

HOUSE BILL NO. 1147

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health and Human Services

on _____)

(Patron Prior to Substitute—Delegate Hayes)

A BILL to direct the Board of Medicine and Board of Nursing to require certain licensees to complete bias reduction training as part of their continuing education and continuing competency requirements for licensure and to amend and reenact § 54.1-3011 of the Code of Virginia, relating to Board of Nursing continuing education requirements.

Be it enacted by the General Assembly of Virginia:

1. § 1. That the Board of Medicine, pursuant to its authority under § 54.1-2928.3 of the Code of Virginia, and the Board of Nursing, pursuant to its authority under § 54.1-3011 of the Code of Virginia, as amended by this act, shall require persons licensed by the Board of Medicine and the Board of Nursing (the Boards) to complete continuing learning activities on the topic of bias reduction in health care. The Boards shall promulgate regulations requiring that the continuing education requirements for renewal of an active license shall include completion of such bias reduction training. The Boards shall designate organizations that identify and facilitate evidence-based curricula to comply with this act. Such bias reduction training shall be required for every license renewal period for licensees of the Boards but not more often than every two years.

§ 2. That the first bias reduction training topic required pursuant to § 1 of this act shall be comprehensive and cover how unconscious racial bias affects care during pregnancy and the postpartum period. Subsequent bias reduction training shall provide relevant practice-related content as determined by the Boards and shall include training on diseases and conditions including sickle cell disease that are often racialized in clinical practice. This training shall address how the inappropriate substitution of race-based assumptions for individualized clinical assessment, combined with implicit bias, leads to delayed diagnosis, inadequate treatment, and disparate health outcomes. The Boards shall update the list of available trainings as they identify additional needs.

§ 3. That the Boards shall report the number and type of licensees who have successfully completed such training to the Department of Health and the Virginia Neonatal Perinatal Collaborative to be included in their annual reports. The Virginia Neonatal Perinatal Collaborative shall, for licensees who provide fertility care, prenatal care, birth care, and postpartum care, evaluate the impact of such training, develop a method for assessment of its effectiveness, and make recommendations for training improvements.

2. That § 54.1-3011 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3011. Renewal of licenses; continuing education; lapsed licenses; reinstatement; penalties.

A. Every license issued under the provisions of this chapter shall be renewed biennially by such time as the Board may prescribe by regulation. The Board shall mail or send electronically a notice for renewal to every licensee, but the failure to receive such notice shall not excuse any licensee from the requirements for renewal. The person receiving such notice shall furnish the requested information and return the form to the Board with the renewal fee.

B. Of the hours of continuing education required for biennial renewal of licensure, any licensee of the Board may be required by the Board to complete up to two hours of continuing learning activities or courses in a specific subject area. If the Board designates a subject area for continuing learning activities or courses, it shall publish such requirement no later than January 1 of the first year of the term of the license for which the specific learning activity or course is required.

C. Any licensee who allows his license to lapse by failing to renew the license may be reinstated by the Board upon submission of satisfactory evidence that he is prepared to resume practice in a competent manner and upon payment of the fee.

~~Ⓒ~~ D. Any person practicing nursing during the time his license has lapsed shall be considered an illegal practitioner and shall be subject to the penalties provided for violations of this chapter.

~~Ⓓ~~ E. When the Board of Health has issued an emergency order pursuant to § 32.1-13, the Board may waive (i) the requirement for submission of a fee for renewal of a license or (ii) the requirement for submission of evidence satisfactory to the Board that a licensee whose license was allowed to lapse by failing to renew his license is prepared to resume practice in a competent manner for any person who held a valid, unrestricted, active license to practice nursing within the four-year period immediately prior to the application for renewal of such license.