

**Legislative Report**  
**University of Virginia -- Office of State Governmental Relations**  
**Monday, January 14, 2019**

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## **HB1666 [University of Virginia's College at Wise; reduced rate tuition.](#)**

*Companion Bill:* SB1519

*Chief Patron:* Kilgore

### ***Summary:***

Permits the board of visitors of the University of Virginia to charge reduced rate tuition to any student enrolled at the University of Virginia's College at Wise who resides in the Appalachian Region as defined in relevant federal law, is domiciled in the Appalachian Region, and is entitled to in-state tuition charges at a public institution of higher education in the Appalachian Region. The bill contains an emergency clause.

### **Status:**

12/03/18 House: Prefiled and ordered printed with emergency clause; offered 01/09/19 19101361D

12/03/18 House: Referred to Committee on Appropriations

01/11/19 House: Assigned App. sub: Higher Education

01/11/19 House: Impact statement from DPB (HB1666)

## **HB1680 [Certificate of public need; changes to Medical Care Facilities Certificate of Public Need Program.](#)**

*Chief Patron:* Orrock

### ***Summary:***

Makes changes to the Medical Care Facilities Certificate of Public Need Program. The bill (i) removes specialized centers or clinics or that portion of a physician's office developed for the provision of lithotripsy, magnetic source imaging (MSI), or nuclear medicine imaging from the list of reviewable medical care facilities; (ii) provides that establishment of a medical care facility to replace an existing medical care facility with the same primary service area does not constitute a project; (iii) removes introduction into an existing medical care facility of any new lithotripsy, magnetic source imaging, or obstetrical service that the facility has never provided or has not provided in the previous 12 months and addition by an existing medical care facility of any medical equipment for the provision of lithotripsy and magnetic source imaging (MSI) from the definition of project; (iv) removes additions of operating rooms at an existing hospital or at any medical care facility when each operating room to be added will be utilized solely for surgical procedures for which the average number of such surgeries performed in hospitals in the Commonwealth during the previous three years was less than 0.1 percent of the total number of all surgeries performed in the Commonwealth during the same period from the list of projects for which a certificate is required; (v) eliminates the requirement for a certificate of public need for certain projects involving mental hospitals or psychiatric hospitals and intermediate care facilities established primarily for the medical, psychiatric, or psychological treatment and rehabilitation of individuals with substance abuse; (vi) adds any facility that has common ownership with an affiliated licensed hospital located within 35 miles of the facility and that includes, as part of the facility, a dedicated emergency department as defined in 42 C.F.R. § 489.24(b) that is subject to the requirements

of the federal Emergency Medical Treatment and Labor Act to the list of medical care facilities for which a certificate of public need is required; (vii) limits the definition of "project" to those undertaken by a medical care facility other than a medical care facility that has common ownership with an affiliated licensed hospital located within 35 miles of the facility and that includes, as part of the facility, a dedicated emergency department as defined in 42 C.F.R. § 489.24(b) that is subject to the requirements of the federal Emergency Medical Treatment and Labor Act when the project is undertaken within 10 miles of a general hospital and projects undertaken by a medical care facility that has common ownership with an affiliated licensed hospital located within 35 miles of the facility and that includes, as part of the facility, a dedicated emergency department as defined in 42 C.F.R. § 489.24(b) that is subject to the requirements of the federal Emergency Medical Treatment and Labor Act regardless of where the project is undertaken; (viii) creates a new process for registration of projects exempted from the definition of project by the bill; (ix) establishes an expedited 45-day review process for applicants for projects determined to be uncontested or to present limited health planning impacts; (x) renames the State Medical Facilities Plan as the State Health Services Plan and establishes a State Health Services Plan Advisory Council to provide recommendations related to the content of the State Health Services Plan; (xi) clarifies the content of the application for a certificate; (xii) reduces the timeline for a person to be made party to the case for good cause from 80 calendar days to four days following completion of the review and submission of recommendations related to an application; (xiii) requires the State Health Commissioner to approve an application that is consistent with the State Health Services Plan unless the State Health Commissioner determines that, upon consideration of certain factors, the application should not be approved; and (xiv) makes review by a regional health planning agency optional for the application.

The bill also (a) delays the effective date of clauses (i) through (xiv) until July 1, 2020, (b) directs the Board of Health to review the geographic area around a general hospital within which a certificate of public need is required to undertake a project set forth in the definition of "project," determine whether the distance identified is appropriate, and, if the Board finds that the distance is not appropriate, develop recommendations for an alternative distance or other measure for determine the scope of the area around a general hospital within which a certificate of public need shall be required to undertake a project, and report such recommendations to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by October 1, 2019; (c) directs the Department to develop recommendations to reduce the duration of the average review cycle for applications for certificates of public need to not more than 120 days and to report on its recommendations to the Governor and the General Assembly no later than December 1, 2019; (d) directs the Secretary of Health and Human Resources to review charity care services delivered throughout the Commonwealth and recommend changes to the definition of charity care and to the types of charity care requirements imposed on various health care services and report to the Governor and the General Assembly by December 1, 2019; (e) directs the Secretary of Health and Human Resources to convene a group of stakeholders to study and make recommendations related to the appropriate authority of the State Health Commissioner to impose additional conditions on certificates; (f) directs the Secretary of Health and Human Resources to implement a system to ensure that data needed to evaluate whether an application for a certificate is consistent with the State Health Services Plan is timely and reliable, to make all public records pertaining to applications for certificates and the review process available in real-time in a searchable, digital format online, to make an inventory of capacity authorized by certificates of public need, both operational and not yet operational, available in a digital format online, and to make charity care conditions, charity care compliance reporting status, and details on the exact amount of charity care provided or contributed and to whom it was provided or contributed available in a digital format online; (g) directs the State Health Commissioner to develop an analytical

framework to guide the work of the State Health Services Plan Advisory Council; and (h) directs the Secretary of Health and Human Resources convene a work group composed of stakeholders to study and make recommendations for the creation of a multi-member panel to review decisions of the State Health Commissioner denying issuance of a certificate of public need for a proposed project and report his findings to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2019.

**Status:**

12/05/18 House: Prefiled and ordered printed; offered 01/09/19 19100914D

12/05/18 House: Referred to Committee on Health, Welfare and Institutions

01/11/19 House: Assigned HWI sub: Subcommittee #3

**HB1700 [Budget Bill.](#)**

**Companion Bill:** SB1100

**Chief Patron:** Jones, S.C.

**Summary:**

Amends Chapter 2, 2018 Special Session I Acts of Assembly.

**Status:**

12/18/18 House: Prefiled and ordered printed; offered 01/09/19 19101502D

12/18/18 House: Referred to Committee on Appropriations

**HB1704 [Higher educational institutions; certain students, federal financial aid.](#)**

**Chief Patron:** Reid

**Summary:**

Provides that no public institution of higher education is eligible to receive funds from the state general fund unless it provides each individual who has been accepted to the institution for first-time enrollment in a degree or certificate program and who has applied for federal financial aid with a standardized financial aid award letter in the form of the Financial Aid Shopping Sheet developed and made available by the U.S. Department of Education.

