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1 **HOUSE BILL NO. 841**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact § 54.1-2900 of the Code of Virginia, relating to professions and occupations;*  
5 *definition of "practice of athletic training"; dry needling.*

6 Patron—Downey

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 54.1-2900 of the Code of Virginia is amended and reenacted as follows:**10 **§ 54.1-2900. Definitions.**

11 As used in this chapter, unless the context requires a different meaning:

12 "Acupuncturist" means an individual approved by the Board to practice acupuncture. This is limited to  
13 "licensed acupuncturist" which means an individual other than a doctor of medicine, osteopathy, chiropractic  
14 or podiatry who has successfully completed the requirements for licensure established by the Board  
15 (approved titles are limited to: Licensed Acupuncturist, Lic.Ac., and L.Ac.).16 "Advanced practice registered nurse" means a certified nurse midwife, certified registered nurse  
17 anesthetist, clinical nurse specialist, or nurse practitioner who is jointly licensed by the Boards of Medicine  
18 and Nursing pursuant to § 54.1-2957, has completed an advanced graduate-level education program in a  
19 specialty category of nursing, and has passed a national certifying examination for that specialty.20 "Auricular acupuncture" means the subcutaneous insertion of sterile, disposable acupuncture needles in  
21 predetermined, bilateral locations in the outer ear.22 "Birth control" means contraceptive methods that are approved by the U.S. Food and Drug  
23 Administration. "Birth control" shall not be considered abortion for the purposes of Title 18.2.

24 "Board" means the Board of Medicine.

25 "Certified nurse midwife" means an advanced practice registered nurse who is certified in the specialty of  
26 nurse midwifery and who is jointly licensed by the Boards of Medicine and Nursing as an advanced practice  
27 registered nurse pursuant to § 54.1-2957.28 "Certified registered nurse anesthetist" means an advanced practice registered nurse who is certified in the  
29 specialty of nurse anesthesia, who is jointly licensed by the Boards of Medicine and Nursing as an advanced  
30 practice registered nurse pursuant to § 54.1-2957, and who practices under the supervision of a doctor of  
31 medicine, osteopathy, podiatry, or dentistry but is not subject to the practice agreement requirement described  
32 in § 54.1-2957.33 "Clinical nurse specialist" means an advanced practice registered nurse who is certified in the specialty of  
34 clinical nurse specialist and who is jointly licensed by the Boards of Medicine and Nursing as an advanced  
35 practice registered nurse pursuant to § 54.1-2957.36 "Collaboration" means the communication and decision-making process among health care providers who  
37 are members of a patient care team related to the treatment of a patient that includes the degree of cooperation  
38 necessary to provide treatment and care of the patient and includes (i) communication of data and information  
39 about the treatment and care of a patient, including the exchange of clinical observations and assessments,  
40 and (ii) development of an appropriate plan of care, including decisions regarding the health care provided,  
41 accessing and assessment of appropriate additional resources or expertise, and arrangement of appropriate  
42 referrals, testing, or studies.43 "Consultation" means communicating data and information, exchanging clinical observations and  
44 assessments, accessing and assessing additional resources and expertise, problem-solving, and arranging for  
45 referrals, testing, or studies.

46 "Genetic counselor" means a person licensed by the Board to engage in the practice of genetic counseling.

47 "Healing arts" means the arts and sciences dealing with the prevention, diagnosis, treatment and cure or  
48 alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities.49 "Licensed certified midwife" means a person who is licensed as a certified midwife by the Boards of  
50 Medicine and Nursing.51 "Medical malpractice judgment" means any final order of any court entering judgment against a licensee  
52 of the Board that arises out of any tort action or breach of contract action for personal injuries or wrongful  
53 death, based on health care or professional services rendered, or that should have been rendered, by a health  
54 care provider, to a patient.55 "Medical malpractice settlement" means any written agreement and release entered into by or on behalf of  
56 a licensee of the Board in response to a written claim for money damages that arises out of any personal

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59     injuries or wrongful death, based on health care or professional services rendered, or that should have been  
60     rendered, by a health care provider, to a patient.

