

Legislative Report
University of Virginia -- Office of State Governmental Relations
June 26, 2015

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HB1274 Electronic devices; search without a warrant prohibited.

Companion Bill: SB1110

Chief Patron: Farrell

Summary:

Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.

Status:

07/21/14 House: Referred to Committee for Courts of Justice

01/13/15 House: Assigned Courts sub: Criminal Law

01/26/15 House: Subcommittee recommends laying on the table

02/04/15 House: Subcommittee recommends laying on the table

02/10/15 House: Left in Courts of Justice

HB1314 Student eligibility for in-state tuition at public institutions of higher education; state subsidy.

Chief Patron: Davis

Summary:

Requires the General Assembly, in the event that it amends any provision of law to increase the number of students who are eligible for in-state tuition at public institutions of higher education despite not being domiciled in the Commonwealth pursuant to § 23-7.4, to (i) reimburse each institution in an amount equal to the difference between the in-state tuition rate and out-of-state tuition rate for each student who becomes eligible as a result of the amendments and (ii) fund the educational and general programs of each institution at a level equal to or greater than the highest level of funding for educational and general programs in the preceding three years.

Status:

11/12/14 House: Referred to Committee on Appropriations

01/16/15 House: Assigned App. sub: Higher Education

01/19/15 House: Impact statement from DPB (HB1314)

02/02/15 House: Subcommittee recommends laying on the table

02/10/15 House: Left in Appropriations

HB1321 Public institutions of higher education; student right to representation at proceedings.

Chief Patron: Morris

Summary:

Provides that any student enrolled at a public institution of higher education who is alleged to have committed an offense punishable by a suspension of more than 10 days or by expulsion pursuant to the institution's policies for the conduct of students has the right to be represented, in his discretion and at his expense, by a licensed attorney or a nonattorney advocate for the duration of any disciplinary proceeding or other institutional proceeding regarding the alleged offense. The bill excepts students enrolled at Virginia Military Institute from such right to representation.

Status:

11/19/14 House: Referred to Committee on Education

01/16/15 House: Assigned Education sub: Higher Education

01/21/15 House: Impact statement from DPB (HB1321)
01/27/15 House: Subcommittee recommends laying on the table
02/10/15 House: Left in Education

HB1322 Public institutions of higher education; officially recognized student organizations.

Chief Patron: Morris

Summary:

Provides that any student organization that is officially recognized by a public institution of higher education and that is alleged to have violated the institution's policies for the conduct of students has the right to be represented, in its discretion and at its expense, by a licensed attorney or a nonattorney advocate for the duration of any disciplinary proceeding or other institutional proceeding regarding the alleged violation. The bill excepts officially recognized student organizations at Virginia Military Institute from such right to representation.

Status:

11/19/14 House: Referred to Committee on Education
01/16/15 House: Assigned Education sub: Higher Education
01/27/15 House: Impact statement from DPB (HB1322)
01/27/15 House: Subcommittee recommends laying on the table
02/10/15 House: Left in Education

HB1323 Higher educational institutions; officially recognized student organizations, policy violations.

Chief Patron: Morris

Summary:

Provides that any (i) student who, as a result of any disciplinary proceeding or other institutional proceeding, is suspended for more than 10 days or expelled from a public institution of higher education for violating the institution's policies for the conduct of students or (ii) student organization that is (a) officially recognized by a public institution of higher education and (b) found to be in violation of the institution's policies for the conduct of students as a result of any disciplinary proceeding or other institutional proceeding has the right to petition for review of the institution's final decision in the circuit court for the locality in which the relevant institution is located. The bill requires the circuit court to determine whether the final decision was arbitrary, capricious, or otherwise contrary to the law and award successful petitioners certain damages and other forms of relief. The bill excepts students and officially recognized student organizations at Virginia Military Institute from such right to petition for review.

Status:

11/19/14 House: Referred to Committee on Education
01/16/15 House: Assigned Education sub: Higher Education
01/21/15 House: Impact statement from DPB (HB1323)
01/27/15 House: Subcommittee recommends laying on the table
02/10/15 House: Left in Education

HB1336 SCHEV; policy on course credit at higher educational institutions.

Chief Patron: Landes

Summary:

Requires the State Council of Higher Education for Virginia (SCHEV), in consultation with the governing board of each public institution of higher education, to establish a uniform policy for granting undergraduate course credit to entering freshman students who have taken one or more Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations and repeals the current law under which such governing boards individually implement such policies. The bill requires SCHEV and each public institution of higher education to make the policy available to the public on its website. The bill has a delayed effective date of July 1, 2016.

Status:

02/23/15 House: Enrolled Bill communicated to Governor on 2/23/15

02/23/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

02/24/15 House: Impact statement from DPB (HB1336ER)

03/23/15 Governor: Approved by Governor-Chapter 578 (effective 7/1/16)

03/23/15 Governor: Acts of Assembly Chapter text (CHAP0578)

HB1343 Campus police departments; sexual assault reporting.

Chief Patron: Filler-Corn

Summary:

Requires that mutual aid agreements between campus police force and law-enforcement agencies contain provisions requiring either the campus police force or an agency with which it has established a mutual aid agreement to notify the local attorney for the Commonwealth of any investigation involving felony criminal sexual assault occurring on property owned or controlled by the institution of higher education within 48 hours of beginning such investigation.

Status:

01/29/15 House: Referred from Courts of Justice

01/29/15 House: Referred to Committee on Education

01/29/15 House: Assigned Education sub: Higher Education

02/03/15 House: Subcommittee recommends laying on the table

02/10/15 House: Left in Education

HB1349 Search of electronic device without warrant prohibited.

Chief Patron: Carr

Summary:

Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.

Status:

12/01/14 House: Prefiled and ordered printed; offered 01/14/15 15100488D

12/01/14 House: Referred to Committee for Courts of Justice

01/13/15 House: Assigned Courts sub: Criminal Law

01/14/15 House: Subcommittee recommends incorporating (HB1274-Farrell)

02/10/15 House: Left in Courts of Justice

HB1356 Tuition, in-state; students granted Temporary Protected Status, etc.

Chief Patron: Ramadan

Summary:

Declares that absent congressional intent to the contrary, any person granted Temporary Protected Status or Deferred Action for Childhood Arrivals by U.S. Citizenship and Immigration Services does not have the capacity to intend to remain in Virginia indefinitely and, therefore, is ineligible for Virginia domicile and for in-state tuition charges at public institutions of higher education in the Commonwealth.

Status:

12/02/14 House: Prefiled and ordered printed; offered 01/14/15 15100481D

12/02/14 House: Referred to Committee on Education

01/15/15 House: Impact statement from DPB (HB1356)

01/16/15 House: Assigned Education sub: Higher Education

02/10/15 House: Left in Education

HB1389 Higher educational institutions; prohibition on regulating concealed handguns.

Chief Patron: Berg

Summary:

Prohibits any public institution of higher education from adopting or enforcing any rule, regulation, or policy prohibiting or limiting the carrying of a concealed handgun on property owned or operated by the institution by any person entitled to carry a concealed handgun. The bill also provides that any rule, regulation, or policy adopted prior to July 1, 2015, prohibiting or limiting the carrying of a concealed handgun is invalid.

Status:

12/15/14 House: Prefiled and ordered printed; offered 01/14/15 15101685D

12/15/14 House: Referred to Committee on Education

01/26/15 House: Impact statement from DPB (HB1389)

02/10/15 House: Left in Education

HB1390 State agencies or other entities; regulation of firearms prohibited.

Chief Patron: Berg

Summary:

Prohibits any department, agency, or other entity of the Commonwealth from adopting or enforcing any rule, regulation, or policy regarding firearms or ammunition except as expressly authorized by statute. Any rule, regulation, or policy adopted prior to July 1, 2015, without express statutory authority would be invalid. The prohibition would not apply to local, state, or regional correctional facilities or facilities operated by the Department of Behavioral Health and Developmental Services.

Status:

12/15/14 House: Prefiled and ordered printed; offered 01/14/15 15101686D

12/15/14 House: Referred to Committee on Militia, Police and Public Safety

02/03/15 House: Impact statement from DPB (HB1390)

02/10/15 House: Left in Militia, Police and Public Safety

HB1400 Budget Bill.

Chief Patron: Jones

Summary:

Amends Chapter 3, Special Session I, of the Acts of Assembly of 2014.

Status:

03/17/15 Senate: Signed by President

03/17/15 House: Enrolled Bill communicated to Governor on 3/17/15

03/17/15 Governor: Governor's Action Deadline Midnight, 3/29/15

03/26/15 Governor: Approved by Governor-Chapter 665 (effective 3/26/15)

03/26/15 Governor: Acts of Assembly Chapter text (CHAP0665)

HB1411 Concealed handguns; possession by faculty members at higher educational institutions.

Chief Patron: Marshall, R.G.

Summary:

Allows full-time faculty members of public institutions of higher education who possess a valid Virginia concealed handgun permit to carry a concealed handgun on campus.

Status:

12/18/14 House: Prefiled and ordered printed; offered 01/14/15 15102773D

12/18/14 House: Referred to Committee on Education

01/20/15 House: Impact statement from DPB (HB1411)

02/10/15 House: Left in Education

HB1413 Hospital discharge procedures; designation of individual to receive information and instructions.

Companion Bill: SB851

Chief Patron: Filler-Corn

Summary:

Requires hospitals to provide each patient admitted as an inpatient or his legal guardian the opportunity to designate an individual who will care for or assist the patient in his residence following discharge from the hospital and to whom the hospital shall provide information regarding the patient's discharge plan and any follow-up care, treatment, and services that the patient may require. This bill is identical to SB 851.

Status:

02/24/15 Senate: Signed by President

02/25/15 House: Enrolled Bill communicated to Governor on 2/25/15

02/25/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/16/15 Governor: Approved by Governor-Chapter 106 (effective 7/1/15)

03/16/15 Governor: Acts of Assembly Chapter text (CHAP0106)

HB1458 Naloxone or other opioid antagonist; pharmacist may dispense in cases of opiate overdose.

Companion Bill: SB1186

Chief Patron: O'Bannon

Summary:

Provides that a pharmacist may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written, or standing order issued by a prescriber and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, that a person may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opiate overdose, and that firefighters and law-enforcement officers who have completed a training program may possess and administer naloxone in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health. The bill also provides that a person who in good faith prescribes, dispenses, or administers naloxone or other opioid antagonist used for overdose reversal in an emergency to an individual who is believed to be experiencing or about to experience a life-threatening opioid overdose shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if acting in accordance with the provisions of § 54.1-3408 or in his role as a member of an emergency medical services agency. The bill contains an emergency clause. This bill is identical to HB 1833 and SB 1186.

Status:

04/15/15 House: Reenrolled bill text (HB1458ER2)

04/15/15 House: Signed by Speaker as reenrolled

04/15/15 Senate: Signed by President as reenrolled

04/15/15 House: Enacted, Chapter 725 (effective 4/15/15)

04/15/15 Governor: Acts of Assembly Chapter text (CHAP0725)

HB1476 Nurse practitioners; expert witness testimony, added to definition of health care provider.

Companion Bill: SB861

Chief Patron: Leftwich

Summary:

Allows a nurse practitioner to testify as an expert witness in a court of law on certain matters within the scope of his activities and adds nurse practitioner to the definition of "health care provider" under the medical malpractice statutes. The bill clarifies that its provisions are not a codification of Rule 702 of the Federal Rules of Evidence. This bill is identical to SB 861.

Status:

02/26/15 Senate: Signed by President

02/26/15 House: Enrolled Bill communicated to Governor on 2/26/15

02/26/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/17/15 Governor: Approved by Governor-Chapter 295 (effective 7/1/15)

03/17/15 Governor: Acts of Assembly Chapter text (CHAP0295)

HB1478 Tuition, in-state; students granted Deferred Action for Childhood Arrivals.

Chief Patron: Kory

Summary:

Declares that absent congressional intent to the contrary, any person granted Deferred Action for Childhood Arrivals by U.S. Citizenship and Immigration Services has the capacity to intend to remain in Virginia indefinitely and, therefore, is eligible for Virginia domicile and for in-state tuition charges at public institutions of higher education in the Commonwealth.

Status:

01/02/15 House: Prefiled and ordered printed; offered 01/14/15 15102715D

01/02/15 House: Referred to Committee on Education

01/21/15 House: Impact statement from DPB (HB1478)

01/26/15 House: Assigned Education sub: Higher Education

02/10/15 House: Left in Education

HB1508 Higher educational institutions; memorandum of understanding and policies.

Chief Patron: Sullivan

Summary:

Requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies that mandate the referral of a sexual assault victim to the sexual assault crisis center, provide clear guidance on linking victims to other community resources, provide options for victims who do not want to make an official report to make an anonymous report, and provide amnesty for victims who are concerned that an official report might jeopardize their academic status.

Status:

01/29/15 House: Referred from Courts of Justice

01/29/15 House: Referred to Committee on Education

01/29/15 House: Assigned Education sub: Higher Education

02/03/15 House: Subcommittee recommends laying on the table

02/10/15 House: Left in Education

HB1509 Hospitals; required notice to patients.

