

2016-18 Strategic Plan

Department of Health Professions [223]

Mission

The mission of the Department of Health Professions is to protect the public by licensing healthcare providers, enforcing standards governing their practice, and providing information to healthcare providers and the public.

Vision

Department of Health Professions: Competent professionals providing healthcare services within the boundaries of their standards of practice to an informed public.

Values

- Exceptional Customer Service
- Honesty, Fairness, and Transparency to the Public
- Competence
- Continuous Improvement
- Employee Accountability

Finance

Financial Overview

The Department of Health Professions is a self-supporting, fee-based agency. No support is provided from the state's General Fund. For Fiscal Year 2016, total revenues were approximately \$31.3 million. Of that, approximately 97.32% was from fees associated with the licensure, certification, registration, or permitting of the various healthcare professions and facilities. All fees are set by regulations adopted by the health regulatory boards through the state's rulemaking procedures consistent with the Administrative Process Act. Of the remaining amount, approximately 1.95% represented the combined Medicare and Medicaid share of the Certified Nurse Aide program, funded through reimbursements from the Department of Health and the Department of Medical Assistance Services. Miscellaneous revenue from non-revenue producing departments accounted for 0.36% of total revenue.

Approximately 0.37% of the Agency's FY16 revenue came from interest earned on the Prescription Drug Monitoring Trust Fund. Investment of the Trust Fund is managed by the Department of the Treasury, and all interest earned is credited to the Department of Health Professions for the support of the Prescription Monitoring Program.

The agency expended \$29.02 million in FY16, devoting approximately 65% to the investigation and adjudication of complaints against healthcare providers, 20% to initial licensing and subsequent renewals, and the remaining 15% is divided between the Agency's administrative, financial, information technology, and rulemaking support activities. The agency's FY16 major expenditure categories are as follows: employee salaries, wages, and fringe benefits (65.90%), contractual services (27.76%), continuous charges (5.00%), supplies and materials (.63%), equipment (.44%), nursing scholarship (.23%), and transfer payments (.04%).

The Fiscal Year 2017- 2018 appropriation increases are associated with the lease of additional space at the Agency's current location and the funding for additional FTEs. The FY18 appropriation increases include the FY17 increases annualized plus funding for the registration for two new registration types in the Board of Counseling and funding to support a demonstration program with the Medical Society of Virginia and the Prescription Monitoring Program to enhance the use of the PMP by prescribers through the use of real time access to the program via interoperability with Electronic Medical Records (EMR) systems

Biennial Budget

	2017 General Fund	2017 Nongeneral Fund	2018 General Fund	2018 Nongeneral Fund
Initial Appropriation for the Biennium	0	29,765,185	0	29,768,874
Changes to Initial Appropriation	0	315,263	0	1,019,970

(Changes to Initial Appropriation will be 0 when the plan is created. They will change when the plan is updated mid-biennium.)

Customers

Anticipated Changes to Customer Base

As with virtually all states, demand for healthcare services is expected to increase for the foreseeable future as the population increases. Although shortages are already experienced in some areas of the state, by 2020 estimates indicate that the number and geographical distribution of healthcare professionals may be insufficient to cope with the increasing demand for healthcare services, especially in a growing and aging population. In addition, the systems of healthcare delivery are expected to develop new and innovative treatments that will also increase demand.

It is likewise expected that this increased demand will result in increased numbers of applicants, licensees, and disciplinary cases as well as more emerging healthcare professions.

The current customer list identifies both the number of customers currently served annually as well as potential customers served. For the first three pre-defined groups, the number served annually reflects the number reported at the end of Fiscal Year 2016. The potential number of annual customers was calculated using the percent change over the 2014-2016 Biennium as applied to the number of customers served annually.

Current Customer List

Predefined Group	User Defined Group	Number Served Annually	Potential Number of Annual Customers	Projected Customer Trend
Applicants	Applicants for initial licensure, certification, registration, or permitting, and applicants for reinstatement	43,352	45,211	Increase
Consumer	Parties seeking practitioner information	4,258,431	4,497,761	Increase
Health Professions	Licensees required to abide by laws or rules governing their practice	385,883	404,521	Increase
Student	Recipients of scholarships	51	51	Stable

Partners

Name	Description
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Agency Goals

- **Keep the people of Virginia safe through the licensure of competent healthcare professionals throughout the Commonwealth.**

Summary and Alignment

The Department of Health Professions issues and renews licenses, registrations, certifications, and permits to healthcare practitioners that meet qualifications established by law and regulation.

Associated State Goal

Government and Citizens: Be recognized as the best-managed state in the nation.