61     " Nurse practitioner" means an advanced practice registered nurse, other than an advanced practice  
62     registered nurse licensed by the Boards of Medicine and Nursing in the category of certified nurse midwife,  
63     certified registered nurse anesthetist, or clinical nurse specialist, who is jointly licensed by the Boards of  
64     Medicine and Nursing pursuant to § 54.1-2957.

65     " Occupational therapy assistant" means an individual who has met the requirements of the Board for  
66     licensure and who works under the supervision of a licensed occupational therapist to assist in the practice of  
67     occupational therapy.

68     " Patient care team" means a multidisciplinary team of health care providers actively functioning as a unit  
69     with the management and leadership of one or more patient care team physicians for the purpose of providing  
70     and delivering health care to a patient or group of patients.

71     " Patient care team physician" means a physician who is actively licensed to practice medicine in the  
72     Commonwealth, who regularly practices medicine in the Commonwealth, and who provides management and  
73     leadership in the care of patients as part of a patient care team.

74     " Patient care team podiatrist" means a podiatrist who is actively licensed to practice podiatry in the  
75     Commonwealth, who regularly practices podiatry in the Commonwealth, and who provides management and  
76     leadership in the care of patients as part of a patient care team.

77     " Physician assistant" means a health care professional who has met the requirements of the Board for  
78     licensure as a physician assistant.

79     " Practice of acupuncture" means the stimulation of certain points on or near the surface of the body by the  
80     insertion of needles to prevent or modify the perception of pain or to normalize physiological functions,  
81     including pain control, for the treatment of certain ailments or conditions of the body and includes the  
82     techniques of electroacupuncture, cupping, and moxibustion. The practice of acupuncture does not include  
83     the use of physical therapy, chiropractic, or osteopathic manipulative techniques; the use or prescribing of  
84     any drugs, medications, serums or vaccines; or the procedure of the five needle auricular acupuncture  
85     protocol (5NP) as exempted in § 54.1-2901.

86     " Practice of athletic training" means the prevention, recognition, evaluation, and treatment of injuries or  
87     conditions related to athletic or recreational activity that requires physical skill and utilizes strength, power,  
88     endurance, speed, flexibility, range of motion or agility or a substantially similar injury or condition resulting  
89     from occupational activity immediately upon the onset of such injury or condition; and subsequent treatment  
90     and rehabilitation of such injuries or conditions, including in an inpatient or outpatient setting, under the  
91     direction of the patient's physician or under the direction of any doctor of medicine, osteopathy, chiropractic,  
92     podiatry, or dentistry, while using heat, light, sound, cold, electricity, *dry needling*, exercise or mechanical or  
93     other devices.

94     " Practice of behavior analysis" means the design, implementation, and evaluation of environmental  
95     modifications, using behavioral stimuli and consequences, to produce socially significant improvement in  
96     human behavior, including the use of direct observation, measurement, and functional analysis of the  
97     relationship between environment and behavior.

98     " Practice of chiropractic" means the adjustment of the 24 movable vertebrae of the spinal column, and  
99     assisting nature for the purpose of normalizing the transmission of nerve energy, but does not include the use  
100     of surgery, obstetrics, osteopathy, or the administration or prescribing of any drugs, medicines, serums, or  
101     vaccines. " Practice of chiropractic" includes (i) requesting, receiving, and reviewing a patient's medical and  
102     physical history, including information related to past surgical and nonsurgical treatment of the patient and  
103     controlled substances prescribed to the patient, and (ii) documenting in a patient's record information related  
104     to the condition and symptoms of the patient, the examination and evaluation of the patient made by the  
105     doctor of chiropractic, and treatment provided to the patient by the doctor of chiropractic. " Practice of  
106     chiropractic" further includes recommending or directing patients on the use of vitamins, minerals, or food  
107     supplements. " Practice of chiropractic" also includes performing the physical examination of an applicant for  
108     a commercial driver's license or commercial learner's permit pursuant to § 46.2-341.12 if the practitioner has  
109     (a) applied for and received certification as a medical examiner pursuant to 49 C.F.R. Part 390, Subpart D  
110     and (b) registered with the National Registry of Certified Medical Examiners.