Chief Patron: Sullivan

Summary:

Requires hospitals to provide oral and written notice to any patient that has been placed in observation or outpatient status that he has been placed in such status if (i) the patient receives onsite services from the hospital and (ii) such onsite services include a hospital bed and meals that are provided in an area of the hospital other than the emergency department.

Status:

01/05/15 House: Referred to Committee on Health, Welfare and Institutions

01/19/15 House: Impact statement from VDH (HB1509)

01/20/15 House: Assigned HWI sub: Subcommittee #1

01/27/15 House: Subcommittee failed to recommend reporting (5-Y 6-N)

HB1540 Virginia Public Procurement Act; job order contracting and cooperative procurement.

Chief Patron: Albo

Summary:

Clarifies that small purchase procedures include the procurement of construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill also increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited, (ii) no public body shall issue or use a job order solely for the purpose of providing professional architectural or engineering services that constitute the practice of architecture or the practice of engineering; however, professional architectural or engineering services may be included on a job order where such professional services are (a) incidental and directly related to the job and (b) no more than 25 percent of the construction cost, not to exceed \$60,000, and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill removes the provision that allows a public body to discuss nonbinding estimates of total project costs, life-cycle costing, and, where appropriate, nonbinding estimates of price for services. The bill provides that negotiations may be held on proposed terms and conditions set out in the Request for Proposal. The bill also clarifies the provisions of the VPPA related to cooperative procurement and requires that by October 1, 2017, the Department of Small Business and Supplier Diversity; public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005; any state agency utilizing job order contracting; and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing, on behalf of local public bodies working cooperatively, report their respective experiences and findings relating to (1) the appropriateness and effectiveness of job order contracting in general, (2) the project cost limitations set forth in subsections B and D of § 2.2-4303.1 as added by this bill, and (3) the architectural and professional engineering term contract limits set forth in § 2.2-4303.1 to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015, except that the provisions of subsection B of § 2.2-4303.2, as added by this bill, shall apply to any renewal of a job order contract. The bill contains numerous technical amendments.

Status:

02/09/15 House: Committee substitute agreed to 15104000D-H1

02/09/15 House: Committee amendments agreed to

02/09/15 House: Engrossment refused by House

02/09/15 House: Engrossment reconsidered by House

02/09/15 House: Engrossment refused by House

HB1561 Hospitals; required notice to patients.

Companion Bill: SB857

Chief Patron: Rust

Summary:

Requires hospitals to provide oral and written notice to any patient that has been placed in observation or outpatient status that he has been placed in such status if (i) the patient receives onsite services from the hospital and (ii) such

onsite services include a hospital bed and meals that are provided in an area of the hospital other than the emergency department.

Status:

01/07/15 House: Referred to Committee on Health, Welfare and Institutions

01/19/15 House: Impact statement from VDH (HB1561)

01/20/15 House: Assigned HWI sub: Subcommittee #1

01/27/15 House: Subcommittee recommends laying on the table

02/11/15 House: Left in Health, Welfare and Institutions

HB1633 Virginia Freedom of Information Act; record exemption for certain health records.

Companion Bill: SB968

Chief Patron: Gilbert

Summary:

Clarifies that records of certain health care committees and entities, to the extent that they reveal information that may be withheld from discovery as privileged communications, are exempt from disclosure under FOIA. This bill is identical to SB 968.

Status:

02/26/15 Senate: Signed by President

02/26/15 House: Enrolled Bill communicated to Governor on 2/26/15

02/26/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/16/15 Governor: Approved by Governor-Chapter 127 (effective 7/1/15)

03/16/15 Governor: Acts of Assembly Chapter text (CHAP0127)

HB1646 Virginia Freedom of Information Act; proceeding for enforcement.

Chief Patron: Pogge

Summary:

Provides that in an enforcement action, if the court finds the public body violated certain meeting notice requirements, the court may invalidate any action of the public body taken at such meeting.

Status:

01/21/15 House: Referred from Courts of Justice

01/21/15 House: Referred to Committee on General Laws

01/22/15 House: Assigned GL sub: Subcommittee #2

01/29/15 House: Subcommittee recommends laying on the table

02/10/15 House: Left in General Laws

HB1647 Drug overdoses; reporting of medical aid or treatment.

Chief Patron: Miller

Summary:

Requires a physician or other person who renders any medical aid or treatment to any person for an overdose that he knows or has reason to believe is an overdose of a controlled substance classified in Schedule I or II of the Drug Control Act to report such aid or treatment and the patient's name and address, if known, to local law enforcement.

Status:

01/09/15 House: Referred to Committee for Courts of Justice
01/13/15 House: Assigned Courts sub: Criminal Law
01/20/15 House: Impact statement from VDH (HB1647)
02/04/15 House: Subcommittee recommends laying on the table
02/10/15 House: Left in Courts of Justice

HB1667 Conflicts of Interests Acts, and General Assembly; certain gifts prohibited.

Chief Patron: Bulova

Summary:

Prohibits state and local government officers and employees and legislators and candidates for the General Assembly required to file the disclosure form prescribed in § 2.2-3117 or 30-111 from soliciting, accepting, or receiving any single tangible or intangible gift, or any combination of tangible or intangible gifts, with a value exceeding \$100 from any person. For purposes of the prohibition and the disclosure requirements, such gift or gifts given to a member of the immediate family of an officer, employee, legislator, or candidate shall be considered a gift or gifts to the officer, employee, legislator, or candidate if (i) the gift was given with his knowledge and acquiescence and (ii) he knows or has reason to know that the gift was given to the member of his immediate family because of his official position. However, an intangible gift or a combination of intangible gifts with a value exceeding \$100 may be accepted if the gift or gifts were received while in attendance at an event sponsored by a not-for-profit or government entity that is open to the public or to which the public is invited to purchase tickets for admission, or if a written request has been submitted to and has received the written approval of the Virginia Conflict of Interest and Ethics Advisory Council. The Council may approve those requests that provide a public benefit and do not raise the appearance of impropriety. The bill further prohibits any officer, employee, legislator, or candidate, or any member of his immediate family, from soliciting, accepting, or receiving any tangible or intangible gift of any value when he knows or has reason to know that such gift was offered or given with the intent to induce any conduct or action by him related to the performance of his official duties. A knowing violation of this prohibition is punishable by a civil penalty in an amount equal to \$250, and any officer, employee, legislator, or candidate who knowingly commits a second or subsequent violation within four years of a previous violation is guilty of a Class 1 misdemeanor. For purposes of this limitation, the bill defines "tangible gift" as a thing of value that can be sold at retail, including currency, securities, and other financial instruments and defines "intangible gift" as those services, transportation, lodgings, meals, and other things of value that may be enjoyed but cannot be resold. The prohibition does not apply to gifts given by relatives or personal friends. The bill amends the five-year dollar adjustment to the limitation on annual gifts, requiring the adjustment be rounded to the nearest \$50. This bill was incorporated into HB 2070.

Status:

01/13/15 House: Assigned Courts sub: Ethics
01/14/15 House: Impact statement from VCSC (HB1667)
02/02/15 House: Impact statement from DPB (HB1667)
02/04/15 House: Subcommittee recommends incorporating (HB2070-Gilbert)
02/04/15 House: Incorporated by Courts of Justice (HB2070-Gilbert)

HB1683 Higher educational institutions; liaisons to report criminal sexual assault, etc.

Chief Patron: Herring

Summary:

Requires each institution of higher education to designate one employee to serve as the institution's liaison to the local department of social services and local law-enforcement agency to coordinate (i) a response to any crime resulting in serious bodily injury to a student or any criminal sexual assault committed against a student and (ii) access to programs for the victims of such crimes.

Status:

01/29/15 House: Referred to Committee on Education
01/29/15 House: Assigned Education sub: Higher Education
02/03/15 House: Impact statement from DPB (HB1683)
02/03/15 House: Subcommittee recommends laying on the table
02/10/15 House: Left in Education

HB1692 Higher educational institutions; alternative tuition or fee structures offered to students.

Chief Patron: Rush

Summary:

Permits each public institution of higher education to offer alternative tuition or fee structures to students. The bill provides that if a public institution of higher education, with the approval of the State Council of Higher Education for Virginia (the Council), offers alternative tuition or fee structures, including discounted tuition, four-year flat tuition rates, discounted student fees, or student fee and student services flexibility, to any Virginia-domiciled, first-time, incoming freshman undergraduate student who enrolls full time with the intent to earn a degree in a program that leads to employment in a high-demand field in the region, according to guidelines established by the Council, each student who receives the benefits of such an alternative tuition or fee structure shall count one and a half times for the purpose of (i) targeted economic and innovation incentives pursuant to subdivision 3 of § 23-38.87:16, (ii) the base adequacy funding guidelines adopted and periodically updated by the Joint Subcommittee Studying Higher Education Funding Policies, or (iii) biennial assessments of institutional performance as set forth in Part 4 of the general appropriation act and consistent with § 23-9.6:1.01.

Status:

02/06/15 Senate: Referred to Committee on Education and Health
02/13/15 Senate: Assigned Education sub: Higher Education
02/19/15 Senate: Reported from Education and Health with amendment (14-Y 0-N)
02/19/15 Senate: Rereferred to Finance
02/23/15 Senate: Passed by indefinitely in Finance with letter (10-Y 4-N)

HB1715 Higher educational institutions; students exhibiting suicidal tendencies or behavior, policies.

Companion Bill: SB1122

Chief Patron: LeMunyon

Summary:

Requires each public institution of higher education's policies that advise students, faculty, and staff of the proper procedures for identifying and addressing the needs of students exhibiting suicidal tendencies or behavior to require procedures for notifying the institution's student health or counseling center when a student exhibits suicidal

tendencies or behavior. This bill is identical to SB 1122.

Status:

03/10/15 House: Enrolled Bill communicated to Governor on 3/10/15
03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015
03/16/15 House: Impact statement from DPB (HB1715ER)
03/26/15 Governor: Approved by Governor-Chapter 663 (effective 7/1/15)
03/26/15 Governor: Acts of Assembly Chapter text (CHAP0663)

HB1722 Virginia Freedom of Information Act; exemptions for university presidents.

Companion Bill: SB893

Chief Patron: Ramadan

Summary:

Eliminates the working paper and correspondence record exemption for the president or other chief executive officer of any public institution of higher education in Virginia.

Status:

01/12/15 House: Referred to Committee on General Laws
01/14/15 House: Impact statement from DPB (HB1722)
01/20/15 House: Assigned GL sub: Subcommittee #2
01/29/15 House: Subcommittee recommends laying on the table
02/10/15 House: Left in General Laws

HB1732 Naloxone or other opioid antagonists; dispensing and administration.

Chief Patron: Hodges

Summary:

Provides that a dispenser may dispense naloxone or any other opioid antagonists pursuant to a written order or standing protocol of the Health Commissioner to a person for administration in an emergency to a person who is experiencing or is about to experience a life-threatening opiate overdose, and that a person may possess and administer naloxone or any other opioid antagonists to a person who is experiencing or is about to experience a life-threatening opiate overdose, provided such person has received appropriate training. The bill also provides that law-enforcement officers and firefighters may possess and administer naloxone or any other opioid antagonists to a person who is experiencing or is about to experience a life-threatening opiate overdose. Under current law, such possession and use is permitted only in a pilot program conducted by the Department of Behavioral Health and Developmental Services.

Status:

01/12/15 House: Prefiled and ordered printed; offered 01/14/15 15100317D
01/12/15 House: Referred to Committee for Courts of Justice
01/20/15 House: Assigned Courts sub: Civil Law
01/29/15 House: Impact statement from DPB (HB1732)
02/04/15 House: Stricken from docket by Courts of Justice

HB1750 Investigational drugs; expanded access.

Companion Bill: SB732

Chief Patron: Ransone

Summary:

Provides that a manufacturer of an investigational drug, biological product, or device may make such drug, product, or device available to a person who has a terminal condition when (i) the person has, in consultation with his treating physician, considered all other treatment options currently approved by the U.S. Food and Drug Administration and the treating physician has determined that no reasonable opportunity exists for him to participate in an ongoing clinical trial; (ii) the potential benefits of use of the investigational drug, biological product, or device to treat his terminal condition are greater than the potential risks; (iii) the person has received a recommendation from his treating physician for use of such drug, product, or device for treatment of his terminal condition; and (iv) the person has provided written informed consent. The bill provides that a manufacturer that provides such drug, product, or device may provide the drug, product, or device free of charge or may require the person to pay costs associated with its manufacture and provides that health insurance providers may, but are not required to, provide coverage for costs associated with use of such drug, product, or device. For a health care provider who recommends an investigational drug, biological product, or device and for a manufacturer, distributor, administrator, health care provider, sponsor, or physician who manufactures, supplies, distributes, administers, prescribes, or recommends such drug, product, or device, the bill provides immunity from civil liability and provides that no claim or cause of action shall exist in any state court for claims of property, personal injury, or death caused by, arising out of, or relating to the design, development, clinical testing and investigation, manufacture, labeling, distribution, sale, purchase, donation, dispensing, prescription, recommendation, administration, efficacy, or use of such drug, product, or device to a person who meets eligibility under the law. The bill provides that no health care provider who recommends, prescribes, administers, distributes, or supplies an investigational drug, biological product, or device shall be deemed to have engaged in unprofessional conduct or shall be adversely affected in any decision relating to licensure on such grounds and provides that nothing shall require any person to violate or act in contravention of any federal or state law as such law relates to the prescribing, dispensing, administration, or use of an investigational drug, biological product, or device. This bill is identical to SB 732.