**Status:**

12/12/18 House: Prefiled and ordered printed; offered 01/09/19 19100317D

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

01/11/19 House: Assigned Education sub: Subcommittee #3

01/14/19 House: Subcommittee recommends referring to Committee on Appropriations

## **HB1724 [Grow Your Own Teacher Pilot Programs Fund; created.](#)**

**Chief Patron:** Krizek

**Summary:**

Establishes the Grow Your Own Teacher Pilot Programs Fund and permits the Department of Education to award grants from such fund to local school boards to establish Grow Your Own Teacher Pilot Programs whereby the local school board provides scholarships not to exceed \$7,500 per academic year for attendance at a baccalaureate institution of higher education in the Commonwealth to any individual who (i) graduated from a public high school in the local school division, (ii) was eligible for free or reduced price lunch throughout the individual's attendance at a public high school in the local school division, and (iii) commits to teach, within three years of graduating from the baccalaureate institution of higher education in the Commonwealth and for a period of at least four years, at a public high school at which at least 50 percent of students qualify for free or reduced price lunch in the school division in which such individual graduated from high school. The bill provides that in the event that any program scholarship recipient fails or refuses to comply with such teaching obligation, the sum of all scholarship funds received by such individual shall be converted to a loan that is subject to repayment with interest. The bill has an expiration date of July 1, 2024.

**Status:**

12/18/18 House: Prefiled and ordered printed; offered 01/09/19 19101126D  
12/18/18 House: Referred to Committee on Education  
01/11/19 House: Assigned Education sub: Subcommittee #2

## **HB1795 [Student voters; Virginia voter registration.](#)**

**Chief Patron:** VanValkenburg

**Summary:**

Requires each public high school and public institution of higher education to provide to any enrolled student who is of voting age or otherwise eligible to register to vote access to Virginia voter registration information and applications.

**Status:**

12/27/18 House: Prefiled and ordered printed; offered 01/09/19 19102458D  
12/27/18 House: Referred to Committee on Privileges and Elections  
01/12/19 House: Assigned P & E sub: Subcommittee #1

## **HB1830 [Higher educational institutions, certain; sexual violence policies, student rights.](#)**

**Chief Patron:** Lindsey

**Summary:**

Requires the Virginia Community College System, Richard Bland College, each baccalaureate public institution of higher education, and each nonprofit private institution of higher education to include in its sexual violence policy certain rights of each student who alleges a violation of such policy and each student who is alleged to have violated such policy, including notice, an opportunity to be heard, and assistance by a licensed attorney, an advocate supervised by a licensed attorney, or another trained advocate in any disciplinary proceeding relating to the alleged violation. The bill requires the State Council of Higher Education for Virginia (the Council) (i) in consultation with state and local bar associations and legal services providers with experience and expertise in disciplinary proceedings relating to alleged violations of the sexual violence policies of such institutions, to generate and maintain a list of attorneys and advocates who are qualified and willing to provide such assistance to students on a pro bono basis or at a reduced-fee rate equivalent to the fee charged by the Legal Services Corporation of Virginia to provide such assistance and (ii) to provide to any attorney or advocate retained by a student funds to provide such assistance at such reduced-fee rate, regardless of whether such attorney or advocate is on the list generated and maintained by the Council.

**Status:**

01/02/19 House: Prefiled and ordered printed; offered 01/09/19 19101981D

01/02/19 House: Referred to Committee on Education

01/11/19 House: Assigned Education sub: Subcommittee #3

**HB1831 [Higher educational institutions, public; disciplinary proceedings against enrolled students.](#)**

**Chief Patron:** Lindsey

**Summary:**

Establishes several requirements for formal and informal proceedings against any student enrolled at a public institution of higher education who is alleged to have violated a rule, policy, or code of student conduct adopted by the institution, including (i) requiring the institution to provide to the student written notice of (a) the specific rule, policy, or code of student conduct that the student is alleged to have violated and the facts upon which such allegation is based; (b) the time, place, and nature of the proceeding; and (c) the rules governing the proceeding and (ii) granting the student in any such proceeding the right to be present, be represented by legal counsel for the duration of the proceeding and any appeal of the decision or sanctions imposed in the proceeding, present evidence, cross-examine witnesses, make objections, and present arguments.

**Status:**

01/02/19 House: Prefiled and ordered printed; offered 01/09/19 19101986D

01/02/19 House: Referred to Committee on Education

01/11/19 House: Assigned Education sub: Subcommittee #3

**HB1850 [Minimum wage; increases to \\$9.00 per hour effective July 1, 2019.](#)**

**Chief Patron:** Simon

**Summary:**

Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$9 per hour effective July 1, 2019, to \$10 per hour effective January 1, 2020, to \$11 per hour effective January 1, 2021, to \$13 per hour effective January 1, 2022, and to \$15 per hour effective January 1, 2023, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). For 2024 and thereafter, the annual minimum wage shall be adjusted to reflect increases in the consumer price index. The measure also provides that the Virginia minimum wage applies to persons whose employment is covered by the FLSA.

**Status:**

01/02/19 House: Prefiled and ordered printed; offered 01/09/19 19101190D

01/02/19 House: Referred to Committee on Commerce and Labor

01/10/19 House: Assigned C & L sub: Subcommittee #1

**HB1882 [In-state tuition; eligibility, certain individuals who have applied for permanent residency.](#)**

**Companion Bill:** SB1148

**Chief Patron:** Keam

**Summary:**

Declares eligible for in-state tuition any individual who (i) graduated from a public or private high school or program of home instruction in the Commonwealth or passed a high school equivalency examination approved by the Board of Education; (ii) registers as an entering student or is enrolled in a public institution of higher education; (iii) has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis has filed, unless exempted by state law, Virginia income tax returns for at least one year prior to the date of registration or enrollment; and (iv) provides an affidavit to the public institution of higher education in which he has registered as an entering student or is enrolled stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he becomes eligible for such permanent residency.

**Status:**

01/03/19 House: Prefiled and ordered printed; offered 01/09/19 19101942D

01/03/19 House: Referred to Committee on Appropriations

01/11/19 House: Assigned App. sub: Higher Education

**HB1892 [Small business procurement enhancement program; established, report.](#)**

**Companion Bill:** SB1036

**Chief Patron:** James

**Summary:**

Establishes a small business procurement enhancement program (the Program) with a statewide goal of 42 percent of small business utilization in all discretionary spending by state agencies in procurement orders, prime contracts, and subcontracts. In addition, the bill (i) provides for a small business set-aside for competition among all small businesses for state agency purchases up to \$100,000 for goods and nonprofessional services and up to \$50,000 for professional services and (ii) establishes qualification criteria for participation in the Program by business operations on the basis of the total number of employees or annual gross receipts, averaged over the previous three years.

**Status:**

01/04/19 House: Prefiled and ordered printed; offered 01/09/19 19100764D  
01/04/19 House: Referred to Committee on General Laws

**HB1970 [Telemedicine services; coverage and practice.](#)**

**Companion Bill:** SB1221

**Chief Patron:** Kilgore

**Summary:**

Requires insurers, corporations, or health maintenance organizations to cover remote patient monitoring services as part of their coverage of telemedicine services to the full extent that these services are available. The bill defines remote patient monitoring services as the delivery of home health services using telecommunications technology to enhance the delivery of home health care, including monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other condition-specific data; medication adherence monitoring; and interactive video conferencing with or without digital image upload.

The bill requires the Board of Medical Assistance Services to include in the state plan for medical assistance services a provision for the payment of medical assistance for health care services provided through telemedicine services, including remote monitoring services and the use of telemedicine technologies as it pertains to remote patient monitoring services, to the full extent that these services are available.

