128 territory; ~~or~~
- 129 8. Abuse, negligent practice, or misappropriation of a patient's or resident's property; *or*
- 130 9. *Willfully representing or knowing of the willful representation of any of the following at an unregulated*
- 131 *pregnancy clinic as defined by § 32.1-137.012 if such representation is not true:*
- 132 *a. That the clinic is a medical facility that diagnoses and treats medical conditions;*
- 133 *b. That an examination or test, such as an ultrasound examination, is being conducted, supervised, or*
- 134 *interpreted in accordance with accepted medical standards;*
- 135 *c. That a patient's sensitive personal information is kept confidential; or*
- 136 *d. That the medical care provided at the facility is supervised in accordance with accepted medical*
- 137 *standards.*