Status:

03/07/15 Senate: Signed by President

03/10/15 House: Enrolled Bill communicated to Governor on 3/10/15

03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/26/15 Governor: Approved by Governor-Chapter 656 (effective 7/1/15)

03/26/15 Governor: Acts of Assembly Chapter text (CHAP0656)

HB1785 Campus police departments; sexual assault reporting.

Chief Patron: Massie

Summary:

Requires that mutual aid agreements between a campus police force and a law-enforcement agency contain provisions requiring either the campus police force or the agency with which it has established a mutual aid agreement to notify the local attorney for the Commonwealth within 48 hours of beginning any investigation involving felony criminal sexual assault occurring on campus property or other property related to the institution of higher education. The bill also requires institutions of higher education that have security departments instead of campus police forces to enter

into a memorandum of understanding with a law-enforcement agency and such memorandum of understanding shall contain similar provisions requiring reports to the local attorney for the Commonwealth.

Status:

03/10/15 House: Enrolled Bill communicated to Governor on 3/10/15

03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/16/15 House: Impact statement from DPB (HB1785ER)

03/27/15 Governor: Approved by Governor-Chapter 707 (effective 7/1/15)

03/27/15 Governor: Acts of Assembly Chapter text (CHAP0707)

HB1786 Higher education; reporting of sexual assault, penalty.

Chief Patron: Massie

Summary:

Requires any administrator or professor employed by a public institution of higher education, except the institution's Title IX coordinator, who through the course of his employment obtains information alleging that a criminal sexual assault has occurred to report within 24 hours such information to law enforcement. The bill provides that a person in violation of the reporting requirement is guilty of a Class 1 misdemeanor.

Status:

01/29/15 House: Referred from Courts of Justice

01/29/15 House: Referred to Committee on Education

01/29/15 House: Assigned Education sub: Higher Education

02/03/15 House: Subcommittee recommends laying on the table

02/10/15 House: Left in Education

HB1788 Higher educational institutions; frequency of reporting six-year plans.

Chief Patron: Massie

Summary:

Changes from biennial to annual the requirement for the governing board of each public institution of higher education to develop, adopt, and submit a six-year plan for the institution. The bill also requires each institution to submit a report on its progress toward meeting the goals of its plan. The bill adds the chairs of the House Committee on Education and the Senate Committee on Education and Health to the list of plan and progress report recipients.

Status:

01/13/15 House: Referred to Committee on Appropriations

01/19/15 House: Impact statement from DPB (HB1788)

01/21/15 House: Assigned App. sub: Higher Education

02/02/15 House: Subcommittee recommends striking from docket

02/10/15 House: Left in Appropriations

HB1791 Higher educational institutions; removal of members of board of visitors, etc.

Chief Patron: Massie

Summary:

Provides that if a member of the board of visitors of a four-year public institution of higher education or the State

Board for Community Colleges fails to attend the meetings of the board for one year or to attend certain required educational programs in his first two years of membership, without sufficient cause, as determined by a majority vote of the board, then the member is removed from office. The bill requires the board of visitors of each four-year public institution of higher education and the State Board for Community Colleges to adopt policies regarding the removal process and referencing the Governor's removal authority. The bill repeals existing provisions regarding the removal of members. The bill also prohibits a member who has served for two successive four-year terms from being eligible for reappointment to a board for four years after the end of his second successive four-year term. Finally, the bill changes the terms of the board of visitors of George Mason University to prohibit members from serving more than two successive four-year terms; current law prohibits members of that board from serving more than two four-year terms, successive or not.

Status:

02/24/15 Senate: Signed by President

02/25/15 House: Enrolled Bill communicated to Governor on 2/25/15

02/25/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/23/15 Governor: Approved by Governor-Chapter 560 (effective 7/1/15)

03/23/15 Governor: Acts of Assembly Chapter text (CHAP0560)

HB1835 Virginia Public Procurement Act (VPPA); methods of procurement.

Companion Bill: SB1371

Chief Patron: Gilbert

Summary:

Clarifies that small purchase procedures include the procurement of non-transportation-related construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill adds independent agencies of the Commonwealth to the definition of public body under the VPPA. The bill also increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited; (ii) no public body shall issue or use a job order, under a job order contract, solely for the purpose of receiving professional architectural or engineering services that constitute the practice of architecture or the practice of engineering as those terms are defined in § 54.1-400; however, professional architectural or engineering services may be included on a job order where such professional services are (a) incidental and directly related to the job, (b) do not exceed \$25,000 per job order, and (c) do not exceed \$75,000 per contract term; and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill clarifies the provisions of the VPPA relating to cooperative procurement and requires that by October 1, 2017, the Department of Small Business and Supplier Diversity, public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005, any state agency utilizing job order contracting, and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing, on behalf of local public bodies, working cooperatively, report their respective experiences and findings relating to the appropriateness and effectiveness of job order contracting in general, the job order project cost limitations as added by this bill, and the architectural and professional engineering term contract limits to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill also requires, for construction projects in excess of \$2 million, that a public body, including public institutions of higher education, provide its justification for use of any procurement method other than competitive sealed bidding to the Director of the Department of General Services. The bill requires the State Corporation Commission (SCC) to

develop a process for the administrative review of its procurement decisions that is consistent with the Constitution of Virginia. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015, except that the provisions of subsection B of § 2.2-4303.2, as added by the bill, shall apply to any renewal of a job order contract. The bill contains numerous technical amendments and is a recommendation of the General Laws Special Joint Subcommittee Studying the Virginia Public Procurement Act. This bill is identical to SB 1371.

Status:

04/15/15 House: House rejected Governor's recommendation (1-Y 97-N)
04/15/15 House: VOTE: REJECTED (1-Y 97-N)
04/15/15 House: Communicated to Governor
04/30/15 Governor: Approved by Governor-Chapter 760 (effective 7/1/15)
04/30/15 Governor: Acts of Assembly Chapter text (CHAP0760)

HB1888 Academic transcripts; suspension or permanent dismissal from institution.

Chief Patron: Jones

Summary:

Requires the registrar of each public institution of higher education and certain private institutions of education, or the other employee, office, or department of the institution that is responsible for maintaining student academic records, to include a prominent notation on the transcript of each student who has been suspended or permanently dismissed from the institution for a violation of the institution's code, rules, or set of standards governing the conduct of students.

Status:

02/07/15 House: Read first time
02/09/15 House: Read second time
02/09/15 House: Motion to rerefer to committee agreed to
02/09/15 House: Rereferred to Courts of Justice
02/10/15 House: Left in Courts of Justice

HB1891 Capital outlay plan; creates a six-year plan.

Companion Bill: SB1042

Chief Patron: Jones

Summary:

Revises the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. The bill is identical to SB 1042.

Status:

03/07/15 Senate: Signed by President
03/10/15 House: Enrolled Bill communicated to Governor on 3/10/15
03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015
03/23/15 Governor: Approved by Governor-Chapter 499 (effective 7/1/15)
03/23/15 Governor: Acts of Assembly Chapter text (CHAP0499)

HB1895 Higher educational institutions; additional financial and administrative authority.

Companion Bill: SB1369

Chief Patron: Cox

Summary:

Permits the board of visitors or other governing body of any public institution of higher education that has entered into and successfully renewed a memorandum of understanding with the appropriate Cabinet Secretary or Secretaries to exercise, with some variation, (i) additional authority in the functional areas of information technology, procurement, and capital projects and (ii) the financial operational authority of covered institutions that have entered into management agreements. Under current law, such boards of visitors and governing bodies are limited to exercising authority in two of the three functional areas of information technology, procurement, and capital projects. The bill also describes the conditions for renewal and revocation of such authority and requires the accounts of each institution granted such authority to be audited by the Auditor of Public Accounts.

Status:

02/26/15 House: Delegates: Cox, Jones, Joannou

02/26/15 Senate: Conferees appointed by Senate

02/26/15 Senate: Senators: Martin, Dance, Norment

02/27/15 House: No further action taken

02/27/15 House: Failed to pass in House

HB1897 Intercollegiate athletics programs; format for each institution to report revenues and expenses.

Chief Patron: Cox

Summary:

Prohibits the sum of school funds and student fees used to support intercollegiate athletics programs from exceeding a certain percentage of athletics revenues, as those terms are defined in the bill, at each four-year public institution of higher education in the Commonwealth. The bill requires any school that violates this prohibition to submit to the General Assembly a five-year plan for coming into compliance. The bill requires the Auditor of Public Accounts to monitor plan progress and provides that negative audits will trigger a reduction or elimination of existing operational authority. The bill also (i) requires the board of visitors of any four-year public institution of higher education that seeks to add a major intercollegiate athletics program or change the division level of any of its existing intercollegiate athletics programs to first submit to the Intercollegiate Athletics Review Commission established in the bill a plan and recommendations for financing the addition or change and (ii) prohibits any such addition or change from being implemented without the approval of the General Assembly expressed in the general appropriation act. The bill has a delayed effective date of July 1, 2016.

Status:

03/10/15 House: Enrolled Bill communicated to Governor on 3/10/15

03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/12/15 House: Impact statement from DPB (HB1897ER)

03/27/15 Governor: Approved by Governor-Chapter 704 (effective 7/1/16)

03/27/15 Governor: Acts of Assembly Chapter text (CHAP0704)

HB1901 Small Business and Supplier Diversity, Department of; clarifies definition of small business.

Companion Bill: SB885

Chief Patron: Lopez

Summary:

Changes the definition of small business to require the business, together with affiliates, to meet the small business size standards established by the regulations of the U.S. Small Business Administration. Currently, a small business is required to have 250 or fewer employees or average annual gross receipts of \$10 million or less averaged over the previous three years. The bill requires the Secretary of Commerce and Trade to convene a workgroup of interested stakeholders to examine the definition of small business in the Code of Virginia and report its findings and recommendations to the Governor and General Assembly on or before December 1, 2015. The bill will not become effective unless reenacted by the 2016 Session of the General Assembly. This bill is identical to SB 885.

Status:

03/09/15 House: Impact statement from DPB (HB1901ER)
03/10/15 House: Enrolled Bill communicated to Governor on 3/10/15
03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015
03/23/15 Governor: Approved by Governor-Chapter 439 (effective - see bill)
03/23/15 Governor: Acts of Assembly Chapter text (CHAP0439)

HB1903 State Air Pollution Control Board; membership.

Chief Patron: Lopez

Summary:

Exempts the receipt of income from a state-supported institution of higher education that is subject to permits or enforcement orders of the State Air Pollution Control Board (the Board) from the reasons to disqualify a person from appointment to the Board. Under current law, the only income a member may receive from an entity subject to permits or enforcement orders of the Board is income from a vested retirement benefit.

Status:

01/13/15 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources
01/26/15 House: Impact statement from DPB (HB1903)
01/26/15 House: Assigned ACNRsub: Chesapeake
01/29/15 House: Subcommittee recommends reporting (3-Y 2-N)
02/04/15 House: Stricken from docket by Agriculture, Chesapeake and Natural Resources

HB1917 Governmental agencies; contracts for items listed on commercial activities list.

Chief Patron: LeMunyon

Summary:

Requires any governmental agency that intends to purchase services for an amount over \$25,000 from another governmental agency, which service is found on the commercial activities list, to post notice of such purchase and provide the opportunity for comment by or the submission of information from the private sector on each such intended purchase. The provisions of the bill do not apply to (i) mandatory purchases pursuant to § 53.1-47, (ii) contracts specifically exempted pursuant to Article 3 (§ 2.2-4343 et seq.) of the Virginia Public Procurement Act, (iii)

services provided by central service state agencies, (iv) activities operated as an internal service fund of the Commonwealth, or (v) purchases from public institutions of higher education. The bill specifies where the notice is to be posted and defines commercial activities list and governmental agency.

Status:

04/15/15 House: Reenrolled bill text (HB1917ER2)

04/15/15 House: Signed by Speaker as reenrolled

04/15/15 Senate: Signed by President as reenrolled

04/15/15 House: Enacted, Chapter 736 (effective 7/1/15)

04/15/15 Governor: Acts of Assembly Chapter text (CHAP0736)

HB1930 Higher educational institutions; review committees, reporting of acts of sexual violence, report.

Companion Bill: SB712

Chief Patron: Bell, Robert B.

Summary:

Requires any responsible employee of a public or private nonprofit institution of higher education who in the course of his employment obtains information that an act of sexual violence has been committed against a student or on campus property or other property related to the institution to report such information to the Title IX coordinator for the institution as soon as practicable. The bill requires the Title IX coordinator to report such information to a review committee, which shall meet within 72 hours of the receipt of information of an alleged act of sexual violence and which shall include the Title IX coordinator, a representative of law enforcement, and a student affairs representative. If the review committee determines that disclosure of the information regarding the alleged act of sexual violence is necessary to protect the health and safety of the victim or other individuals, the representative of law enforcement on the review committee shall disclose the information, including personally identifiable information, to the law-enforcement agency responsible for investigating the alleged act. In cases involving a felony sexual assault, the representative of law enforcement on the review committee, or in certain situations, another committee member, shall consult with the local attorney for the Commonwealth or other prosecutor responsible for prosecuting the alleged act of sexual violence.