The bill provides that provisions of the Code of Virginia regulating health professions regulated by the Board of Medicine do not prevent or prohibit any practitioner of one of such professions who is located in another state and is in good standing with the applicable regulatory agency in such state from providing telemedicine services within the scope of his practice to a patient located in Virginia.

Finally, the bill provides that in cases in which a practitioner of the healing arts is providing telemedicine services, such practice is deemed to occur where the practitioner is located at the time of provision.

**Status:**

01/07/19 House: Prefiled and ordered printed; offered 01/09/19 19102304D  
01/07/19 House: Referred to Committee on Health, Welfare and Institutions

**HB2115** [State Medical Facilities Plan; revisions.](#)

*Companion Bill:* SB1283

*Chief Patron:* Sickles

**Summary:**

Requires the State Medical Facilities Plan task force to review the State Medical Facilities Plan and update or validate existing criteria in the State Medical Facilities Plan at least once every two years. Currently, the task force is required to review and update or validate the State Medical Facilities Plan at least once every four years. The bill also exempts amendments to the State Medical Facilities Plan from the Administrative Procedure Act if the Board of Health (i) provides a Notice of Intended Regulatory Action in accordance with the requirements of §2.2-4007.01, (ii) provides notice and receives comment as provided in § 2.2-4007.03, and (iii) conducts at least one public hearing on the proposed amendments.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102373D

01/08/19 House: Referred to Committee on Health, Welfare and Institutions

**HB2122** [Virginia Public Procurement Act; public works contracts, prevailing wage, penalty.](#)

*Companion Bill:* SB1673

*Chief Patron:* Carroll Foy

**Summary:**

Requires contractors and subcontractors under any public contract with a state agency for public works to pay wages, salaries, benefits, and other remuneration at the prevailing wage rate to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract for public works. The bill requires the Commissioner of Labor and Industry to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. The bill provides that a contractor or subcontractor who knowingly or willfully employs any mechanic, laborer, or worker to perform work to be done under the public contract at a rate that is less than the prevailing wage is guilty of a Class 1 misdemeanor and that such contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts with any public body until full restitution has been paid to such individuals.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19101035D

01/08/19 House: Referred to Committee on Commerce and Labor

**HB2128 [Telemedicine; physicians licensed in contiguous jurisdictions.](#)**

*Companion Bill:* SB1124

*Chief Patron:* Guzman

**Summary:**

Authorizes a person licensed to practice medicine or osteopathy who is in good standing with the applicable regulatory agency of a jurisdiction that is contiguous to the Commonwealth to provide health care services to patients located in the Commonwealth through use of telemedicine services.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19104114D

01/08/19 House: Referred to Committee on Health, Welfare and Institutions

01/10/19 House: Impact statement from VDH (HB2128)

**HB2157 [Minimum wage; increases to \\$10.10 per hour effective January 1, 2020, etc.](#)**

*Chief Patron:* Plum

**Summary:**

Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$10.10 per hour effective January 1, 2020, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). Effective January 1, 2022, the minimum wage shall be adjusted biennially to reflect annual increases in the consumer price index over the two most recent calendar years. The measure also provides that the Virginia minimum wage applies to persons whose employment is covered by the FLSA and to persons employed by the Commonwealth, its agencies or political subdivisions, or a public body.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19101866D

01/08/19 House: Referred to Committee on Commerce and Labor

**HB2164 [Small Business and Supplier Diversity, Department of; redefines 'small business.'](#)**

*Chief Patron:* Davis

**Summary:**

Redefines "small business" for the purposes of programs for the Department of Small Business and Supplier Diversity and the Virginia Public Procurement Act to mean a business that together with its

affiliates has both 250 or fewer employees and average annual gross receipts, less the cost of goods sold by the business, of \$10 million or less averaged over the previous three years. Currently for these programs, a business qualifies as a small business if, together with its affiliates, it has either 250 or fewer employees or average annual gross receipts of \$10 million or less averaged over the previous three years.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102026D

01/08/19 House: Referred to Committee on General Laws

**HB2173 [Higher educational institutions, public; tuition and fee increases, public comment.](#)**

*Chief Patron:* Miyares

**Summary:**

Requires the governing board of each public institution of higher education to establish policies for the public to comment directly to a quorum of such governing board in a live, real-time setting on any proposed increase in undergraduate tuition or mandatory fees within the 30-day period prior to any vote on such increase. The bill permits such policies to include (i) reasonable limits on an individual public comment and total time reserved for public comment and (ii) additional electronic means for the public to communicate with such governing board.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19101632D

01/08/19 House: Referred to Committee on Education

**HB2246 [Higher Education Advisory Committee; higher education funding, report.](#)**

*Chief Patron:* Davis

**Summary:**

Requires the Higher Education Advisory Committee (Advisory Committee) to (i) develop a methodology by which to rate the performance of each public institution of higher education and (ii) review and make recommendations for changes to existing funding methodology and targeted financial incentives. The bill requires the Advisory Committee to consult with national and state policy experts and institutional innovators in other states and consider trends in the implementation of various performance-based funding models, accounting for institutional differences. The Advisory Committee's recommendations shall be designed to achieve increased degree and credential attainment within high-demand fields, reduction of average time-to-degree, improved affordability for Virginia students and families, reduction of debt of former students and graduates, and improved graduate employment outcomes. The bill requires that such recommendations be designed to result in a funding methodology and targeted financial incentives that allocate at least 80 percent of state appropriations for public higher education according to a set of certain performance metrics. Such recommendations are required to be submitted to the General Assembly and the Governor no later than the first day of the regular session of the General

Assembly in 2020.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19103306D

01/08/19 House: Referred to Committee on Appropriations

**HB2271 [State agencies; work by employees of private entities.](#)**

*Chief Patron:* Poindexter

**Summary:**

Prohibits public employers from permitting any person employed by a private entity to perform professional services for such private entity upon the premises of such public employer or otherwise share office space with the employees of such public employer. The bill also prohibits a public employer from accepting funds from a private entity for the purposes of employing a former or current employee of the private entity to perform professional services for the public employer. The bill defines "private entity" and "professional services."

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19103904D

01/08/19 House: Referred to Committee on General Laws

**HB2308 [Virginia Public Procurement Act; public institutions of higher education, disclosure required.](#)**

*Chief Patron:* Fowler

**Summary:**

Requires every offeror who submits a proposal to a public institution of higher education for any construction project that (i) has a total cost of \$5 million or more and (ii) uses a procurement method other than competitive sealed bidding to disclose any contributions the offeror has made to the public institution of higher education or any private foundation that exists solely to support the public institution of higher education within the previous five-year period.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19104023D

01/08/19 House: Referred to Committee on Appropriations

**HB2336 [Higher educational institutions, public; salaries of executive officers.](#)**

**Chief Patron:** Landes

**Summary:**

Prohibits the salary of any executive officer of a public institution of higher education from exceeding the salary limit for the chief executive officer of such institution set forth in Part 4 of the general appropriation act but provides that the governing board of any institution may supplement the salary of any such executive officer with private gifts, endowment funds, foundation funds, and income from private gifts and endowments.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19100618D

01/08/19 House: Referred to Committee on Education

**[HB2337 Higher educational institutions, public; governing boards, tuition and mandatory fee rates.](#)**

**Chief Patron:** Landes

**Summary:**

Requires the governing board of each public institution of higher education to approve rates for tuition and mandatory fees for each academic year no later than December 1 of the immediately preceding academic year.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19100762D

01/08/19 House: Referred to Committee on Education

**[HB2356 Major Headquarters Workforce Grant Fund; created.](#)**

**Companion Bill:** SB1255

**Chief Patron:** Jones, S.C.

**Summary:**

Creates the Major Headquarters Workforce Grant Fund. A qualified e-commerce company that makes a capital investment of at least \$2 billion in a major headquarters facility in Arlington County and that creates at least 25,000 new full-time jobs with an average annual wage of \$150,000 will be eligible for up to \$550 million in grants from the Fund. A qualified company may also be eligible for an additional \$200 million in grants for creating an additional 12,850 new full-time jobs.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102501D

01/08/19 House: Referred to Committee on Appropriations

## **HB2359** [Capital outlay plan; updates six-year plan for projects.](#)

*Companion Bill:* SB1323

*Chief Patron:* Jones, S.C.

