

# 2026 SESSION

INTRODUCED

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1 **HOUSE BILL NO. 796**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 A BILL to amend and reenact § 54.1-113 of the Code of Virginia, to amend the Code of Virginia by adding  
5 sections numbered 54.1-202.1 and 54.1-2401.1, and to repeal § 54.1-2708.2 of the Code of Virginia,  
6 relating to professions and occupations; adjustment of fees by regulatory boards; recovery of disciplinary  
7 and monitoring costs.

8 Patron—Hayes

9 Committee Referral Pending

10 Be it enacted by the General Assembly of Virginia:

11 1. That § 54.1-113 of the Code of Virginia is amended and reenacted and that the Code of Virginia is  
12 amended by adding sections numbered 54.1-202.1 and 54.1-2401.1 as follows:

13 § 54.1-113. Regulatory boards to adjust fees; certain transfer of moneys collected on behalf of  
14 health regulatory boards prohibited.

15 A. Following the close of any biennium, when the account for any regulatory board within the Department  
16 of Professional and Occupational Regulation maintained under § 54.1-308 shows that unspent and  
17 unencumbered revenue exceeds \$100,000 or 20 percent of the total expenses allocated to the regulatory board  
18 for the past biennium, whichever is greater, the regulatory board shall (i) distribute all such excess revenue to  
19 current regulants and (ii) reduce the fees levied by it for certification, licensure, registration, or permit and  
20 renewal thereof so that the fees are sufficient but not excessive to cover expenses.

21 B. Following the close of any biennium, when the account for Annually, any regulatory board within the  
22 Department of Professional and Occupational Regulation or the Department of Health Professions  
23 maintained under § 54.1-2505 shows expenses allocated to it for the past biennium to be more than 10  
24 percent greater or less than moneys collected on behalf of the regulatory board, it shall may revise the fees  
25 levied by it for certification, licensure, registration, or permit and renewal thereof so that the fees are  
26 sufficient but not excessive to cover expenses. Any regulatory board may adjust its fees to reflect up to one  
27 and one-half times the rate of inflation from the previous date that the dollar amount was established, as  
28 measured by the Consumer Price Index. No regulatory board may raise fees when the previous year's  
29 expenditures plus anticipated costs do not reasonably demonstrate a need to raise fees. Beginning July 1,  
30 2032, except with respect to the Board of Medicine, no regulatory board within the Department of  
31 Professional and Occupational Regulation or the Department of Health Professions shall accumulate a fund  
32 balance larger than the previous renewal cycle's expenditures.

33 C. B. Nongeneral funds generated by fees collected on behalf of the health regulatory boards and  
34 accounted for and deposited into a special fund by the Director of the Department of Health Professions shall  
35 be held exclusively to cover the expenses of the health regulatory boards, the Health Practitioners' Monitoring  
36 Program, and the Department of Health Professions and shall not be transferred to any agency other than the  
37 Department of Health Professions, except as provided in §§ 54.1-3011.1 and 54.1-3011.2.

38 C. In order to appropriately maintain operating funds, the regulatory boards of the Department of  
39 Professional and Occupational Regulation or the Department of Health Professions may amend regulations  
40 to increase or decrease fees as needed and as demonstrated by the regulatory board maintained under such  
41 department. Such regulations shall be exempt from the requirements of the Administrative Process Act  
42 (§ 2.2-4000 et seq.), except to any extent that they may be specifically made subject to §§ 2.2-4030 and  
43 2.2-4031. Such regulations shall, however, comply with the provisions of § 2.2-4103 of the Virginia Register  
44 Act (§ 2.2-4100 et seq.). Any regulatory board that amends its fees pursuant to this subsection shall conduct a  
45 public hearing prior to making such amendments. Thirty days prior to conducting such hearing, the  
46 regulatory board shall give written notice to the public by mail or electronic means of the date, time, and  
47 place of the hearing and publish notice of its intention to amend its fees in the Virginia Register of  
48 Regulations. Such public notice shall identify the increase in fees to be considered by the regulatory board  
49 with reasonable specificity and shall include evidence demonstrating the need for such fee increase. During  
50 the public hearing, members of the public shall be given a reasonable opportunity to be heard prior to the  
51 final adoption of any regulatory amendments regarding an increase in fees.

52 § 54.1-202.1. Recovery of disciplinary and monitoring costs.

53 A regulatory board may recover reasonable administrative costs, not to exceed \$500, associated with  
54 investigation, disciplinary proceedings, monitoring, and confirming compliance with any terms and  
55 conditions imposed from any person who is (i) licensed, registered, certified, or issued a multistate licensure  
56 privilege by any regulatory board and (ii) issued a finding of a violation of law or regulation from such

INTRODUCED

HB796

59     regulatory board. All administrative costs recovered pursuant to this section shall be paid to the regulatory  
60     board by the person licensed, registered, or certified or issued a multistate licensure privilege. Such  
61     administrative costs shall be deposited into the account of the regulatory board and shall not constitute a fine  
62     or penalty. A regulatory board shall establish specific schedules of administrative costs to be recovered  
63     pursuant to this section and shall publish such cost schedule prior to imposing any costs on a regulant.

64     **§ 54.1-2401.1. Recovery of disciplinary and monitoring costs.**

65     A health regulatory board may recover reasonable administrative costs, not to exceed \$1,500, associated  
66     with investigation, disciplinary proceedings, monitoring, and confirming compliance with any terms and  
67     conditions imposed from any person who is (i) licensed, registered, permitted, certified, or issued a multistate  
68     licensure privilege by any health regulatory board and (ii) issued a finding of a violation of law or regulation  
69     from such health regulatory board. All administrative costs recovered pursuant to this section shall be paid  
70     to the health regulatory board by the person licensed, registered, permitted, certified, or issued a multistate  
71     licensure privilege. Such administrative costs shall be deposited into the account of the health regulatory  
72     board and shall not constitute a fine or penalty. A health regulatory board shall establish specific schedules  
73     of administrative costs to be recovered pursuant to this section and shall publish such cost schedule prior to  
74     imposing any costs on a regulant.

75     2. That § 54.1-2708.2 of the Code of Virginia is repealed.