The bill requires the governing board of each public or private nonprofit institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies to provide victims with information on contacting such center or service. The bill requires each public or private nonprofit institution of higher education to annually certify to the State Council of Higher Education for Virginia that it has reviewed its sexual violence policy. Finally, the bill requires the Department of Criminal Justice Services to monitor the impact the legislation will have on the workload of local victim witness programs and report its findings to the Chairmen of the House and Senate Committees for Courts of Justice by October 1, 2016. This bill is identical to SB 712.

Status:

04/15/15 House: Reenrolled bill text (HB1930ER2)

04/15/15 House: Signed by Speaker as reenrolled

04/15/15 Senate: Signed by President as reenrolled

04/15/15 House: Enacted, Chapter 737 (effective 7/1/15)

HB1948 Prescription drugs; specialty tier coverage.

Chief Patron: McClellan

Summary:

Imposes dollar limits on the practice of prescription drug cost-sharing known as specialty tiers. Enrollees' coinsurance or copayment fees for specialty tier drugs will be limited to \$100 per month for up to a 30-day supply of any single specialty tier drug, which limits shall apply regardless of whether a deductible has been satisfied. Patients will also be able to request an exception to obtain a specialty drug that would not otherwise be available on a health benefit plan formulary. The measure prohibits a health benefit plan that provides coverage for prescription drugs from placing all drugs in a given class of drugs on the highest cost tier.

Status:

01/13/15 House: Referred to Committee on Commerce and Labor

01/22/15 House: Assigned C & L sub: Subcommittee #2

01/27/15 House: Impact statement from DPB (HB1948)

01/29/15 House: Subcommittee recommends laying on the table

02/10/15 House: Left in Commerce and Labor

HB1954 Sexual and Domestic Violence, Advisory Committee on; established.

Companion Bill: SB1057

Chief Patron: McClellan

Summary:

Establishes the Advisory Committee on Sexual and Domestic Violence, which is tasked with advising and assisting governmental entities on matters related to the prevention and reduction of sexual and domestic violence in the Commonwealth and the administration of grant funds to state and local programs that work in these areas. This bill is a recommendation of the Virginia State Crime Commission. This bill was incorporated into HB 2092.

Status:

01/13/15 House: Referred to Committee on Rules

01/21/15 House: Impact statement from DPB (HB1954)

02/04/15 House: Referred from Rules

02/04/15 House: Referred to Committee for Courts of Justice

02/04/15 House: Incorporated by Courts of Justice (HB2092-Peace)

HB1959 Higher educational institutions; information for six-year plans.

Companion Bill: SB1206

Chief Patron: Toscano

Summary:

Requires each public institution of higher education to include in its six-year plan the following for the most recently ended fiscal year: (i) the assignment during the year of any intellectual property interests to a person or nongovernmental entity by the institution or any related entity, (ii) the value of externally sponsored research funds received during the year from a person or nongovernmental entity by the institution or any related entity, and (iii) the

number and types of patents awarded during the year to the institution or any related entity that were developed in whole or part from externally sponsored research provided by a person or nongovernmental entity. This bill is identical to SB 1206.

Status:

03/07/15 Senate: Signed by President

03/10/15 House: Enrolled Bill communicated to Governor on 3/10/15

03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/23/15 Governor: Approved by Governor-Chapter 579 (effective 7/1/15)

03/23/15 Governor: Acts of Assembly Chapter text (CHAP0579)

HB1980 Higher educational institutions, four-year public; websites, consumer information.

Companion Bill: SB1223

Chief Patron: Hugo

Summary:

Requires each four-year public institution of higher education in the Commonwealth to maintain on the home page of its website and annually update no later than September 30 a tab or link that includes information related to undergraduate retention and graduation rates, tuition and mandatory student fee increases, the use of student fees, postsecondary education and employment, and the institution's finances. This bill is identical to SB 1223.

Status:

02/23/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

02/24/15 House: Impact statement from DPB (HB1980ER)

02/25/15 House: Bill text as passed House and Senate reprinted (HB1980ER)

03/17/15 Governor: Approved by Governor-Chapter 325 (effective 7/1/15)

03/17/15 Governor: Acts of Assembly Chapter text (CHAP0325)

HB1988 Campus police departments; reporting of felony criminal sexual assault.

Chief Patron: Morrissey

Summary:

Requires each campus police department that obtains information alleging that a felony criminal sexual assault has occurred to report such information no later than 48 hours after commencing an investigation into such allegation to the law-enforcement agency and the attorney for the Commonwealth serving the locality in which the institution is located or serving the locality in which the alleged violation occurred unless such report would be a violation of applicable state or federal law.

Status:

01/29/15 House: Referred from Courts of Justice

01/29/15 House: Referred to Committee on Education

01/29/15 House: Assigned Education sub: Higher Education

01/30/15 House: Impact statement from DPB (HB1988)

02/10/15 House: Left in Education

HB2030 Certificate of public need; requirement, definition of project to qualify.

Chief Patron: Byron

Summary:

Adds a minimum value threshold of \$1 million for which the addition by an existing medical care facility of any medical equipment for the provision of cardiac catheterization, computed tomographic (CT) scanning, stereotactic radiosurgery, lithotripsy, magnetic resonance imaging (MRI), magnetic source imaging (MSI), open heart surgery, positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy, proton beam therapy, or other specialized service designated by the State Board of Health by regulation shall constitute a project for which a certificate of public need is required. Currently, the addition of any such medical equipment, regardless of the equipment's value, constitutes a project for which a certificate of public need is required. The bill also provides that no certificate of public need shall be required for a project if no objection to the application is raised at a public hearing, or for the addition by an existing medical care facility of any medical equipment that is limited in use to a specific, specialized service or category of providers that has been exempt from the requirements of a certificate of public need in accordance with regulations of the Board of Health. The bill also requires the Commissioner of Health to develop recommendations for specific types and categories of equipment that is limited in use to a specific, specialized service or category of health care provider, the addition of which by an existing medical facility shall be exempt from the requirement for a certificate of public need, and the Board shall report such recommendations to the General Assembly by November 1, 2015.

Status:

01/14/15 House: Prefiled and ordered printed; offered 01/14/15 15103417D

01/14/15 House: Referred to Committee on Health, Welfare and Institutions

01/20/15 House: Assigned HWI sub: Subcommittee #3

01/23/15 House: Impact statement from DPB (HB2030)

01/27/15 House: Tabled in Health, Welfare and Institutions

HB2050 Investigational drugs, biological products, and devices; expanded access.

Companion Bill: SB1222

Chief Patron: Sickles

Summary:

Provides that a manufacturer of an investigational drug, biological product, or device may make such drug, product, or device available to a person who has a terminal illness when (i) the person has a terminal condition; (ii) the person has, in consultation with his physician, considered all other treatment options currently approved by the U.S. Food and Drug Administration; (iii) the person's physician has recommended treatment with an investigational drug, biological product, or device; and (iv) the person has provided written informed consent. The bill provides that a manufacturer that provides such drug, product, or device may provide it free of charge or may require the person to pay costs associated with its manufacture.

Status:

01/14/15 House: Prefiled and ordered printed; offered 01/14/15 15101266D

01/14/15 House: Referred to Committee on Health, Welfare and Institutions

01/20/15 House: Assigned HWI sub: Subcommittee #1

01/28/15 House: Impact statement from VDH (HB2050)

02/11/15 House: Left in Health, Welfare and Institutions

HB2063 Telemedicine services; provision of health care services.

Companion Bill: SB1227

Chief Patron: Kilgore

Summary:

Amends the definition of telemedicine services to encompass the use of electronic technology or media, including interactive audio or video, for the purpose of diagnosing or treating a patient or consulting with other health care providers regarding a patient's diagnosis or treatment. The measure also provides that for the purpose of prescribing a Schedule VI controlled substance to a patient via telemedicine services, a prescriber may establish a bona fide practitioner-patient relationship by an examination through face-to-face interactive, two-way, real-time communications services or store-and-forward technologies when certain conditions are met. This bill is identical to SB 1227.

Status:

02/20/15 Senate: Signed by President

02/23/15 House: Enrolled Bill communicated to Governor on 2/23/15

02/23/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/16/15 Governor: Approved by Governor-Chapter 115 (effective 7/1/15)

03/16/15 Governor: Acts of Assembly Chapter text (CHAP0115)

HB2070 Conflicts of Interests Act, State & Local Gov't & General Assembly, etc.; ethics reforms.

Companion Bill: SB1424

Chief Patron: Gilbert

Summary:

Removes the distinction between tangible and intangible gifts and prohibits any state or local officer or employee, member of the General Assembly, and certain candidates from soliciting, accepting, or receiving within any calendar year a single gift with a value exceeding \$100 or a combination of gifts with a value exceeding \$100 from certain persons; however, such prohibition does not apply to gifts from personal friends. The bill also prohibits the immediate family of such officers, employees, members, or candidates from soliciting, accepting, or receiving such gifts. The bill provides an exception for gifts received at widely attended events, which are those events at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event. The bill requires disclosure of any single gift or entertainment, or any combination of gifts or entertainment, with a value exceeding \$50. The bill also requires persons subject to the Conflict of Interest Acts to request approval from the Virginia Conflict of Interest and Ethics Advisory Council (the Council) and receive the approval of the Council prior to accepting or receiving any travel-related transportation, lodging, meal, hospitality, or other thing of value provided by certain third parties that has a value exceeding \$100. The bill modifies the current composition of the Council, reducing the number of members from 15 to 9 and requires that there be bipartisan balance of the General Assembly members appointed to the Council. The bill requires electronic filing of disclosure forms with the Council and provides that local officers and employees will file disclosure forms locally instead of with the Council. The bill provides that the making of a knowing and intentional false statement on a disclosure form is punishable as a Class 5 felony. The bill also prohibits the Governor, his campaign committee, and any political action committee established on his behalf from knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$100

from persons and entities seeking loans or grants from the Commonwealth's Development Opportunity Fund (the Fund), restricts such gifts and contributions from persons and entities seeking loans or grants from the Fund, and provides that any violation shall result in a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. The bill has a delayed effective date of January 1, 2016, except the provisions of the bill related to the Council and its duties become effective July 1, 2015. This bill incorporates HB 1598, HB 1667, HB 1689, HB 1919, HB 1947, and HB 2060 and is identical to SB 1424.

Status:

04/17/15 House: Signed by Speaker as reenrolled

04/17/15 Senate: Signed by President as reenrolled

04/17/15 House: Communicated to Governor

04/30/15 Governor: Approved by Governor-Chapter 763 (effective - see bill)

04/30/15 Governor: Acts of Assembly Chapter text (CHAP0763)

HB2092 Sexual and Domestic Violence, Advisory Committee on; established.

Companion Bill: SB1094

Chief Patron: Peace

Summary:

Establishes the Virginia Sexual and Domestic Violence Program Professional Standards Committee and requires the Department of Criminal Justice Services to administer its activities by providing technical assistance and administrative support. This Committee is tasked with establishing voluntary accreditation standards and procedures by which local sexual and domestic violence programs can be systematically measured and evaluated with a peer-reviewed process. An Advisory Committee on Sexual and Domestic Violence is also established and has the responsibility for advising and assisting state and local entities on matters related to the prevention and reduction of sexual and domestic violence and to promote the efficient administration of grant funds. This bill incorporates HB 1954, is identical to SB 1094, and is a recommendation of the Virginia State Crime Commission.

Status:

02/27/15 House: Impact statement from DPB (HB2092ER)

02/27/15 House: Enrolled Bill communicated to Governor on 2/27/15

02/27/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/23/15 Governor: Approved by Governor-Chapter 402 (effective 7/1/15)

03/23/15 Governor: Acts of Assembly Chapter text (CHAP0402)

HB2102 Higher educational institutions; sexual misconduct policies.

Chief Patron: Hester

Summary:

Requires each public institution of higher education to update its sexual misconduct policy by September 30, 2015. The bill requires the State Council of Higher Education to approve or disapprove the updated policies and to oversee the updating process.

Status:

01/14/15 House: Referred to Committee on Education

01/23/15 House: Assigned Education sub: Higher Education

01/29/15 House: Impact statement from DPB (HB2102)
02/03/15 House: Subcommittee recommends laying on the table
02/10/15 House: Left in Education

HB2134 Higher educational institutions; admission and enrollment of 75% of students domiciled in Virginia.

Chief Patron: Ramadan

Summary:

Requires the board of visitors or other governing body of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, to establish policies requiring that at least 75 percent of students admitted to and enrolled at the institution be domiciled in Virginia. The bill requires each board of visitors or governing board to recover any lost revenue caused by this requirement by increasing the tuition charged to out-of-state students.

Status:

01/14/15 House: Referred to Committee on Education
01/23/15 House: Assigned Education sub: Higher Education
01/27/15 House: Impact statement from DPB (HB2134)
01/27/15 House: Subcommittee recommends laying on the table
02/10/15 House: Left in Education

HB2139 Higher educational institutions; reporting of felony criminal sexual assault.