**Summary:**

Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19103644D

01/08/19 House: Referred to Committee on Appropriations

## **HB2366** [Small businesses; changes definition, implementation of certification programs, report.](#)

*Companion Bill:* SB1394

*Chief Patron:* Knight

**Summary:**

Changes the definition of small business, beginning July 1, 2019, to mean a business that (i) is not dominant in its field of operation, as determined by the Department of Small Business and Supplier Diversity (the Department); (ii) is at least 51 percent independently owned and operated by one or more individuals who are U.S. citizens or legal resident aliens; and (iii) together with affiliates, has 250 or fewer employees and average annual gross receipts, excluding the cost of goods and equipment, of \$10 million or less averaged over the previous three years. Under current law, a business must be independently owned and controlled by one or more individuals who are U.S. citizens or legal resident aliens and, together with affiliates, have 250 or fewer employees or annual gross receipts of \$10 million or less averaged over the previous three years. The bill provides that any business entity that the Department has certified as a small business prior to July 1, 2019, shall have the expiration date of such certification extended for an additional one-year period, after such time the business shall be required to meet the requirements for certification in effect at that time. The bill also provides that the Director of the Department shall annually review forms and processes related to small business certification to reduce the administrative and paperwork burden on small businesses seeking certification and recertification. The bill (a) includes a definition of "field of operation"; (b) requires the Secretary of Commerce and Trade to evaluate the small business certification program at three-year intervals, reporting to the Governor and General Assembly by December 1, 2022, and December 1, 2025; and (c) directs the Department to establish and educational outreach initiative to inform and prepare businesses for the changes in the small business certification program.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19101285D

01/08/19 House: Referred to Committee on General Laws

**HB2386 Public institutions of higher education; information relating to pledges and donations.**

*Chief Patron:* Bulova

***Summary:***

Requires public institutions of higher education, when accepting a donation, gift, or similar financial support that is conditioned upon the acceptance of certain terms and conditions by the public institution of higher education, to provide the donor with a written document acknowledging the public institution of higher education's acceptance of such terms and conditions. The bill requires the public institution of higher education to retain a copy of such document and provides that such document shall be subject to the provisions of the Virginia Freedom of Information Act (FOIA). The bill provides that no discretionary exclusion in FOIA shall apply to protect information relating to the amount, date, purpose, and terms of a pledge or donation made to a public institution of higher education. The bill provides that the identity of the donor shall be protected only if (a) the donor has requested anonymity in connection with or as a condition of making a pledge or donation and (b) the pledge or donation does not impose terms or conditions related to academic decision-making.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19104138D

01/08/19 House: Referred to Committee on Education

**HB2388 Eligibility for in-state tuition; certain individuals.**

*Chief Patron:* Lopez

***Summary:***

Declares eligible for in-state tuition any individual who meets certain eligibility criteria and who has filed an application for permanent residency or asylum or is under the age of 27 and is the child of an individual who has filed an application for asylum. The bill provides that any such individual shall remain eligible for in-state tuition for as long as he maintains continuous enrollment in the public institution of higher education and such application has not been denied. The bill also prohibits any student who became eligible for in-state tuition as a result of his lawful presence in the United States pursuant to approval under the Deferred Action for Childhood Arrivals program or any other federal deferred action program from being deemed ineligible for in-state tuition by virtue of the elimination or modification of any such program.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102521D

01/08/19 House: Referred to Committee on Education

## **HB2398 Small Business and Supplier Diversity, Department of; defines 'small business.'**

*Chief Patron:* Lopez

### ***Summary:***

Redefines "small business" for the purposes of programs for the Department of Small Business and Supplier Diversity and the Virginia Public Procurement Act to mean a business that together with its affiliates has both 250 or fewer employees and average annual gross receipts of \$10 million or less averaged over the previous three years. Currently for these programs, a business qualifies as a small business if, together with its affiliates, it has either 250 or fewer employees or average annual gross receipts of \$10 million or less averaged over the previous three years.

### **Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102533D

01/08/19 House: Referred to Committee on General Laws

## **HB2427 Health care services; payment estimates.**

*Companion Bill:* SB1004

*Chief Patron:* Levine

### ***Summary:***

Requires hospitals and practitioners licensed by the Board of Medicine to provide a patient or the representative of a patient scheduled to receive a nonemergency procedure, test, or service to be performed by the hospital or practitioner with an estimate of the payment amount for which the patient will be responsible no later than one week after the scheduling of such procedure, test, or service. Currently, only hospitals are required to provide such estimate, and such estimate is required only (i) for elective procedures, tests, or services; (ii) within three days of the procedure, test, or service; and (iii) upon request of the patient or his representative.

### **Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19103253D

01/08/19 House: Referred to Committee on Health, Welfare and Institutions

## **HB2449 Scholastic records; disclosure of directory information.**

*Chief Patron:* Wilt

### ***Summary:***

Provides that a school or institution of higher education may disclose certain directory information of a student to certain internal persons for educational purposes or internal business if the student has not opted out of such disclosure. Under current law, such disclosures require written consent. The bill also

provides an exception for state and federal law requirements from the prohibition of such disclosures.

**Status:**

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19104013D  
01/09/19 House: Committee  
01/09/19 House: Committee Referral Pending  
01/09/19 House: Referred to Committee on Education

**HB2471 [Public institutions of higher education; admissions applications; criminal history.](#)**

*Chief Patron:* Aird

**Summary:**

Prohibits each public institution of higher education from (i) utilizing an institution-specific admissions application that contains questions about the criminal history of the applicant or (ii) denying admission to any applicant on the basis of any criminal history information provided by the applicant on any third-party admissions application accepted by the institution.

**Status:**

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19102945D  
01/09/19 House: Committee  
01/09/19 House: Committee Referral Pending  
01/09/19 House: Referred to Committee on Education

**HB2476 [Higher educational institutions, public; tuition and mandatory fees.](#)**

*Companion Bill:* SB1616

*Chief Patron:* Reid

**Summary:**

Declares the governing board of any public institution of higher education for which the average increase in the amount of undergraduate tuition and mandatory fees over the most recent 10-academic-year period exceeds the average increase in the amount of undergraduate tuition and mandatory fees over such period across each public institution of higher education ineligible to increase undergraduate tuition and mandatory fees for the subsequent academic year. The bill permits each other public institution of higher education to increase undergraduate tuition and mandatory fees for the subsequent academic year by a certain percentage, but prohibits any such percentage increase from exceeding the following product: the annual percentage increase in the average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, from January 1 through December 31 of the year immediately preceding the relevant academic year, multiplied by a certain factor that is based on the size of the increase in the undergraduate tuition and mandatory fees over the most recent 10-academic-year period.