Associated Societal Indicator

Consumer Protection

Objectives

- » **Ensure healthcare practitioners across 13 health regulatory boards meet guidelines for licensure as required by the Code of Virginia.**

Description

Each health regulatory board is authorized under state law to enforce the laws and regulations.

Objective Strategies

[Nothing Entered]

Measures

- ◆ Percent of initial licensure applications processed within 30 days of receipt of a completed application

- **Enforce standards of practice regarding the delivery of healthcare.**

Summary and Alignment

Establish and uphold regulations in association with laws enacted by the General Assembly regarding patient care where there is evidence of professional misconduct by enforcing standards of care addressed in governing statutes.

Associated State Goal

Government and Citizens: Be recognized as the best-managed state in the nation.

Associated Societal Indicator

Consumer Protection

Objectives

- » **Establish and uphold standards for the delivery of healthcare regulations through the promulgation of regulations.**

Description

Health regulatory boards are authorized to institute and uphold regulations.

Objective Strategies

[Nothing Entered]

Measures

- » **Provide an alternative to disciplinary action for impaired practitioners through the Health Practitioners' Monitoring Program (HPMP).**

Description

Practitioners who meet certain criteria may receive approval for a stay of disciplinary action. This may facilitate safe return to practice.

Objective Strategies

[Nothing Entered]

Measures

- » **Take timely and appropriate disciplinary actions where there is evidence of professional misconduct by enforcing standards of care addressed in governing statutes.**

Description

The Department of Health Professions' Enforcement Division receives and investigates complaints of misconduct by licensees and regulated facilities. Based on the Administrative Process Act, administrative proceedings may commence if the board finds there is sufficient evidence to indicate a violation has occurred.

Objective Strategies

[Nothing Entered]

Measures

- ◆ Percent of patient care cases pending over one year
- ◆ Percent of patient care cases resolved within 250 business days

- **Cultivate and provide information to healthcare practitioners and the public.**

Summary and Alignment

Collect and analyze data pertaining to licensure, regulation, and the disciplinary processes and effectively communicate to licensees and stakeholders.

Objectives

- » **Collect and analyze data pertaining to Virginia's regulated health workforce.**

Description

Collection and analysis of data is performed by the Department of Health Professions Healthcare Workforce Data Center. The Department is responsible for developing and implementing informational surveys concerning the Virginia's healthcare workforce.

Objective Strategies

- Collection of healthcare workforce data by the Department of Health Professions' Healthcare Workforce Data Center through the regular survey of key workforce-related factors including demographics, education, practice and patient characteristics, and future plans among the healthcare workforce upon licensure renewal.

Measures

- » **Effectively communicate to licensees, stakeholders, and the public.**

Description

[Nothing Entered]

Objective Strategies

- Provide timely information via the DHP, health regulatory boards, Prescription Monitoring Program (PMP), Health Practitioners' Monitoring Program (HPMP), and VaAware websites.
- Represent Virginia boards at regional and national regulatory and professional associations.
- Provide information for consumers about healthcare practitioners on the Department of Health Professions' website through 'License Lookup', 'Doctors Profile' (Practitioner Profile System), 'Oral and Maxofacial Profiles', and 'Case Decisions'.

- Provide statistical data regarding disciplinary action taken against licensees of respective health regulatory boards to national entities.
- Provide information via the Prescription Monitoring Program (PMP) to licensees of health regulatory boards to serve as an early warning system for practitioners in the fight against prescription opioid abuse among their patients.

Measures

- ◆ The number of queries by prescribers to the Prescription Monitoring Program as a percent of prescriptions added

• **Promote a competent healthcare workforce through the approval of quality education programs.**

Summary and Alignment

Promote quality nursing, nurse aide, and medication aide programs, approve qualifying pharmacy technician training programs, and facilitate competency of licensees to support the health and well-being of the population.

Associated State Goal

Public Interest: Engage and inform citizens to ensure we serve their interests.

Objectives

» **Approve and regulate professional and practical nursing education programs preparing individuals for licensure.**

Description

The Board of Nursing approves and regulates professional and practical nursing education programs that meet the qualifications established by law and regulation.

Objective Strategies

[Nothing Entered]

Measures

» **Approve and regulate nurse aide and medication aide education programs.**

Description

The Board of Nursing approves and regulates nurse aide and medication aide education programs that meet the qualifications established by law and regulation.

Objective Strategies

[Nothing Entered]

Measures

» **Approve and regulate pharmacy technician training programs.**

Description

The Board of Pharmacy approves and regulates pharmacy technician training programs that meet the qualifications established by law and regulation.