Chief Patron: Toscano

Summary:

Requires (i) any administrator employed by an institution of higher education, except in the case of administrators employed by the University of Virginia at the University of Virginia Medical Center, who through the course of his employment obtains information alleging that a felony criminal sexual assault has been committed by or against an enrolled student to report within 24 hours such information to the local law-enforcement agency and (ii) any campus police officer employed by an institution of higher education who through the course of his employment obtains information alleging that a felony criminal sexual assault has been committed by or against an enrolled student to report within 24 hours such information to the local attorney for the Commonwealth. The bill requires the State Council of Higher Education for Virginia, in conjunction with the Office of the Attorney General, to develop guidelines that delineate the extent to which state and federal privacy laws limit the reporting requirements of the bill. The bill also requires that the registrar of each institution of higher education or the other employee, office, or department of the institution that is responsible for maintaining student academic records shall place a hold on the academic transcript of each student who is alleged to have committed a felony criminal sexual assault until such time as the institution deems it appropriate to release such hold.

Status:

01/29/15 House: Referred to Committee on Education
01/29/15 House: Assigned Education sub: Higher Education
02/03/15 House: Subcommittee recommends laying on the table
02/04/15 House: Impact statement from DPB (HB2139)
02/10/15 House: Left in Education

HB2166 Reporting of medical aid or treatment for drug overdoses.

Chief Patron: Pillion

Summary:

Requires a physician or other person who renders any medical aid or treatment to any person for an overdose that he knows or has reason to believe is an overdose of a controlled substance classified in Schedule I or II of the Drug Control Act to report such aid or treatment and the patient's name and address, if known, to local law enforcement.

Status:

01/14/15 House: Referred to Committee for Courts of Justice

01/20/15 House: Assigned Courts sub: Criminal Law

01/28/15 House: Subcommittee recommends incorporating (HB1647-Miller)

01/29/15 House: Impact statement from VDH (HB2166)

02/10/15 House: Left in Courts of Justice

HB2177 Certificate of public need; eliminates regional health planning agencies.

Chief Patron: Orrock

Summary:

Amends the definition of "project" for which a certificate of public need is required to include capital expenditures of \$15 million or more by or on behalf of a medical care facility other than a general hospital. Currently, all capital expenditures of \$15 million or more by or on behalf of any medical care facility constitute a project for which a certificate of public need is required. The bill also provides that capital expenditures of \$5 million or more by a general hospital shall be registered with the Commissioner of Health.

Status:

02/27/15 House: Enrolled Bill communicated to Governor on 2/27/15

02/27/15 House: Impact statement from DPB (HB2177ER)

02/27/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/26/15 Governor: Approved by Governor-Chapter 651 (effective 7/1/15)

03/26/15 Governor: Acts of Assembly Chapter text (CHAP0651)

HB2187 Virginia Guaranteed Assistance Program; funding allocation.

Chief Patron: Kory

Summary:

Requires funding for the Virginia Guaranteed Assistance Program to be allocated across institutions such that each institution is able to meet an equal percentage of the total demonstrated financial need of student recipients based on the Partnership Model adopted by the State Council of Higher Education for Virginia.

Status:

01/14/15 House: Referred to Committee on Education

01/21/15 House: Impact statement from DPB (HB2187)

01/23/15 House: Assigned Education sub: Higher Education

01/27/15 House: Subcommittee recommends laying on the table

02/10/15 House: Left in Education

HB2199 Health records; additional restrictions on disclosure of records by health care entities.

Chief Patron: Berg

Summary:

Creates additional restrictions on disclosure of health records by health care entities.

Status:

01/14/15 House: Presented and ordered printed 15103486D
01/14/15 House: Referred to Committee on Health, Welfare and Institutions
01/20/15 House: Assigned HWI sub: Subcommittee #2
01/22/15 House: Subcommittee recommends laying on the table
02/11/15 House: Left in Health, Welfare and Institutions

HB2200 Health information; limitations on disclosure and use of individual's information.

Chief Patron: Berg

Summary:

Prohibits every agency of the Commonwealth or political subdivision of the Commonwealth from disclosing or using information contained in an individual's health record without the written consent of the individual and requires agencies of the Commonwealth or political subdivisions of the Commonwealth to provide to the individual, upon his request and without charge, an accounting of disclosures of health records made by the agency.

Status:

01/14/15 House: Presented and ordered printed 15103499D
01/14/15 House: Referred to Committee on Health, Welfare and Institutions
01/20/15 House: Assigned HWI sub: Subcommittee #2
01/22/15 House: Subcommittee recommends laying on the table (10-Y 0-N)
02/11/15 House: Left in Health, Welfare and Institutions

HB2201 Academic transcripts; documentation of dismissal.

Companion Bill: SB1326

Chief Patron: Toscano

Summary:

Requires public institutions of higher education to document the dismissal of any student who has been dismissed for violation of the institution's sexual misconduct policy, student code of conduct, or institution's honor code on such student's academic transcript.

Status:

01/14/15 House: Referred to Committee on Education
01/23/15 House: Assigned Education sub: Higher Education
01/26/15 House: Impact statement from DPB (HB2201)
02/03/15 House: Subcommittee recommends laying on the table
02/10/15 House: Left in Education

HB2268 Prepaid tuition contracts; differential tuition.

Chief Patron: Hugo

Summary:

Relieves the qualified beneficiary of a prepaid tuition contract offered by the Virginia College Savings Plan from the obligation to pay differential tuition at a public institution of higher education. The bill defines differential tuition as the difference between the higher quarter, semester, or term charge imposed for undergraduate tuition in a particular academic program by any two-year or four-year public institution of higher education in the Commonwealth and the standard quarter, semester, or term charge imposed for undergraduate tuition by such institution.

Status:

01/20/15 House: Presented and ordered printed 15103861D

01/20/15 House: Referred to Committee on Education

01/23/15 House: Assigned Education sub: Higher Education

01/27/15 House: Impact statement from DPB (HB2268)

02/10/15 House: Left in Education

HB2290 University of Virginia; terms of rector and vice-rector.

Chief Patron: Landes

Summary:

Requires the board of visitors of the University of Virginia to establish in its bylaws the commencement and expiration dates of the two-year terms of the board's rector and vice-rector. Under current law, such two-year terms are required to commence on July 1 of the year of appointment and expire on June 30 of the year of expiration.

Status:

02/23/15 House: Enrolled Bill communicated to Governor on 2/23/15

02/23/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

02/25/15 House: Impact statement from DPB (HB2290ER)

03/17/15 Governor: Approved by Governor-Chapter 327 (effective 7/1/15)

03/17/15 Governor: Acts of Assembly Chapter text (CHAP0327)

HB2320 Cooperative degree program; Secretary of Education, et al., shall develop a plan to establish.

Chief Patron: Cline

Summary:

Requires the Secretary of Education and the Director of the State Council of Higher Education for Virginia, in consultation with each two-year or four-year, public or private, nonprofit institution of higher education in the Commonwealth and the Virginia Community College System, to develop a plan to establish and advertise a cooperative degree program whereby any undergraduate student enrolled at any two-year or four-year, public or private, nonprofit institution of higher education in the Commonwealth may complete, through the use of online courses at any such institution, the course credit requirements to receive a degree at a tuition cost not to exceed \$4,000, or such cost that is achievable, per academic year. The Secretary and Director shall report no later than October 1, 2016, to the Chairmen of the House Committee on Appropriations, the House Committee on Education, the Senate Committee on Finance, and the Senate Committee on Education and Health on the progress made toward developing such cooperative degree program plan.

Status:

03/07/15 Senate: Signed by President

03/10/15 House: Enrolled Bill communicated to Governor on 3/10/15

03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/26/15 Governor: Approved by Governor-Chapter 664 (effective 7/1/15)

03/26/15 Governor: Acts of Assembly Chapter text (CHAP0664)

HB2368 Involuntary civil admissions; evaluations.

Chief Patron: Garrett

Summary:

Directs the Commissioner of Behavioral Health and Developmental Services, in conjunction with relevant stakeholders, to review the current practice of conducting emergency evaluations for individuals subject to involuntary civil admission and to develop a comprehensive plan to authorize psychiatrists and emergency physicians to evaluate individuals for involuntary civil admission where appropriate to expedite emergency evaluations. The review and recommendations shall be completed by November 15, 2015 and reported to the Governor, the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century, the House Committee on Health, Welfare and Institutions, and the Senate Committee on Education and Health.

Status:

04/15/15 House: Reenrolled bill text (HB2368ER2)

04/15/15 House: Signed by Speaker as reenrolled

04/15/15 Senate: Signed by President as reenrolled

04/15/15 House: Enacted, Chapter 742 (effective 7/1/15)

04/15/15 Governor: Acts of Assembly Chapter text (CHAP0742)

HB2378 State agencies; work group established to provide public access to operational data, etc.

Chief Patron: Cline

Summary:

Requires the Secretaries of Administration, Finance, and Technology to jointly establish a work group to provide to the public, the chairmen of each standing committee of the General Assembly or their designees, and a designated staff member of the House Committee on Appropriations and the Senate Committee on Finance access to data and information pertaining to the operation of state agencies within the subject matter jurisdiction of each standing committee. Access shall be by electronic means to the extent possible, as determined by the work group, taking into account security and privacy restrictions. The bill requires the Secretaries of Administration, Finance, and Technology to ensure that the work group makes substantial progress toward accessing the information and data required on or before November 1, 2015, and identify possible future steps to further facilitate electronic access to such data.

Status:

03/10/15 House: Impact statement from DPB (HB2378ER)

03/10/15 House: Enrolled Bill communicated to Governor on 3/10/15

03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/23/15 Governor: Approved by Governor-Chapter 473 (effective 7/1/15)

03/23/15 Governor: Acts of Assembly Chapter text (CHAP0473)

HJ558 Teachers, qualified; Department of Education and SCHEV, report.

Chief Patron: Orrock

Summary:

Requests the Virginia Department of Education and the State Council of Higher Education for Virginia to examine shortages of qualified teachers generally and in certain teaching endorsement areas and to recommend strategies for addressing the shortages. The Department and the Council must report their findings and recommendations no later than the first day of the 2016 Regular Session of the General Assembly.

Status:

02/20/15 Senate: Reported from Rules

02/23/15 Senate: Reading waived (40-Y 0-N)

02/24/15 Senate: Read third time

02/24/15 Senate: Agreed to by Senate by voice vote

02/25/15 House: Bill text as passed House and Senate (HJ558ER)

HJ603 Higher educational institutions; prevention of sexual violence on campus.

Chief Patron: Knight

Summary:

Directs the Virginia State Crime Commission to study the prevention of sexual violence on college campuses in Virginia. In conducting its study, the Commission must (i) ascertain the breadth of the problem of sexual violence on public and private college campuses in the Commonwealth; (ii) review all relevant state and federal laws, regulations, and policies to identify appropriate ways in which sexual violence may be abated; (iii) assess the policies, process, and procedures for reporting crimes of sexual violence used by colleges and universities in the Commonwealth; (iv) determine whether any institutions of higher education in the Commonwealth have pending U.S. Department of Education Office for Civil Rights investigations for the manner in which allegations and reports of sexual violence have been managed; (v) collaborate with other local, state, federal, college, and community advocates and police departments and entities to address the problem throughout the Commonwealth's higher education and criminal justice systems and among parents and students; (vi) make recommendations to ensure safe college and university campuses throughout the Commonwealth; and (vii) carry out any other duties the joint subcommittee deems proper to facilitate the study. The Commission must submit its report to the Chairmen of the House Committees on Education and for Courts of Justice, the Chairmen of the Senate Committees on Education and Health and for Courts of Justice, the Governor, and the 2016 Session of the General Assembly.

Status:

02/09/15 House: Agreed to by House BLOCK VOTE (92-Y 0-N)

02/09/15 House: VOTE: BLOCK VOTE ADOPTION (92-Y 0-N)

02/10/15 Senate: Reading waived

02/10/15 Senate: Referred to Committee on Rules

02/24/15 Senate: Left in Rules

SB712 Higher education; handling of sexual assault cases.

Companion Bill: HB1930

Chief Patron: Black

Summary:

Requires any responsible employee of a public or private nonprofit institution of higher education who in the course of his employment obtains information that an act of sexual violence has been committed against a student or on campus property or other property related to the institution to report such information to the Title IX coordinator for the institution as soon as practicable. The bill requires the Title IX coordinator to report such information to a review committee, which shall meet within 72 hours of the receipt of information of an alleged act of sexual violence and which shall include the Title IX coordinator, a representative of law enforcement, and a student affairs representative. If the review committee determines that disclosure of the information regarding the alleged act of sexual violence is necessary to protect the health and safety of the victim or other individuals, the representative of law enforcement on the review committee shall disclose the information, including personally identifiable information, to the law-enforcement agency responsible for investigating the alleged act. In cases involving a felony sexual assault, the representative of law enforcement on the review committee, or in certain situations, another committee member, shall consult with the local attorney for the Commonwealth or other prosecutor responsible for prosecuting the alleged act of sexual violence.

The bill requires the governing board of each public or private nonprofit institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies to provide victims with information on contacting such center or service. The bill requires each public or private nonprofit institution of higher education to annually certify to the State Council of Higher Education for Virginia that it has reviewed its sexual violence policy. Finally, the bill requires the Department of Criminal Justice Services to monitor the impact the legislation will have on the workload of local victim witness programs and report its findings to the Chairmen of the House and Senate Committees for Courts of Justice by October 1, 2016. This bill is identical to HB 1930.