**Status:**

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19102212D  
01/09/19 House: Committee  
01/09/19 House: Committee Referral Pending  
01/09/19 House: Referred to Committee on Education

**HB2490 [Tech Talent Investment Program and Fund; created, report.](#)**

*Companion Bill:* SB1617

*Chief Patron:* Rush

**Summary:**

Creates a grant program to assist qualified public institutions of higher education, defined in the bill, in reaching, by 2039, a goal of increasing, in the aggregate, the number of bachelor's and master's degrees awarded in computer science, computer engineering, and closely related fields by at least 25,000 degrees. To be eligible for an annual grant, a qualified institution is required to enter into a memorandum of understanding setting forth specific criteria for eligible degrees, eligible expenses, and degree production goals. The bill requires qualified institutions that are grant recipients to report annually on progress towards meeting such goals and that grants issued pursuant to the program are subject to appropriation.

**Status:**

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19102503D  
01/09/19 House: Committee  
01/09/19 House: Committee Referral Pending  
01/09/19 House: Referred to Committee on Appropriations

**HB2550 [Research and development in the Commonwealth.](#)**

*Companion Bill:* SB1597

*Chief Patron:* Jones, S.C.

**Summary:**

Creates the Commonwealth of Virginia Research Consortium Authority (the Consortium) to oversee and support research and commercialization in the Commonwealth. The Consortium will be advised by an Investment Advisory Committee and a Research and Technology Advisory Committee. Existing grant, loan, and investment funds currently administered by the Innovation and Entrepreneurship Investment Authority and the Virginia Research Investment Committee would be consolidated under the Consortium, and the Consortium would be responsible for the Commonwealth Research and Technology Strategic Roadmap. The Consortium would also be responsible for allocating research-related funds to the Virginia Biosciences Health Research Consortium and the Commonwealth Center for Advanced

Manufacturing. The bill repeals the existing Virginia Research Investment Committee.

**Status:**

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19102428D  
01/09/19 House: Committee  
01/09/19 House: Committee Referral Pending  
01/09/19 House: Referred to Committee on Appropriations

**HB2567 Public institutions of higher education in the Commonwealth; free exercise of religion on campus.**

*Chief Patron:* LaRock

**Summary:**

Provides that, except as otherwise permitted by the First Amendment to the United States Constitution, no public institution of higher education shall prohibit the free exercise of religion by any individual, including enrolled students, faculty and other employees, and invited guests, on campus.

**Status:**

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19100011D  
01/09/19 House: Committee  
01/09/19 House: Committee Referral Pending  
01/09/19 House: Referred to Committee on Education

**HB2602 Consortium Comprehensive Cancer Center Advisory Board; established, report.**

*Chief Patron:* Jones, S.C.

**Summary:**

Establishes as an independent advisory board in state government an 11-member Consortium Comprehensive Cancer Center Advisory Board, consisting of the President of Virginia Commonwealth University or his designee, the Vice President for Health Sciences at Virginia Commonwealth University or his designee, the President of the University of Virginia or his designee, the Executive Vice President for Health Affairs at the University of Virginia or his designee, one representative of Eastern Virginia Medical School, one representative of Virginia Tech Carilion School of Medicine and Research Institute, and five other nonlegislative citizen members, to study the requirements for designation as a consortium Comprehensive Cancer Center by the National Cancer Institute and make recommendations to Virginia Commonwealth University and the University of Virginia relating to the process for establishing a joint National Cancer Institute-designated consortium Comprehensive Cancer Center, including recommendations relating to a joint leadership structure, research integration, and programmatic integration. The provisions of the bill sunset on July 1, 2022.

**Status:**

01/09/19 House: Presented and ordered printed 19101696D

01/09/19 House: Committee

01/09/19 House: Committee Referral Pending

**HB2653** [Public institutions of higher education; institutional partnership performance agreements.](#)

*Chief Patron:* Cox

**Summary:**

Permits any public institution of higher education to propose in conjunction with the six-year plan process, and the General Assembly to adopt by reference in the general appropriation act, an institutional partnership performance agreement that advances the objectives of the Virginia Higher Education Opportunity Act of 2011 by aligning the strategies, activities, and investments of the institution, the Commonwealth, and any identified partners concerning (i) college access, affordability, cost predictability, and employment pathways for undergraduate Virginia students and (ii) strategic talent development and other high-priority economic initiatives of the Commonwealth. The bill contains provisions relating to mandatory and permissive contents of, the approval process for, and the legal effect of any such agreement.

**Status:**

01/11/19 House: Presented and ordered printed 19102320D

01/11/19 House: Committee

01/11/19 House: Committee Referral Pending

**HJ660** [Study: JLARC; compliance reviews; higher education managements agreements; report.](#)

*Chief Patron:* Poindexter

**Summary:**

Directs the Joint Legislative Audit and Review Commission to perform compliance reviews of the management agreements between the Commonwealth and The College of William and Mary in Virginia, the University of Virginia, Virginia Commonwealth University, and Virginia Polytechnic Institute and State University that were entered into pursuant to the Restructured Higher Education Financial and Administrative Operations Act of 2005 (the Restructuring Act) and to make recommendations for any amendment to any such management agreement that it deems necessary to ensure compliance with the provisions of the Restructuring Act.

**Status:**

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102690D

01/08/19 House: Referred to Committee on Rules

**SB1004 [Health care services; payment estimates.](#)**

**Companion Bill:** HB2427

**Chief Patron:** Chase

**Summary:**

Requires practitioners licensed by the Board of Medicine and hospitals to provide a patient or the representative of a patient scheduled to receive a nonemergency procedure, test, or service to be performed by the practitioner or hospital, at least three days in advance of the date of such procedure, test, or service, an estimate of the payment amount for which the participant will be responsible. Under current law, the requirement to provide such estimate applies only to hospitals for elective procedures, tests, or services and only upon request.

**Status:**

07/16/18 Senate: Prefiled and ordered printed; offered 01/09/19 19100070D

07/16/18 Senate: Referred to Committee on Education and Health

01/11/19 Senate: Impact statement from VDH (SB1004)

**SB1017 [Minimum wage; increases to \\$8.00 per hour effective July 1, 2019.](#)**

**Chief Patron:** Marsden

**Summary:**

Increases the minimum wage from its current federally mandated level of \$7.25 per hour to (i) \$8.00 per hour effective July 1, 2019; (ii) \$9.00 per hour effective July 1, 2020; (iii) \$10.10 per hour effective July 1, 2021; and (iv) \$11.25 per hour effective July 1, 2022, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). The measure also provides that the cash wage paid to a tipped employee shall not be less than 50 percent of the minimum wage and that the tip credit shall equal the difference between the cash wage required to be paid to a tipped employee and the minimum wage.

**Status:**

08/20/18 Senate: Prefiled and ordered printed; offered 01/09/19 19100314D

08/20/18 Senate: Referred to Committee on Commerce and Labor

01/11/19 Senate: Impact statement from DPB (SB1017)

**SB1036 [Small business procurement enhancement program; established, report.](#)**

**Companion Bill:** HB1892

**Chief Patron:** Lucas

**Summary:**

Establishes a small business procurement enhancement program (the Program) with a statewide goal of 42 percent of small business utilization in all discretionary spending by state agencies in procurement orders, prime contracts, and subcontracts. In addition, the bill (i) provides for a small business set-aside for competition among all small businesses for state agency purchases up to \$100,000 for goods and nonprofessional services and up to \$50,000 for professional services and (ii) establishes qualification criteria for participation in the Program by business operations on the basis of the total number of employees or annual gross receipts, averaged over the previous three years.