Objective Strategies

[Nothing Entered]

Measures

• **Strengthen DHP's internal systems, operations, and culture of preparedness to better meet the needs of licensees, the public, and decision makers.**

Summary and Alignment

Integrate technology with business processes, promote an effective and knowledgeable Department of Health Professions' workforce, and maintain a culture of preparedness to provide services in the most effective and efficient manner possible.

Associated State Goal

Government and Citizens: Be recognized as the best-managed state in the nation.

Associated Societal Indicator

Government Operations

Objectives

» **Encourage a culture of learning.**

Description

[Nothing Entered]

Objective Strategies

- Provide agency-wide training to board members and employees to include: updates, professional development, and new regulations.
- Provide a variety of resources for self-directed learning.

Measures

- » **Maintain an effective Continuity of Operations Plan to safeguard personnel and assets so the Agency can continue to function in the event of a disruption of normal operations.**

Description

[Nothing Entered]

Objective Strategies

- Review and revise the Continuity of Operations and the Occupant Emergency Response Plan as needed following drills and actual continuity and emergency events. Provide training on the Continuity of Operations and the Occupant Emergency Response Plans.

Measures

- » **Streamline the licensure and renewal process for licensees of health regulatory boards.**

Description

[Nothing Entered]

Objective Strategies

- Continue the growth of the online renewal and application process.
- Coordinate technological advances with business processes.

Measures

- ♦ Percent of initial licensure applications processed within 30 days of receipt of a completed application
- ♦ Percent of patient care cases resolved within 250 business days
- ♦ The cost to issue a new registered nurse license.

- » **Maintain a program of continuous business process improvement.**

Description

Strengthen agency-wide improvement efforts to licensure, disciplinary, and retention processes through technological and procedural advancements.

Objective Strategies

- Develop and utilize best practices through collaboration, workgroups, and targeted teams.
- Maintain and strengthen internal communication channels through the use of the Intranet, agency-wide training, and project updates.
- Continue the digitalization of Agency records and standardization of internal and external forms.

Measures

Major Products and Services

The Department of Health Professions issues nearly 150 types of licenses, certifications, registrations, and permits to over 80 health professions and facilities. At the end of FY16, there were 385,883 regulants, up 2.3% over the previous year and up 5.3% over the last biennium. The number of disciplinary cases remained steady from FY15 to FY16, (5,797 in FY15 to 5,813 in FY16), and rose 8.1% over the last biennium. The average age (in days) of closed disciplinary cases has remained steady from FY15 to FY16 (186.7 in FY15 to 188.5 days in FY16), and remains significantly lower than the benchmark of 365 days.

The Prescription Monitoring Program collects prescription data for Schedule II-IV drugs and drugs of concern into a central database utilized by authorized users to assist in clinical decision making and deter the illegitimate use of prescription drugs. The information collected in the database is maintained by the Department of Health Professions, and strict security and confidentiality measures are enforced. In FY16, there were over 5.49 million Prescription Monitoring Program requests, an increase of 11.49% over FY15.

The Department of Health Professions also includes the Health Practitioner Monitoring Program and the Healthcare Workforce Data Center, and provides administrative, communication, policy, IT, and research support for the boards. Information on practitioners, licensure requirements, practice standards, healthcare workforce, emerging professions, agency operations, and more is made available to a variety of audiences. Additionally, the Department of Health Professions funds nursing student financial assistance to support healthcare practice in underserved areas of the state and approves and regulates nursing education and pharmacy technician training programs.

The Department of Health Professions' services are affected by several forces. Chief among these are:

- Federal and state legislative mandates and requests regarding requirements for regulating practitioners and facilities, the use and scope of the Prescription Monitoring Program, and policy analysis involving healthcare practice and workforce needs;
- the number of individuals and facilities who apply for licensure, registration, or certification in a covered healthcare profession;
- the number of individuals and facilities who renew their licenses each year;
- the number of new professions designated by the General Assembly as requiring licensure and regulation;
- the number and nature of reports and complaints alleging misconduct by a regulated individual or facility;
- the demand for information from the general public, employers, and insurers;
- regulations adopted by health regulatory boards affecting the practice of their respective licensees and their scope of practice; and
- increasing demand and associated costs for technology.

As Virginia's population continues to grow and age, and healthcare reform increases access to care, the demand for safe and effective health care and related information will grow.