Status:

04/15/15 Senate: Reenrolled bill text (SB712ER2)

04/15/15 Senate: Signed by President as reenrolled

04/15/15 House: Signed by Speaker as reenrolled

04/15/15 House: Enacted, Chapter 745 (effective 7/1/15)

04/15/15 Governor: Acts of Assembly Chapter text (CHAP0745)

SB722 Tuition, in-state; students granted Temporary Protected Status, etc.

Chief Patron: Black

Summary:

Declares that absent congressional intent to the contrary, any person granted Temporary Protected Status, Deferred Action for Childhood Arrivals, or Deferred Action for Parental Accountability by U.S. Citizenship and Immigration Services does not have the capacity to intend to remain in Virginia indefinitely and, therefore, is ineligible for Virginia domicile and for in-state tuition charges at public institutions of higher education in the Commonwealth.

Status:

01/19/15 Senate: Reading of amendments waived

01/19/15 Senate: Committee amendments agreed to

01/19/15 Senate: Engrossed by Senate as amended SB722E
01/19/15 Senate: Printed as engrossed 15100381D-E
01/20/15 Senate: Read third time and defeated by Senate (19-Y 20-N)

SB732 Investigational drugs; expanded access.

Companion Bill: HB1750

Chief Patron: Stanley

Summary:

Provides that a manufacturer of an investigational drug, biological product, or device may make such drug, product, or device available to a person who has a terminal condition when (i) the person has, in consultation with his treating physician, considered all other treatment options currently approved by the U.S. Food and Drug Administration and the treating physician has determined that no reasonable opportunity exists for him to participate in an ongoing clinical trial; (ii) the potential benefits of use of the investigational drug, biological product, or device to treat his terminal condition are greater than the potential risks; (iii) the person has received a recommendation from his treating physician for use of such drug, product, or device for treatment of his terminal condition; and (iv) the person has provided written informed consent. The bill provides that a manufacturer that provides such drug, product, or device may provide the drug, product, or device free of charge or may require the person to pay costs associated with its manufacture and provides that health insurance providers may, but are not required to, provide coverage for costs associated with use of such drug, product, or device. For a health care provider who recommends an investigational drug, biological product, or device and for a manufacturer, distributor, administrator, health care provider, sponsor, or physician who manufactures, supplies, distributes, administers, prescribes, or recommends such drug, product, or device, the bill provides immunity from civil liability and provides that no claim or cause of action shall exist in any state court for claims of property, personal injury, or death caused by, arising out of, or relating to the design, development, clinical testing and investigation, manufacture, labeling, distribution, sale, purchase, donation, dispensing, prescription, recommendation, administration, efficacy, or use of such drug, product, or device to a person who meets eligibility under the law. The bill provides that no health care provider who recommends, prescribes, administers, distributes, or supplies an investigational drug, biological product, or device shall be deemed to have engaged in unprofessional conduct or shall be adversely affected in any decision relating to licensure on such grounds and provides that nothing shall require any person to violate or act in contravention of any federal or state law as such law relates to the prescribing, dispensing, administration, or use of an investigational drug, biological product, or device. This bill incorporates SB 1149 and SB 1222 and is identical to HB 1750.

Status:

03/07/15 Senate: Signed by President
03/10/15 Senate: Enrolled Bill Communicated to Governor on 3/10/15
03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015
03/26/15 Governor: Approved by Governor-Chapter 655 (effective 7/1/15)
03/26/15 Governor: Acts of Assembly Chapter text (CHAP0655)

SB734 Higher education; reporting of sexual assault, penalty.

Chief Patron: Saslaw

Summary:

Requires any administrator or professor employed by a public institution of higher education who through the course

of his employment obtains information alleging that a criminal sexual assault has occurred to report within 24 hours such information to law enforcement. The bill provides that a person in violation of the reporting requirement is guilty of a Class 1 misdemeanor.

Status:

12/15/14 Senate: Prefiled and ordered printed; offered 01/14/15 15101312D
12/15/14 Senate: Referred to Committee on Education and Health
01/16/15 Senate: Impact statement from DPB (SB734)
01/20/15 Senate: Assigned Education sub: Higher Education
01/26/15 Senate: Incorporated by Education and Health (SB712-Black) (14-Y 0-N)

SB750 Hospitals; required notice to patients.

Chief Patron: Black

Summary:

Requires hospitals to provide oral and written notice within 24 hours to any patient who has been placed under observation or in any other outpatient status that he has been placed in such status if (i) the patient receives onsite services from the hospital and (ii) such onsite services include a hospital bed and meals that are provided in an area of the hospital other than the emergency department. This bill incorporates SB 857.

Status:

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15
02/26/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015
02/27/15 Senate: Impact statement from VDH (SB750ER)
03/19/15 Governor: Approved by Governor-Chapter 365 (effective 7/1/15)
03/19/15 Governor: Acts of Assembly Chapter text (CHAP0365)

SB800 Budget Bill.

Chief Patron: Colgan

Summary:

Amends Chapter 3, Special Session I, of the Acts of Assembly of 2014.

Status:

02/12/15 Senate: Passed Senate (38-Y 0-N)
02/16/15 House: Placed on Calendar
02/16/15 House: Read first time
02/16/15 House: Referred to Committee on Appropriations
02/24/15 House: Left in Appropriations

SB806 Higher educational institutions; fixed four-year tuition rate.

Chief Patron: Stanley

Summary:

Requires the board of visitors of four-year public institutions of higher education to prospectively fix the cost of tuition, room and board, and other mandatory fees for incoming Virginia freshman undergraduate students for four consecutive years under the following conditions: (i) eligible students shall be enrolled full time and remain

continuously enrolled as full-time students for the period of eligibility; (ii) a class rate is annually established, in accordance with any requirements set forth in the appropriation act; (iii) rules are clearly established to address the eligibility of freshman undergraduate students, the eligibility of transfer students, and any unforeseen circumstances that may require eligible students to take a leave of absence from the institution; and (iv) information is disseminated to all students applying to the relevant institution that clearly and concisely explains program eligibility and costs.

Status:

01/14/15 Senate: Assigned Education sub: Higher Education

01/28/15 Senate: Impact statement from DPB (SB806)

02/05/15 Senate: Committee substitute printed to Web only 15104804D-S1

02/05/15 Senate: Passed by indefinitely in Education and Health with letter (14-Y 0-N)

02/05/15 Senate: Incorporates SB1183

SB831 Criminal history record checks; barrier crimes.

Chief Patron: Edwards

Summary:

Sets out the list of barrier crimes for (i) individuals seeking employment at nursing homes, home care organizations, hospices, state facilities, and private providers licensed by the Department of Behavioral Health and Developmental Services, community services boards, behavioral health authorities, assisted living facilities, adult day care centers, children's welfare agencies, family day homes approved by family day systems, and children's residential facilities; (ii) applicants for licensure, registration, or approval as assisted living facilities, child welfare agencies, or family day homes approved by family day systems; (iii) individuals with whom a local board of social services or child-placing agency is considering placing a child on an emergency, temporary, or permanent basis; (iv) foster and adoptive homes seeking approval from child-placing agencies; and (v) providers of adult services and adult foster care seeking approval by the Department of Social Services by setting out each of the crimes included in the definition of "barrier crime." The bill also makes technical changes and updates obsolete language.

Status:

01/20/15 Senate: Assigned Rehab sub: Childcare

01/23/15 Senate: Impact statement from DPB (SB831)

01/30/15 Senate: Rereferred from Rehabilitation and Social Services (14-Y 0-N)

01/30/15 Senate: Rereferred to Courts of Justice

02/10/15 Senate: Passed by indefinitely in Courts of Justice (10-Y 2-N)

SB835 Newborn screening; Krabbe disease.

Companion Bill: HB1420

Chief Patron: Edwards

Summary:

Requires the screening tests conducted on every infant born in the Commonwealth to include a screening test for Krabbe disease and other lysosomal storage disorders.

Status:

01/05/15 Senate: Prefiled and ordered printed; offered 01/14/15 15101750D

01/05/15 Senate: Referred to Committee on Education and Health

01/14/15 Senate: Assigned Education sub: Health
01/27/15 Senate: Impact statement from DPB (SB835)
01/29/15 Senate: Passed by indefinitely in Education and Health with letter (13-Y 0-N)

SB851 Hospital discharge procedures; designation of individual to receive information and instructions.

Companion Bill: HB1413

Chief Patron: Favola

Summary:

Requires hospitals to provide each patient admitted as an inpatient or his legal guardian the opportunity to designate an individual who will care for or assist the patient in his residence following discharge from the hospital and to whom the hospital shall provide information regarding the patient's discharge plan and any follow-up care, treatment, and services that the patient may require. This bill is identical to HB 1413.

Status:

02/19/15 Senate: Signed by President
02/20/15 Senate: Enrolled Bill Communicated to Governor on 2/20/15
02/20/15 Governor: Governor's Action Deadline Midnight, Friday, February 27, 2015
02/26/15 Governor: Approved by Governor-Chapter 18 (effective 7/1/15)
02/26/15 Governor: Acts of Assembly Chapter text (CHAP0018)

SB857 Hospitals; required notice to patients.

Companion Bill: HB1561

Chief Patron: Ebbin

Summary:

Requires hospitals to provide oral and written notice to any patient that has been placed in observation or outpatient status that he has been placed in such status if (i) the patient receives onsite services from the hospital and (ii) such onsite services include a hospital bed and meals that are provided in an area of the hospital other than the emergency department. This bill was incorporated into SB 750.

Status:

01/06/15 Senate: Prefiled and ordered printed; offered 01/14/15 15100949D
01/06/15 Senate: Referred to Committee on Education and Health
01/14/15 Senate: Assigned Education sub: Health
01/19/15 Senate: Impact statement from VDH (SB857)
01/29/15 Senate: Incorporated by Education and Health (SB750-Black) (13-Y 0-N)

SB861 Nurse practitioners.

Companion Bill: HB1476

Chief Patron: Chafin

Summary:

Allows a nurse practitioner to testify as an expert witness in a court of law on certain matters within the scope of his activities and adds nurse practitioner to the definition of "health care provider" under the medical malpractice statutes.

The bill clarifies that its provisions are not a codification of Rule 702 of the Federal Rules of Evidence. This bill is identical to HB 1476.

Status:

02/26/15 Senate: Signed by President

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15

02/26/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/17/15 Governor: Approved by Governor-Chapter 306 (effective 7/1/15)

03/17/15 Governor: Acts of Assembly Chapter text (CHAP0306)

SB873 Virginia Veterans Recovery Program; created, report.

Chief Patron: Cosgrove

Summary:

Creates the Virginia Veterans Recovery Program for the purpose of providing diagnostic services, hyperbaric oxygen treatment, and support services to eligible veterans who have post-traumatic stress disorder or a traumatic brain injury. The program reimburses eligible facilities that provide hyperbaric oxygen treatment to an eligible veteran at no cost to the veteran and reimburses the eligible veteran for any necessary travel and living expenses required to receive treatment.

Status:

01/07/15 Senate: Referred to Committee on Education and Health

01/15/15 Senate: Reported from Education and Health (15-Y 0-N)

01/15/15 Senate: Rereferred to Finance

01/30/15 Senate: Impact statement from DPB (SB873)

02/03/15 Senate: Stricken at request of Patron in Finance (14-Y 0-N)

SB893 Virginia Freedom of Information Act; working papers and correspondence exemptions.

Companion Bill: HB1722

Chief Patron: Petersen

Summary:

Eliminates the working paper and correspondence record exemption for the president or other chief executive officer of any public institution of higher education in Virginia.

Status:

01/07/15 Senate: Prefiled and ordered printed; offered 01/14/15 15102044D

01/07/15 Senate: Referred to Committee on General Laws and Technology

01/14/15 Senate: Impact statement from DPB (SB893)

01/23/15 Senate: Assigned GL&T sub: #1

02/02/15 Senate: Passed by indefinitely in General Laws and Technology with letter (10-Y 1-N)

SB968 Virginia Freedom of Information Act; record exemption for certain health records.

Companion Bill: HB1633

Chief Patron: Ruff

Summary:

Clarifies that records of certain health care committees and entities, to the extent that they reveal information that may be withheld from discovery as privileged communications, are exempt from disclosure under FOIA. This bill is identical to HB 1633.

Status:

02/19/15 Senate: Signed by President

02/20/15 Senate: Enrolled Bill Communicated to Governor on 2/20/15

02/20/15 Governor: Governor's Action Deadline Midnight, Friday, February 27, 2015

02/26/15 Governor: Approved by Governor-Chapter 22 (effective 7/1/15)

02/26/15 Governor: Acts of Assembly Chapter text (CHAP0022)

SB981 Higher educational institutions; memorandum of understanding and policies.

Chief Patron: Favola

Summary:

Requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies that require the institution to offer to refer the sexual assault victim to the sexual assault crisis center, encourage victims to take steps to preserve physical evidence, provide clear guidance on linking victims to other community resources, provide options for victims who do not want to make an official report to make an anonymous report, and provide amnesty for victims who fear their conduct may also be questioned or who are concerned that an official report might jeopardize their academic status.