**Status:**

10/31/18 Senate: Prefiled and ordered printed; offered 01/09/19 19100794D

10/31/18 Senate: Referred to Committee on General Laws and Technology

**SB1055 [In-state tuition; domicile, individuals granted Deferred Action for Childhood Arrivals.](#)**

*Chief Patron:* Marsden

**Summary:**

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

**Status:**

12/06/18 Senate: Prefiled and ordered printed; offered 01/09/19 19101693D

12/06/18 Senate: Referred to Committee on Education and Health

**SB1068 [Members of boards of visitors; employment waiting period.](#)**

*Chief Patron:* Obenshain

**Summary:**

Prohibits a baccalaureate public institution of higher education from employing an individual appointed by the Governor to the board of visitors of such institution within four years of the expiration of such member's term.

**Status:**

12/12/18 Senate: Prefiled and ordered printed; offered 01/09/19 19100453D

12/12/18 Senate: Referred to Committee on Education and Health

**SB1098 [Small Business and Supplier Diversity, Department of; redefines 'small business.'](#)**

**Chief Patron:** Marsden

**Summary:**

Redefines "small business" for the purposes of programs for the Department of Small Business and Supplier Diversity and the Virginia Public Procurement Act to mean a business that together with its affiliates has both 250 or fewer employees and average annual gross receipts of \$10 million or less averaged over the previous three years. The bill provides that gross receipts shall not include the cost of goods and equipment. Currently, under these programs, a business qualifies as a small business if, together with its affiliates, it has either 250 or fewer employees or average annual gross receipts of \$10 million or less averaged over the previous three years.

**Status:**

12/20/18 Senate: Prefiled and ordered printed; offered 01/09/19 19101695D

12/20/18 Senate: Referred to Committee on General Laws and Technology

**SB1100 [Budget Bill.](#)**

**Companion Bill:** HB1700

**Chief Patron:** Norment

**Summary:**

Amends Chapter 2, 2018 Special Session I Acts of Assembly.

**Status:**

12/18/18 Senate: Prefiled and ordered printed; offered 01/09/19 19101505D

12/18/18 Senate: Referred to Committee on Finance

**SB1118 [Higher educational institutions, public; tuition and fee increases, public comment.](#)**

**Chief Patron:** Petersen

**Summary:**

Requires the governing board of each public institution of higher education, prior to a vote on an increase in undergraduate tuition or mandatory fees, to permit public comment on the proposed increase at a meeting of the governing board. The bill requires each such governing board to establish policies for such public comment, which may include reasonable time limitations.

**Status:**

12/26/18 Senate: Prefiled and ordered printed; offered 01/09/19 19101648D

12/26/18 Senate: Referred to Committee on Education and Health

**SB1124 [Telemedicine; physicians licensed in contiguous jurisdictions.](#)**

**Companion Bill:** HB2128

**Chief Patron:** Favola

**Summary:**

Authorizes a person licensed to practice medicine or osteopathy who is in good standing with the applicable regulatory agency of a jurisdiction that is contiguous to the Commonwealth to provide health care services to patients located in the Commonwealth through use of telemedicine services.

**Status:**

12/27/18 Senate: Prefiled and ordered printed; offered 01/09/19 19101580D

12/27/18 Senate: Referred to Committee on Education and Health

01/10/19 Senate: Impact statement from VDH (SB1124)

01/11/19 Senate: Assigned Education sub: Health Professions

**SB1148 [In-state tuition; eligibility, certain individuals who have applied for permanent residency.](#)**

**Companion Bill:** HB1882

**Chief Patron:** Marsden

**Summary:**

Declares eligible for in-state tuition any individual who (i) graduated from a public or private high school in the Commonwealth or passed a high school equivalency examination approved by the Board of Education; (ii) registers as an entering student or is enrolled in a public institution of higher education; (iii) has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis has filed, unless exempted by state law, Virginia income tax returns for at least one year prior to the date of registration or enrollment; and (iv) provides an affidavit to the public institution of higher education in which he has registered as an entering student or is enrolled stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he becomes eligible for such permanent residency.

**Status:**

01/02/19 Senate: Prefiled and ordered printed; offered 01/09/19 19101694D

01/02/19 Senate: Referred to Committee on Education and Health

**SB1200 [Minimum wage; increase to \\$10 per hour effective July 1, 2019.](#)**

**Chief Patron:** Dance

**Summary:**

Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$10 per hour effective July 1, 2019, to \$13 per hour effective July 1, 2020, and to \$15 per hour effective July 1, 2021, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). The measure also provides that the Virginia minimum wage applies to persons whose employment is covered by the FLSA and to persons employed by the Commonwealth, its agencies or political subdivisions, or a public body.

**Status:**

01/03/19 Senate: Prefiled and ordered printed; offered 01/09/19 19101555D

01/03/19 Senate: Referred to Committee on Commerce and Labor

01/11/19 Senate: Impact statement from DPB (SB1200)

**SB1204 [Higher educational institutions, public; student approval of increase in tuition or mandatory fees.](#)**

**Chief Patron:** Stuart

**Summary:**

Provides that no increase in undergraduate tuition or mandatory fees approved by a governing board of a public institution of higher education will take effect unless such increase receives an affirmative vote of at least two-thirds of undergraduate students enrolled in such institution.

**Status:**

01/04/19 Senate: Prefiled and ordered printed; offered 01/09/19 19101292D

01/04/19 Senate: Referred to Committee on Education and Health

**SB1221 [Telemedicine services; coverage and practice.](#)**

**Companion Bill:** HB1970

**Chief Patron:** Chafin

**Summary:**

Requires insurers, corporations, or health maintenance organizations to cover remote patient monitoring services as part of their coverage of telemedicine services to the full extent that these services are available. The bill defines remote patient monitoring services as the delivery of home health services using telecommunications technology to enhance the delivery of home health care, including monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other condition-specific data; medication adherence monitoring; and interactive video conferencing with or without digital image upload.

The bill requires the Board of Medical Assistance Services to include in the state plan for medical

assistance services a provision for the payment of medical assistance for health care services provided through telemedicine services, including remote monitoring services and the use of telemedicine technologies as it pertains to remote patient monitoring services, to the full extent that these services are available.

The bill provides that provisions of the Code of Virginia regulating health professions regulated by the Board of Medicine do not prevent or prohibit any practitioner of one of such professions who is located in another state and is in good standing with the applicable regulatory agency in such state from providing telemedicine services within the scope of his practice to a patient located in Virginia.

Finally, the bill provides that in cases in which a practitioner of the healing arts is providing telemedicine services, such practice is deemed to occur where the practitioner is located at the time of provision.

**Status:**

01/04/19 Senate: Prefiled and ordered printed; offered 01/09/19 19101469D

01/04/19 Senate: Referred to Committee on Education and Health

01/11/19 Senate: Assigned Education sub: Health Professions

**SB1239 [Higher educational institutions, public; primary duties of members of governing boards.](#)**

*Chief Patron:* DeSteph

**Summary:**

Provides that the primary duty of any member of a governing board of a public institution of higher education is to the Commonwealth. The bill requires that the educational programs for the governing boards of public institutions of higher education, developed by the State Council of Higher Education for Virginia, shall include presentations on such primary duty.