111     " Practice of genetic counseling" means (i) obtaining and evaluating individual and family medical  
112     histories to assess the risk of genetic medical conditions and diseases in a patient, his offspring, and other  
113     family members; (ii) discussing the features, history, diagnosis, environmental factors, and risk management  
114     of genetic medical conditions and diseases; (iii) ordering genetic laboratory tests and other diagnostic studies  
115     necessary for genetic assessment; (iv) integrating the results with personal and family medical history to  
116     assess and communicate risk factors for genetic medical conditions and diseases; (v) evaluating the patient's  
117     and family's responses to the medical condition or risk of recurrence and providing client-centered counseling  
118     and anticipatory guidance; (vi) identifying and utilizing community resources that provide medical,  
119     educational, financial, and psychosocial support and advocacy; and (vii) providing written documentation of  
120     medical, genetic, and counseling information for families and health care professionals.

121 "Practice of licensed certified midwifery" means the provision of primary health care for preadolescents,  
122 adolescents, and adults within the scope of practice of a certified midwife established in accordance with the  
123 Standards for the Practice of Midwifery set by the American College of Nurse-Midwives, including (i)  
124 providing sexual and reproductive care and care during pregnancy and childbirth, postpartum care, and care  
125 for the newborn for up to 28 days following the birth of the child; (ii) prescribing of pharmacological and  
126 non-pharmacological therapies within the scope of the practice of midwifery; (iii) consulting or collaborating  
127 with or referring patients to such other health care providers as may be appropriate for the care of the  
128 patients; and (iv) serving as an educator in the theory and practice of midwifery.

129 "Practice of medicine or osteopathic medicine" means the prevention, diagnosis, and treatment of human  
130 physical or mental ailments, conditions, diseases, pain, or infirmities by any means or method.

131 "Practice of occupational therapy" means the therapeutic use of occupations for habilitation and  
132 rehabilitation to enhance physical health, mental health, and cognitive functioning and includes the  
133 evaluation, analysis, assessment, and delivery of education and training in basic and instrumental activities of  
134 daily living; the design, fabrication, and application of orthoses (splints); the design, selection, and use of  
135 adaptive equipment and assistive technologies; therapeutic activities to enhance functional performance;  
136 vocational evaluation and training; and consultation concerning the adaptation of physical, sensory, and  
137 social environments.

138 "Practice of podiatry" means the prevention, diagnosis, treatment, and cure or alleviation of physical  
139 conditions, diseases, pain, or infirmities of the human foot and ankle, including the medical, mechanical and  
140 surgical treatment of the ailments of the human foot and ankle, but does not include amputation of the foot  
141 proximal to the transmetatarsal level through the metatarsal shafts. Amputations proximal to the  
142 metatarsal-phalangeal joints may only be performed in a hospital or ambulatory surgery facility accredited by  
143 an organization listed in § 54.1-2939. The practice includes the diagnosis and treatment of lower extremity  
144 ulcers; however, the treatment of severe lower extremity ulcers proximal to the foot and ankle may only be  
145 performed by appropriately trained, credentialed podiatrists in an approved hospital or ambulatory surgery  
146 center at which the podiatrist has privileges, as described in § 54.1-2939. The Board of Medicine shall  
147 determine whether a specific type of treatment of the foot and ankle is within the scope of practice of  
148 podiatry.

149 "Practice of radiologic technology" means the application of ionizing radiation to human beings for  
150 diagnostic or therapeutic purposes.