Status:

01/11/15 Senate: Prefiled and ordered printed; offered 01/14/15 15101757D

01/11/15 Senate: Referred to Committee on Education and Health

01/20/15 Senate: Assigned Education sub: Higher Education

01/26/15 Senate: Incorporated by Education and Health (SB712-Black) (14-Y 0-N)

SB1042 Capital outlay plan.

Companion Bill: HB1891

Chief Patron: Stosch

Summary:

Revises the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. The bill is identical to HB 1891.

Status:

03/07/15 Senate: Signed by President

03/10/15 Senate: Enrolled Bill Communicated to Governor on 3/10/15

03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/23/15 Governor: Approved by Governor-Chapter 500 (effective 7/1/15)

03/23/15 Governor: Acts of Assembly Chapter text (CHAP0500)

SB1057 Advisory Committee on Sexual and Domestic Violence.

Companion Bill: HB1954

Chief Patron: Howell

Summary:

Establishes the Advisory Committee on Sexual and Domestic Violence, which is tasked with advising and assisting governmental entities on matters related to the prevention and reduction of sexual and domestic violence in the Commonwealth and the administration of grant funds to state and local programs that work in these areas. This bill is a recommendation of the Virginia State Crime Commission. This bill was incorporated into SB 1094.

Status:

01/13/15 Senate: Prefiled and ordered printed; offered 01/14/15 15102495D

01/13/15 Senate: Referred to Committee on Rules

01/27/15 Senate: Rereferred from Rules (15-Y 0-N)

01/27/15 Senate: Rereferred to Courts of Justice

02/02/15 Senate: Incorporated by Courts of Justice (SB1094-Howell) (13-Y 0-N)

SB1094 Sexual and Domestic Violence, Advisory Committee on; established.

Companion Bill: HB2092

Chief Patron: Howell

Summary:

Establishes the Virginia Sexual and Domestic Violence Program Professional Standards Committee and requires the Department of Criminal Justice Services to administer its activities by providing technical assistance and administrative support. This Committee is tasked with establishing voluntary accreditation standards and procedures by which local sexual and domestic violence programs can be systematically measured and evaluated with a peer-reviewed process. An Advisory Committee on Sexual and Domestic Violence is also established and has the responsibility for advising and assisting state and local entities on matters related to the prevention and reduction of sexual and domestic violence and for promoting the efficient administration of grant funds. This bill incorporates SB 1057, is identical to HB 2092, and is a recommendation of the Virginia State Crime Commission.

Status:

02/23/15 Senate: Signed by President

02/24/15 Senate: Enrolled Bill Communicated to Governor on 2/24/15

02/24/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/16/15 Governor: Approved by Governor-Chapter 222 (effective 7/1/15)

03/16/15 Governor: Acts of Assembly Chapter text (CHAP0222)

SB1110 Search of electronic device without warrant prohibited.

Companion Bill: HB1274

Chief Patron: Barker

Summary:

Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.

Status:

01/13/15 Senate: Prefiled and ordered printed; offered 01/14/15 15100145D

01/13/15 Senate: Referred to Committee for Courts of Justice

02/04/15 Senate: Passed by indefinitely in Courts of Justice (10-Y 3-N)

SB1122 Higher educational institutions; student mental health policies.

Companion Bill: HB1715

Chief Patron: Barker

Summary:

Requires each public institution of higher education's policies that advise students, faculty, and staff of the proper procedures for identifying and addressing the needs of students exhibiting suicidal tendencies or behavior to require procedures for notifying the institution's student health or counseling center when a student exhibits suicidal tendencies or behavior. This bill is identical to HB 1715.

Status:

03/10/15 Senate: Enrolled Bill Communicated to Governor on 3/10/15

03/10/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/16/15 Senate: Impact statement from DPB (SB1122ER)

03/27/15 Governor: Approved by Governor-Chapter 716 (effective 7/1/15)

03/27/15 Governor: Acts of Assembly Chapter text (CHAP0716)

SB1133 State and local government officers and employees; prohibited conduct, retaliation.

Chief Patron: Garrett

Summary:

Prohibits a state or local government officer or employee from using his public position to retaliate or threaten retaliation against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law. The bill provides, however, that the prohibition does not (i) restrict the authority of any public employer to govern conduct of its employees, and to take disciplinary action, in accordance with applicable law or (ii) limit the authority of a constitutional officer to discipline or discharge an employee with or without cause.

Status:

02/26/15 Senate: Signed by President

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15

02/26/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/23/15 Governor: Approved by Governor-Chapter 574 (effective 7/1/15)

03/23/15 Governor: Acts of Assembly Chapter text (CHAP0574)

SB1149 Expanded access to investigational drugs, biological products, and devices.

Chief Patron: Stuart

Summary:

Provides that a manufacturer of an investigational drug, biological product, or device may make such investigational drug, biological product, or device available to a person who has a terminal illness when (i) no comparable or satisfactory alternative treatment options approved by the U.S. Food and Drug Administration are available to treat his

terminal illness; (ii) the potential benefits of the use of the investigational drug, biological product, or device outweigh the risks of use of the investigational drug, biological product, or device; (iii) his treating physician has recommended use of the investigational drug, biological product, or device; and (iv) the person has provided informed written consent to use of the investigational drug, biological product, or device. The bill provides that a manufacturer that provides an investigational drug, biological product, or device for treatment of a person's terminal illness may provide the investigational drug, biological product, or device free of charge or may require the person to pay costs associated with manufacture of the investigational drug, biological product, or device. The bill also provides that health insurance providers may, but are not required to, provide coverage for costs associated with use of the investigational drug, biological product, or device. This bill was incorporated into SB 732.

Status:

01/13/15 Senate: Prefiled and ordered printed; offered 01/14/15 15103634D

01/13/15 Senate: Referred to Committee on Education and Health

01/20/15 Senate: Assigned Education sub: Health Professions

01/28/15 Senate: Impact statement from VDH (SB1149)

02/05/15 Senate: Incorporated by Education and Health (SB732-Stanley) (14-Y 0-N)

SB1183 Higher educational institutions, four-year; fixed tuition rate.

Chief Patron: McWaters

Summary:

Requires the board of visitors of four-year public institutions of higher education to prospectively fix the cost of tuition, room and board, and other mandatory fees for incoming in-state freshman undergraduate students for four consecutive years under the following conditions: (i) eligible students shall be enrolled full time and remain continuously enrolled as full-time students for the period of eligibility; (ii) an in-state class rate is annually established, in accordance with any requirements set forth in the appropriation act; (iii) rules are clearly established to address the eligibility of in-state freshman undergraduate students and any unforeseen circumstances that may require eligible students to take a leave of absence from the institution; and (iv) information is disseminated to all in-state students applying to the relevant institution that clearly and concisely explains program eligibility and costs.

Status:

01/13/15 Senate: Prefiled and ordered printed; offered 01/14/15 15102055D

01/13/15 Senate: Referred to Committee on Education and Health

01/26/15 Senate: Assigned Education sub: Higher Education

01/28/15 Senate: Impact statement from DPB (SB1183)

02/05/15 Senate: Incorporated by Education and Health (SB806-Stanley) (12-Y 0-N)

SB1186 Naloxone; administration in cases of opiate overdose.

Companion Bill: HB1458

Chief Patron: Obenshain

Summary:

Provides that a pharmacist may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written, or standing order issued by a prescriber and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, that a person may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be

experiencing or about to experience a life-threatening opiate overdose, and that firefighters and law-enforcement officers who have completed a training program may possess and administer naloxone in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health. The bill also provides that a person who in good faith prescribes, dispenses, or administers naloxone or other opioid antagonist used for overdose reversal in an emergency to an individual who is believed to be experiencing or about to experience a life-threatening opioid overdose shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if acting in accordance with the provisions of § 54.1-3408 or in his role as a member of an emergency medical services agency. The bill contains an emergency clause. This bill is identical to HB 1458 and HB 1833.

Status:

04/15/15 Senate: Reenrolled bill text (SB1186ER2)

04/15/15 Senate: Signed by President as reenrolled

04/15/15 House: Signed by Speaker as reenrolled

04/15/15 House: Enacted, Chapter 752 (effective 4/15/15)

04/15/15 Governor: Acts of Assembly Chapter text (CHAP0752)

SB1192 Higher educational institutions; sexual misconduct policies.

Chief Patron: Norment

Summary:

Requires the governing boards of public and private institutions of higher education to adopt a sexual misconduct policy that addresses incidents of sexual misconduct involving any person or student organization associated with the institution whether occurring on or off campus. The policies must include requirements for the institution to report certain sexual misconduct incidents to local law enforcement. Institutions that fail to comply with the policy requirements (i) in the case of public institutions, are subject to a 10 percent reduction in general funds and (ii) in the case of private institutions, are ineligible to receive Tuition Assistance Grants.

Status:

01/13/15 Senate: Prefiled and ordered printed; offered 01/14/15 15101449D

01/13/15 Senate: Referred to Committee on Education and Health

01/20/15 Senate: Assigned Education sub: Higher Education

01/26/15 Senate: Incorporated by Education and Health (SB1329-Garrett) (14-Y 0-N)

SB1193 Academic transcripts; suspension, permanent dismissal, or withdrawal from institution.

Chief Patron: Norment

Summary:

Requires the registrar of certain public and private institutions of higher education, or the other employee, office, or department of the institution that is responsible for maintaining student academic records, to include a prominent notation on the transcript of each student who has been suspended for, has been permanently dismissed for, or withdraws from the institution while under investigation for an offense involving sexual violence under the institution's code, rules, or set of standards governing student conduct. The bill defines sexual violence as physical sexual acts committed against a person's will or against a person incapable of giving consent. The bill provides that any notation due to a student's suspension shall be removed if the student completed the term of the suspension and any conditions thereof and has been determined by the institution to be in good standing.

Status:

04/15/15 Senate: Signed by President as reenrolled
04/15/15 House: Signed by Speaker as reenrolled
04/15/15 Senate: Communicated to Governor
04/30/15 Governor: Approved by Governor-Chapter 771 (effective 7/1/15)
04/30/15 Governor: Acts of Assembly Chapter text (CHAP0771)

SB1197 Hospitals; establishing policies to follow when a stillbirth occurs, reporting.

Chief Patron: Norment

Summary:

Requires the Virginia Congenital Anomalies Reporting and Education System to collect data on stillbirths. The bill defines a stillbirth as an unintended, intrauterine fetal death occurring after a gestational period of 20 weeks. The bill also requires the State Board of Health to adopt regulations that require any hospital that provides obstetrical services to establish policies to follow when a stillbirth occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations.

Status:

03/04/15 Senate: Enrolled Bill Communicated to Governor on 3/4/15
03/04/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015
03/05/15 Senate: Impact statement from VDH (SB1197ER)
03/26/15 Governor: Approved by Governor-Chapter 661 (effective 7/1/15)
03/26/15 Governor: Acts of Assembly Chapter text (CHAP0661)

SB1206 Higher educational institutions; six-year plan to include intellectual property interests, etc.

Companion Bill: HB1959

Chief Patron: Wagner

Summary:

Requires each public institution of higher education to include in its six-year plan the following for the most recently ended fiscal year: (i) the assignment during the year of any intellectual property interests to a person or nongovernmental entity by the institution or any related entity, (ii) the value of externally sponsored research funds received during the year from a person or nongovernmental entity by the institution or any related entity, and (iii) the number and types of patents awarded during the year to the institution or any related entity that were developed in whole or part from externally sponsored research provided by a person or nongovernmental entity. This bill is identical to HB 1959.

Status:

02/27/15 Senate: Signed by President
03/04/15 Senate: Enrolled Bill Communicated to Governor on 3/4/15
03/04/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015
03/23/15 Governor: Approved by Governor-Chapter 580 (effective 7/1/15)
03/23/15 Governor: Acts of Assembly Chapter text (CHAP0580)

SB1222 Expanded access to investigational drugs, biological products, and devices.

Companion Bill: HB2050

Chief Patron: Reeves

Summary:

Provides that a manufacturer of an investigational drug, biological product, or device may make such investigational drug, biological product, or device available to a person who has a terminal illness when (i) no comparable or satisfactory alternative treatment options approved by the U.S. Food and Drug Administration are available to treat his terminal illness; (ii) the potential benefits of the use of the investigational drug, biological product, or device outweigh the risks of use of the investigational drug, biological product, or device; (iii) his treating physician has recommended use of the investigational drug, biological product, or device; and (iv) the person has provided informed written consent to use of the investigational drug, biological product, or device. The bill provides that a manufacturer that provides an investigational drug, biological product, or device for treatment of a person's terminal illness may provide the investigational drug, biological product, or device free of charge or may require the person to pay costs associated with manufacture of the investigational drug, biological product, or device. The bill also provides that health insurance providers may, but are not required to, provide coverage for costs associated with use of the investigational drug, biological product, or device. This bill was incorporated into SB 732.

Status:

01/14/15 Senate: Prefiled and ordered printed; offered 01/14/15 15101338D

01/14/15 Senate: Referred to Committee on Education and Health

01/20/15 Senate: Assigned Education sub: Health Professions

01/28/15 Senate: Impact statement from VDH (SB1222)

02/05/15 Senate: Incorporated by Education and Health (SB732-Stanley) (14-Y 0-N)

SB1223 Higher educational institutions, four-year public; websites, consumer information.