**Status:**

01/05/19 Senate: Prefiled and ordered printed; offered 01/09/19 19103207D

01/05/19 Senate: Referred to Committee on Education and Health

**SB1255 [Major Headquarters Workforce Grant Fund; created.](#)**

*Companion Bill:* HB2356

*Chief Patron:* Ruff

**Summary:**

Creates the Major Headquarters Workforce Grant Fund. A qualified e-commerce company that makes a capital investment of at least \$2 billion in a major headquarters facility in Arlington County and that creates at least 25,000 new full-time jobs with an average annual wage of \$150,000 will be eligible for up to \$550 million in grants from the Fund. A qualified company may also be eligible for an additional \$200

million in grants for creating an additional 12,850 new full-time jobs.

**Status:**

01/05/19 Senate: Prefiled and ordered printed; offered 01/09/19 19102500D

01/05/19 Senate: Referred to Committee on Finance

01/05/19 Senate: Introduced bill reprinted 19102500D

**SB1261 [Higher educational institutions, public; tuition and fee increases, public comment.](#)**

**Chief Patron:** Sturtevant

**Summary:**

Requires the governing board of each public institution of higher education, prior to a vote on an increase in undergraduate tuition or mandatory fees, to permit public comment on the proposed increase at a meeting of the governing board. The bill requires each such governing board to establish policies for such public comment, which may include reasonable time limitations.

**Status:**

01/06/19 Senate: Prefiled and ordered printed; offered 01/09/19 19101881D

01/06/19 Senate: Referred to Committee on Education and Health

**SB1283 [State Medical Facilities Plan; revisions.](#)**

**Companion Bill:** HB2115

**Chief Patron:** Barker

**Summary:**

Requires the State Medical Facilities Plan task force to review the State Medical Facilities Plan and update or validate existing criteria in the State Medical Facilities Plan at least once every two years. Currently, the task force is required to review and update or validate the State Medical Facilities Plan at least once every four years. The bill also exempts amendments to the State Medical Facilities Plan from the Administrative Procedure Act if the Board of Health (i) provides a Notice of Intended Regulatory Action in accordance with the requirements of § 2.2-4007.01, (ii) provides notice and receives comment as provided in § 2.2-4007.03, and (iii) conducts at least one public hearing on the proposed amendments.

**Status:**

01/07/19 Senate: Prefiled and ordered printed; offered 01/09/19 19101807D

01/07/19 Senate: Referred to Committee on Education and Health

01/11/19 Senate: Assigned Education sub: Health

**SB1323** [Capital outlay plan; updates six-year plan for projects.](#)

*Companion Bill:* HB2359

*Chief Patron:* Hanger

**Summary:**

Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

**Status:**

01/07/19 Senate: Prefiled and ordered printed; offered 01/09/19 19103643D

01/07/19 Senate: Referred to Committee on Finance

**SB1359** [Facilities providing imaging services; shared savings; exemption from certificate of public need.](#)

*Chief Patron:* Wagner

**Summary:**

Provides that a certificate of public need shall not be required for the addition of certain imaging services or for the addition by an existing facility of certain new imaging equipment, provided that the medical care facility complies with quality of care standards and charity care requirements established by the Board of Health. The measure also requires health carriers to establish a comparable imaging service incentive program, subject to approval by the Commissioner of Insurance, under which incentives are offered to a covered person who elects to receive a covered imaging service from a lower-cost provider. The measure requires health carriers to make available an interactive mechanism on their website that enables a covered person to compare costs between providers in-network, calculate estimated out-of-pocket costs, and obtain quality data for those providers, to the extent available.

**Status:**

01/08/19 Senate: Prefiled and ordered printed; offered 01/09/19 19103088D

01/08/19 Senate: Referred to Committee on Education and Health

**SB1361** [Certificate of public need.](#)

*Chief Patron:* Wagner

**Summary:**

Repeals the certificate of public need program.

**Status:**

01/08/19 Senate: Prefiled and ordered printed; offered 01/09/19 19103239D

**SB1394 [Small businesses; changes definition, implementation of certification programs, report.](#)**

***Companion Bill:*** HB2366

***Chief Patron:*** Dance

***Summary:***

Changes the definition of small business, beginning July 1, 2019, to mean a business that (i) is not dominant in its field of operation, as determined by the Department of Small Business and Supplier Diversity (the Department); (ii) is at least 51 percent independently owned and operated by one or more individuals who are U.S. citizens or legal resident aliens; and (iii) together with affiliates, has 250 or fewer employees and average annual gross receipts, excluding the cost of goods and equipment, of \$10 million or less averaged over the previous three years. Under current law, a business must be independently owned and controlled by one or more individuals who are U.S. citizens or legal resident aliens and, together with affiliates, have 250 or fewer employees or annual gross receipts of \$10 million or less averaged over the previous three years. The bill provides that any business entity that the Department has certified as a small business prior to July 1, 2019, shall have the expiration date of such certification extended for an additional one-year period, after such time the business shall be required to meet the requirements for certification in effect at that time. The bill also provides that the Director of the Department shall annually review forms and processes related to small business certification to reduce the administrative and paperwork burden on small businesses seeking certification and recertification. The bill (a) includes a definition of "field of operation"; (b) requires the Secretary of Commerce and Trade to evaluate the small business certification program at three-year intervals, reporting to the Governor and General Assembly by December 1, 2022, and December 1, 2025; and (c) directs the Department to establish and educational outreach initiative to inform and prepare businesses for the changes in the small business certification program.

***Status:***

01/08/19 Senate: Prefiled and ordered printed; offered 01/09/19 19102857D

01/08/19 Senate: Referred to Committee on General Laws and Technology

**SB1519 [University of Virginia's College at Wise; reduced rate tuition.](#)**

***Companion Bill:*** HB1666

***Chief Patron:*** Carrico

***Summary:***

Permits the board of visitors of the University of Virginia to charge reduced rate tuition to any student enrolled at the University of Virginia's College at Wise who resides in the Appalachian Region as defined in relevant federal law, is domiciled in the Appalachian Region, and is entitled to in-state tuition charges at a public institution of higher education in the Appalachian Region. The bill contains an emergency

clause.

**Status:**

01/08/19 Senate: Prefiled and ordered printed with emergency clause; offered 01/09/19 19101886D  
01/08/19 Senate: Referred to Committee on Education and Health  
01/11/19 Senate: Impact statement from DPB (SB1519)

**SB1546 [Higher education; in-state tuition.](#)**

*Chief Patron:* Sturtevant

**Summary:**

Prohibits, without the prior statutory approval of the General Assembly, any percentage increase in in-state tuition for undergraduate students at Virginia's public institutions of higher education that exceeds twice the annual percentage increase, as determined by the State Council of Higher Education for Virginia, in the Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, from January 1 through December 31 of the year immediately preceding the affected year.

**Status:**

01/08/19 Senate: Prefiled and ordered printed; offered 01/09/19 19102813D  
01/08/19 Senate: Referred to Committee on Education and Health

**SB1581 [Parental leave.](#)**

*Chief Patron:* Suetterlein

**Summary:**

Codifies the policy described in Executive Order Number 12 (2018) providing parental leave to state employees, consisting of eight weeks (320 hours) of paid leave in addition to leave provided under other state and federal programs. The bill requires that parental leave be available following the birth, adoption, or foster placement of a child under age 18 and be available to both parents of such child if both are state employees. The bill requires that parental leave be taken within six months of a birth, adoption, or foster placement and limits parental leave to once in any 12-month period and only once per child.