151 "Practice of respiratory care" means the (i) administration of pharmacological, diagnostic, and therapeutic  
152 agents related to respiratory care procedures necessary to implement a treatment, disease prevention,  
153 pulmonary rehabilitative, or diagnostic regimen prescribed by a practitioner of medicine or osteopathic  
154 medicine; (ii) transcription and implementation of the written or verbal orders of a practitioner of medicine or  
155 osteopathic medicine pertaining to the practice of respiratory care; (iii) observation and monitoring of signs  
156 and symptoms, general behavior, general physical response to respiratory care treatment and diagnostic  
157 testing, including determination of whether such signs, symptoms, reactions, behavior or general physical  
158 response exhibit abnormal characteristics; and (iv) implementation of respiratory care procedures, based on  
159 observed abnormalities, or appropriate reporting, referral, respiratory care protocols or changes in treatment  
160 pursuant to the written or verbal orders by a licensed practitioner of medicine or osteopathic medicine or the  
161 initiation of emergency procedures, pursuant to the Board's regulations or as otherwise authorized by law.  
162 The practice of respiratory care may be performed in any clinic, hospital, skilled nursing facility, private  
163 dwelling or other place deemed appropriate by the Board in accordance with the written or verbal order of a  
164 practitioner of medicine or osteopathic medicine, and shall be performed under qualified medical direction.

165 "Practice of surgical assisting" means the performance of significant surgical tasks, including  
166 manipulation of organs, suturing of tissue, placement of hemostatic agents, injection of local anesthetic,  
167 harvesting of veins, implementation of devices, and other duties as directed by a licensed doctor of medicine,  
168 osteopathy, or podiatry under the direct supervision of a licensed doctor of medicine, osteopathy, or podiatry.

169 "Qualified medical direction" means, in the context of the practice of respiratory care, having readily  
170 accessible to the respiratory therapist a licensed practitioner of medicine or osteopathic medicine who has  
171 specialty training or experience in the management of acute and chronic respiratory disorders and who is  
172 responsible for the quality, safety, and appropriateness of the respiratory services provided by the respiratory  
173 therapist.

174 "Radiologic technologist" means an individual, other than a licensed doctor of medicine, osteopathy,  
175 podiatry, or chiropractic or a dentist licensed pursuant to Chapter 27 (§ 54.1-2700 et seq.), who (i) performs,  
176 may be called upon to perform, or is licensed to perform a comprehensive scope of diagnostic or therapeutic  
177 radiologic procedures employing ionizing radiation and (ii) is delegated or exercises responsibility for the  
178 operation of radiation-generating equipment, the shielding of patient and staff from unnecessary radiation, the  
179 appropriate exposure of radiographs, the administration of radioactive chemical compounds under the  
180 direction of an authorized user as specified by regulations of the Department of Health, or other procedures  
181 that contribute to any significant extent to the site or dosage of ionizing radiation to which a patient is  
182 exposed.

183        "Radiologic technologist, limited" means an individual, other than a licensed radiologic technologist,  
184        dental hygienist, or person who is otherwise authorized by the Board of Dentistry under Chapter 27  
185        (§ 54.1-2700 et seq.) and the regulations pursuant thereto, who performs diagnostic radiographic procedures  
186        employing equipment that emits ionizing radiation that is limited to specific areas of the human body.

187        "Radiologist assistant" means an individual who has met the requirements of the Board for licensure as an  
188        advanced-level radiologic technologist and who, under the direct supervision of a licensed doctor of medicine  
189        or osteopathy specializing in the field of radiology, is authorized to (i) assess and evaluate the physiological  
190        and psychological responsiveness of patients undergoing radiologic procedures; (ii) evaluate image quality,  
191        make initial observations, and communicate observations to the supervising radiologist; (iii) administer  
192        contrast media or other medications prescribed by the supervising radiologist; and (iv) perform, or assist the  
193        supervising radiologist to perform, any other procedure consistent with the guidelines adopted by the  
194        American College of Radiology, the American Society of Radiologic Technologists, and the American  
195        Registry of Radiologic Technologists.

196        "Respiratory care" means the practice of the allied health profession responsible for the direct and indirect  
197        services, including inhalation therapy and respiratory therapy, in the treatment, management, diagnostic  
198        testing, control, and care of patients with deficiencies and abnormalities associated with the cardiopulmonary  
199        system under qualified medical direction.

200        "Surgical assistant" means an individual who has met the requirements of the Board for licensure as a  
201        surgical assistant and who works under the direct supervision of a licensed doctor of medicine, osteopathy, or  
202        podiatry.