Companion Bill: HB1980

Chief Patron: McWaters

Summary:

Requires each four-year public institution of higher education in the Commonwealth to maintain on the home page of its website and annually update no later than September 30 a tab or link that includes information related to undergraduate retention and graduation rates, tuition and mandatory student fee increases, the use of student fees, postsecondary education and employment, and the institution's finances. This bill is identical to HB 1980.

Status:

02/24/15 Senate: Signed by President

02/25/15 Senate: Enrolled Bill Communicated to Governor on 2/25/15

02/25/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/17/15 Governor: Approved by Governor-Chapter 328 (effective 7/1/15)

03/17/15 Governor: Acts of Assembly Chapter text (CHAP0328)

SB1227 Telemedicine services; provision of health care services.

Companion Bill: HB2063

Chief Patron: McWaters

Summary:

Amends the definition of telemedicine services to encompass the use of electronic technology or media, including interactive audio or video, for the purpose of diagnosing or treating a patient or consulting with other health care providers regarding a patient's diagnosis or treatment. The measure also provides that for the purpose of prescribing a Schedule VI controlled substance to a patient via telemedicine services, a prescriber may establish a bona fide practitioner-patient relationship by an examination through face-to-face interactive, two-way, real-time communications services or store-and-forward technologies when certain conditions are met. This bill is identical to HB 2063.

Status:

02/19/15 Senate: Signed by President

02/20/15 Senate: Enrolled Bill Communicated to Governor on 2/20/15

02/20/15 Governor: Governor's Action Deadline Midnight, Friday, February 27, 2015

02/26/15 Governor: Approved by Governor-Chapter 32 (effective 7/1/15)

02/26/15 Governor: Acts of Assembly Chapter text (CHAP0032)

SB1252 Higher educational institutions; reporting of sexual assault, penalty.

Chief Patron: Deeds

Summary:

Requires any employee of a public institution of higher education who through the course of his employment obtains information alleging a criminal sexual assault has occurred to report within 24 hours such information to law enforcement. The bill provides that a person in violation of the reporting requirement is guilty of a Class 1 misdemeanor. The bill also requires the State Council of Higher Education for Virginia, in conjunction with the Office of the Attorney General, to develop guidelines that delineate the extent to which state and federal privacy laws limit the reporting requirements of the bill.

Status:

01/14/15 Senate: Prefiled and ordered printed; offered 01/14/15 15101236D

01/14/15 Senate: Referred to Committee on Education and Health

01/20/15 Senate: Assigned Education sub: Higher Education

01/26/15 Senate: Incorporated by Education and Health (SB712-Black) (14-Y 0-N)

SB1275 Higher educational institutions; reporting of sexual assault to DCJS.

Chief Patron: Barker

Summary:

Requires each public or private institution of higher education that has obtained any information alleging that a felony sexual assault involving a student has occurred to report such information to the Department of Criminal Justice Services.

Status:

01/14/15 Senate: Prefiled and ordered printed; offered 01/14/15 15101610D

01/14/15 Senate: Referred to Committee on Education and Health

01/20/15 Senate: Assigned Education sub: Higher Education

01/26/15 Senate: Incorporated by Education and Health (SB712-Black) (14-Y 0-N)

SB1283 Certificate of public need; eliminates regional health planning agencies and adds an exception.

Chief Patron: Martin

Summary:

Amends the definition of "project" for which a certificate of public need is required to include capital expenditures of \$15 million or more by or on behalf of a medical care facility other than a general hospital. Currently, all capital expenditures of \$15 million or more by any medical care facility constitute a project for which a certificate of public need is required. The bill provides that capital expenditures of \$5 million or more by a general hospital shall be registered with the Commissioner of Health. The bill also directs the Secretary of Health and Human Resources to convene a work group to review (i) the current certificate of public need process and its impact on health care services in the Commonwealth and (ii) the need for changes to the current certificate of public need process. This bill incorporates SB 1415.

Status:

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15

02/26/15 Governor: Governor's Action Deadline Midnight, Sunday, March 29, 2015

03/23/15 Governor: Approved by Governor-Chapter 541 (effective 7/1/15)

03/23/15 Governor: Acts of Assembly Chapter text (CHAP0541)

04/10/15 Governor: Acts of Assembly Chapter text reprinted (CHAP0541)

SB1326 Academic transcripts; documentation of dismissal.

Companion Bill: HB2201

Chief Patron: Deeds

Summary:

Requires public institutions of higher education to document the dismissal of any student who has been dismissed for violation of the institution's sexual misconduct policy, student code of conduct, or institution's honor code on such student's academic transcript.

Status:

01/14/15 Senate: Presented and ordered printed 15102838D

01/14/15 Senate: Referred to Committee on Education and Health

01/20/15 Senate: Assigned Education sub: Higher Education

01/26/15 Senate: Impact statement from DPB (SB1326)

01/26/15 Senate: Incorporated by Education and Health (SB1193-Norment) (14-Y 0-N)

SB1329 Higher educational institutions; memorandum of understanding and policies for sexual assaults.

Chief Patron: Garrett

Summary:

Requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt

policies that require the institution to offer to refer the sexual assault victim to the sexual assault crisis center, encourage victims to take steps to preserve physical evidence, provide clear guidance on linking victims to other community resources, provide options for victims who do not want to make an official report to make an anonymous report, and provide for nonretaliation by the institution against victims who fear their conduct may also be questioned or who are concerned that an official report might jeopardize their academic status. The bill also requires the governing board of each public institution of higher education to certify to the State Council of Higher Education for Virginia that it has reviewed its sexual misconduct policy and updated it as appropriate. The bill requires the State Council and the Department of Criminal Justice Services to establish criteria for the certification process and to report to the Secretary of Education and the Secretary of Public Safety and Homeland Security on the certification status of institutions

Status:

02/10/15 Senate: Passed Senate (38-Y 0-N)

02/12/15 House: Placed on Calendar

02/12/15 House: Read first time

02/12/15 House: Referred to Committee on Education

02/16/15 House: Tabled in Education

SB1371 Virginia Public Procurement Act (VPPA); methods of procurement.

Companion Bill: HB1835

Chief Patron: Ruff

Summary:

Clarifies that small purchase procedures include the procurement of non-transportation-related construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill adds independent agencies of the Commonwealth to the definition of public body under the VPPA. The bill also increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited; (ii) no public body shall issue or use a job order, under a job order contract, solely for the purpose of receiving professional architectural or engineering services that constitute the practice of architecture or the practice of engineering as those terms are defined in § 54.1-400; however, professional architectural or engineering services may be included on a job order where such professional services are (a) incidental and directly related to the job, (b) do not exceed \$25,000 per job order, and (c) do not exceed \$75,000 per contract term; and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill clarifies the provisions of the VPPA relating to cooperative procurement and requires that by October 1, 2017, the Department of Small Business and Supplier Diversity, public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005, any state agency utilizing job order contracting, and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing, on behalf of local public bodies, working cooperatively, report their respective experiences and findings relating to the appropriateness and effectiveness of job order contracting in general, the job order project cost limitations as added by this bill, and the architectural and professional engineering term contract limits to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill also requires, for construction projects in excess of \$2 million, that a public body, including public institutions of higher education, provide its justification for use of any procurement method other than competitive sealed bidding to the Director of the Department of General Services. The bill requires the State Corporation Commission (SCC) to

develop a process for the administrative review of its procurement decisions that is consistent with the Constitution of Virginia. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015, except that the provisions of subsection B of § 2.2-4303.2, as added by the bill, shall apply to any renewal of a job order contract. The bill contains numerous technical amendments and is a recommendation of the General Laws Special Joint Subcommittee Studying the Virginia Public Procurement Act. This bill is identical to HB 1835.

Status:

04/14/15 Senate: Placed on Calendar

04/15/15 Senate: Passed by for the day

04/17/15 Senate: Communicated to Governor

04/30/15 Governor: Approved by Governor-Chapter 776 (effective 7/1/15)

04/30/15 Governor: Acts of Assembly Chapter text (CHAP0776)

SB1379 Higher educational institutions; sexual misconduct policies.

Chief Patron: Saslaw

Summary:

Requires the governing board of each public institution of higher education to certify to the State Council of Higher Education for Virginia that it has reviewed its sexual misconduct policy and updated it as appropriate. The bill requires the State Council and the Department of Criminal Justice Services to establish criteria for the certification process and to report to the Secretary of Education and the Secretary of Public Safety and Homeland Security on the certification status of institutions.

Status:

01/20/15 Senate: Presented and ordered printed 15103740D

01/20/15 Senate: Referred to Committee on Education and Health

01/23/15 Senate: Assigned Education sub: Higher Education

01/26/15 Senate: Incorporated by Education and Health (SB1329-Garrett) (14-Y 0-N)

01/29/15 Senate: Impact statement from DPB (SB1379)

SB1394 Prescription drugs; specialty tier coverage.

Chief Patron: Dance

Summary:

Imposes dollar limits on the practice of prescription drug cost-sharing known as specialty tiers. Enrollees' coinsurance or copayment fees for specialty tier drugs will be limited to \$100 per month for up to a 30-day supply of any single specialty tier drug, which limits shall apply regardless of whether a deductible has been satisfied. Patients will also be able to request an exception to obtain a specialty drug that would not otherwise be available on a health benefit plan formulary. The measure prohibits a health benefit plan that provides coverage for prescription drugs from placing all drugs in a given class of drugs on the highest cost tier.

Status:

01/22/15 Senate: Presented and ordered printed 15103658D

01/22/15 Senate: Referred to Committee on Commerce and Labor

01/27/15 Senate: Impact statement from DPB (SB1394)

02/02/15 Senate: Passed by indefinitely in Commerce and Labor with letter (14-Y 1-N)

SB1415 Certificate of public need; definition of project.

Chief Patron: Dance

Summary:

Excludes capital expenditures by or on behalf of a general hospital from the definition of project. This bill was incorporated into SB 1283.

Status:

01/23/15 Senate: Presented and ordered printed 15103812D

01/23/15 Senate: Referred to Committee on Education and Health

01/29/15 Senate: Impact statement from DPB (SB1415)

02/05/15 Senate: Incorporated by Education and Health (SB1283-Martin) (14-Y 0-N)

SB1424 Conflicts of Interests Act, State & Local Gov't & General Assembly, etc.; ethics reforms.

Companion Bill: HB2070

Chief Patron: Norment

Summary:

Removes the distinction between tangible and intangible gifts and prohibits any state or local officer or employee, member of the General Assembly, and certain candidates from soliciting, accepting, or receiving within any calendar year a single gift with a value exceeding \$100 or a combination of gifts with a value exceeding \$100 from certain persons; however, such prohibition does not apply to gifts from personal friends. The bill also prohibits the immediate family of such officers, employees, members, or candidates from soliciting, accepting, or receiving such gifts. The bill provides an exception for gifts received at widely attended events, which are those events at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event. The bill requires disclosure of any single gift or entertainment, or any combination of gifts or entertainment, with a value exceeding \$50. The bill also requires persons subject to the Conflict of Interest Acts to request approval from the Virginia Conflict of Interest and Ethics Advisory Council (the Council) and receive the approval of the Council prior to accepting or receiving any travel-related transportation, lodging, meal, hospitality, or other thing of value provided by certain third parties that has a value exceeding \$100. The bill modifies the current composition of the Council, reducing the number of members from 15 to 9 and requires that there be bipartisan balance of the General Assembly members appointed to the Council. The bill requires electronic filing of disclosure forms with the Council and provides that local officers and employees will file disclosure forms locally instead of with the Council. The bill provides that the making of a knowing and intentional false statement on a disclosure form is punishable as a Class 5 felony. The bill also prohibits the Governor, his campaign committee, and any political action committee established on his behalf from knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$100 from persons and entities seeking loans or grants from the Commonwealth's Development Opportunity Fund, restricts such gifts and contributions from persons and entities seeking loans or grants from the Fund, and provides that any violation shall result in a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. The bill has a delayed effective date of January 1, 2016, except the provisions of the bill related to the Council and its duties become effective July 1, 2015. This bill incorporates SB 735, SB 752, SB 812, SB 1267, SB 1278, and SB 1289 and is identical to HB 2070.

Status:

04/17/15 Senate: Signed by President as reenrolled

04/17/15 House: Signed by Speaker as reenrolled

04/17/15 Senate: Communicated to Governor

04/30/15 Governor: Approved by Governor-Chapter 777 (effective - see bill)

04/30/15 Governor: Acts of Assembly Chapter text (CHAP0777)

SJ277 Study; SCHEV; Pay It Forward, Pay It Back; report.

Chief Patron: Edwards

Summary:

Directs the State Council of Higher Education for Virginia to study the feasibility of implementing a "Pay It Forward, Pay It Back" higher education tuition financing model to increase access to educational opportunities and to decrease the debt burden on students in the Commonwealth.

Status:

01/14/15 Senate: Prefiled and ordered printed; offered 01/14/15 15101959D

01/14/15 Senate: Referred to Committee on Rules

01/27/15 Senate: Passed by indefinitely in Rules