**Status:**

01/09/19 Senate: Prefiled and ordered printed; offered 01/09/19 19103450D  
01/09/19 Senate: Referred to Committee on General Laws and Technology

**SB1597 [Research and development in the Commonwealth.](#)**

**Companion Bill:** HB2550

**Chief Patron:** Saslaw

**Summary:**

Makes several changes related to the funding and oversight of research and development initiatives in the Commonwealth. The bill codifies the existing Virginia Biosciences Health Research Corporation (VBHRC), and brings it under the authority of the Innovation and Entrepreneurship Investment Authority (IEIA). The bill also creates a new Capital Research Investment Advisory Committee (Investment Committee), and an accompanying nonstock, nonprofit corporation under the IEIA, to oversee early and seed-stage venture capital investments. The Virginia Research Investment Committee would provide guidance to the IEA and the Investment Committee. The Board membership of the IEIA is expanded to include the chairman of VRIC and the VBHRC. Finally, the bill directs the Secretaries of Commerce and Trade and Education to convene a stakeholder group to review a recent technology report and make recommendations concerning the allocation of resources related to research, development, and commercialization.

**Status:**

01/09/19 Senate: Prefiled and ordered printed; offered 01/09/19 19102131D

01/09/19 Senate: Referred to Committee on Commerce and Labor

**SB1616** [Higher educational institutions, public; tuition and mandatory fees.](#)

**Companion Bill:** HB2476

**Chief Patron:** Wagner

**Summary:**

Declares the governing board of any public institution of higher education for which the average increase in the amount of undergraduate tuition and mandatory fees over the most recent 10-academic-year period exceeds the average increase in the amount of undergraduate tuition and mandatory fees over such period across each public institution of higher education ineligible to increase undergraduate tuition and mandatory fees for the subsequent academic year. The bill permits each other public institution of higher education to increase undergraduate tuition and mandatory fees for the subsequent academic year by a certain percentage, but prohibits any such percentage increase from exceeding the following product: the annual percentage increase in the average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, from January 1 through December 31 of the year immediately preceding the relevant academic year, multiplied by a certain factor that is based on the size of the increase in the undergraduate tuition and mandatory fees over the most recent 10-academic-year period.

**Status:**

01/09/19 Senate: Prefiled and ordered printed; offered 01/09/19 19102744D

01/09/19 Senate: Referred to Committee on Education and Health

## **SB1617 [Tech Talent Investment Program and Fund; created, report.](#)**

*Companion Bill:* HB2490

*Chief Patron:* Ruff

### ***Summary:***

Creates a grant program to assist qualified public institutions of higher education, defined in the bill, in reaching, by 2039, a goal of increasing, in the aggregate, the number of bachelor's and master's degrees awarded in computer science, computer engineering, and closely related fields by at least 25,000 degrees. To be eligible for an annual grant, a qualified institution is required to enter into a memorandum of understanding setting forth specific criteria for eligible degrees, eligible expenses, and degree production goals. The bill requires qualified institutions that are grant recipients to report annually on progress towards meeting such goals and that grants issued pursuant to the program are subject to appropriation.

### **Status:**

01/09/19 Senate: Prefiled and ordered printed; offered 01/09/19 19102502D

01/09/19 Senate: Referred to Committee on Education and Health

## **SB1628 [Public institutions of higher education; innovation.](#)**

*Chief Patron:* Dunnivant

### ***Summary:***

Establishes the Innovative Internship Fund and Innovative Internship Pilot Program, to be administered by the State Council of Higher Education for Virginia, for the purpose of awarding grants on a competitive basis to public institutions of higher education that partner with at least one private sector entity that agrees to provide matching funds to facilitate innovative internship programs for students enrolled at the institution that accomplish one or more enumerated goals related to the workforce. The bill also permits any public institution of higher education to propose in conjunction with the six-year plan process, and the General Assembly to adopt by reference in the general appropriation act, an institutional partnership performance agreement (agreement) that advances the objectives of the Virginia Higher Education Opportunity Act of 2011 by aligning the strategies, activities, and investments of the institution, the Commonwealth, and any identified partners concerning (i) college access, affordability, cost predictability, and employment pathways for undergraduate Virginia students and (ii) strategic talent development and other high-priority economic initiatives of the Commonwealth. The bill contains provisions relating to mandatory and permissive contents of, the approval process for, and the legal effect of any such agreement.

### **Status:**

01/09/19 Senate: Prefiled and ordered printed; offered 01/09/19 19102480D

01/09/19 Senate: Referred to Committee on Education and Health

**SB1640 [Eligibility for in-state tuition; certain individuals who have applied for permanent residency.](#)**

*Chief Patron:* Boysko

*Summary:*

**Status:**

01/09/19 Senate: Prefiled and ordered printed; offered 01/09/19 19104527D

01/09/19 Senate: Referred to Committee on Education and Health

**SB1651 [Research and development in the Commonwealth.](#)**

*Chief Patron:* Howell

*Summary:*

Creates the Partnership for Innovation and Entrepreneurship Authority (the Partnership) to oversee and support research and commercialization in the Commonwealth. The Partnership will be advised by an Investment Advisory Committee, an Entrepreneurship Advisory Committee, and a Research Advisory Committee. Existing grant, loan, and investment funds currently administered by the Innovation and Entrepreneurship Investment Authority and the Virginia Research Investment Committee would be consolidated under the Partnership. The bill repeals the existing Virginia Research Investment Committee.

**Status:**

01/09/19 Senate: Presented and ordered printed 19100870D

01/09/19 Senate: Referred to Committee on General Laws and Technology

**SB1660 [Baccalaureate public institutions of higher education; fixed four-year tuition rate.](#)**

*Chief Patron:* Stanley

*Summary:*

Requires the governing board of each baccalaureate public institution of higher education to prospectively fix the cost of tuition for incoming freshman Virginia students for four consecutive years, subject to eligibility conditions, beginning with the 2021-2022 academic year. The bill also provides that such institutions may additionally offer a variable in-state tuition rate as an option for such eligible students. The bill exempts the governing board of any such institution that maintains an undergraduate student population composed of at least 80 percent Virginia students from the requirement to establish a four-year fixed tuition rate.

**Status:**

01/09/19 Senate: Presented and ordered printed 19103748D

01/09/19 Senate: Referred to Committee on Education and Health

**SB1673** [Wage; prevailing requirement for public works contracts, penalty.](#)

**Companion Bill:** HB2122

**Chief Patron:** Favola

**Summary:**

Requires contractors and subcontractors under any public contract with a state agency for public works to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract for public works at the prevailing wage rate. The Commissioner of Labor and Industry is required to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. A contractor or subcontractor who knowingly or willfully employs any mechanic, laborer, or worker to perform work contracted to be done under the public contract at a rate that is less than the prevailing wage rate is guilty of a Class 1 misdemeanor. In addition, such a contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts with any public body until full restitution has been paid to the individuals.

**Status:**

01/11/19 Senate: Presented and ordered printed 19103679D

01/11/19 Senate: Referred to Committee on Commerce and Labor