Performance Highlights

The Agency's Key Performance Measures are calculated quarterly and utilized to gauge and monitor performance in relation to the Agency's mission. The safety, health, and well-being of the general public are promoted by the prompt processing of qualified applications for initial licensure and the timely investigation and adjudication of individual and facility misconduct in relation to patient care. The Agency also provides information to health care practitioners and prescribers through the Prescription Monitoring Program, which assists in deterring the illegitimate use of prescription drugs.

Licensure efficiency is assessed through the percent of initial licenses processed within 30 days of receiving a complete application. This measure has remained consistently high, maintaining well above the goal of 97%.

Disciplinary efficiency is assessed through the percent of patient care cases closed within 250 business days, and the percent of patient care cases that have been open for longer than a year. The percent of patient care cases pending over one year has consistently remained below the goal of 20%. Throughout FY16, the percent of cases closed within a year was just under the goal of 90%, due to an agency wide effort to close older cases.

The utilization of the Prescription Monitoring Program information is measured by the percentage of prescriber queries compared to prescriptions added. This key performance measure is expected to increase as healthcare providers utilize the database to identify those seeking medications for illegitimate purposes.

Staffing

Authorized Maximum Employment Level (MEL)	229
Salaried Employees	212
Wage Employees	40
Contracted Employees	32

Key Risk Factors

Increasing Costs:

The Department of Health Professions receives no support from the General Fund; cost increases are absorbed entirely from licensure and renewal fees. The biggest cost-drivers are complaints against licensees, information technology services from VITA, and costs related to employee retirement.

Complaints have increased 8.1% from the last biennium, and is likely to continue as demand for healthcare services increases, particularly as the population ages and the full effects of healthcare reform legislation begin to manifest. As costs increase, so may the necessity to seek fee increases from the General Assembly.

To keep pace with societal changes and to minimize the need for additional program staff, additional resources may need to be devoted to Information Technology, including expanding online renewals, expanding agency electronic records management, and standardization of agency processes.

Occupations with Few Licensees:

Some regulated occupations lack a sufficient number of regulants to cover their regulatory costs. This is placing a strain on individual boards' cash resources.

Changing Face of Healthcare:

Healthcare reform is expected to bring significant changes to the nation's healthcare system. Some of this will involve new professions, scopes of practice, and alternative approaches to patient care. These could have significant impacts on the licensure and regulation of health professionals.

Management Discussion

General Information About Ongoing Status of Agency

Virginia's demand for safe and effective healthcare services continues to rise with its growing and aging population and healthcare reform measures aimed at increasing access. Health care is rapidly responding with efforts to avoid shortages resulting from the inevitable retirement of older practitioners and younger practitioners' desire for work and home balance. In response, innovative team delivery approaches, new occupations, and practitioner employment status changes are emerging.

Patient and public health and well-being remains paramount and will continue to be promoted through efficient licensing and regulating of competent healthcare professionals and facilities, taking timely and appropriate disciplinary action in cases of misconduct, and providing relevant information to the public.

The Department of Health Professions intends to continue to provide exemplary performance related to licensure and discipline. The agency will complete implementation of dynamic online licensing applications for all boards, expand the use of online license renewal notifications through e-mail, and assess other communication improvements. The Department of Health Professions through the Board of Health Professions and Healthcare Workforce Data Center continues its efforts to provide objective research to guide key relevant health practice and workforce policies.

The Department of Health Professions also endeavors to improve quality healthcare education through the approval and regulation of nursing education and pharmacy technician training programs and processing 100% of nursing scholarship payments.

Finally, the Department of Health Professions intends to increase coordination with other agencies on healthcare workforce issues and to promote enhanced communication with licensees, the public, and the media. These efforts are designed to raise awareness statewide of the importance of the healthcare sector and the future needs for an expanded healthcare workforce.

Information Technology

Proposed IT initiatives include transitioning the current IT infrastructure from the current state hosted by Northrop Grumman to the future state being procured by VITA, while continuing to enhance mission critical applications to improve operational efficiencies. Increases in the IT budget may be necessary due to increasing VITA/NG related costs or the costs associated with a transition to new infrastructure services. It is anticipated that data storage costs will increase as the Agency continues expanding the electronic records management system. There may also be additional costs related to information security and ensuring successful continuity of operations.

Estimate of Technology Funding Needs

Workforce Development

The Department of Health Professions continues to attract and retain employees who possess considerable healthcare experience and have earned related advanced degrees. The percentage of official/administrator and professional occupation positions is 61.6%, well above the 39.1% state average.

The current turnover rate is relatively low at 4.8%, but approximately 5.6% of our current employees could retire immediately with unreduced benefits.

The agency routinely monitors pay, hiring, disciplinary and grievance information to ensure that our practices support federal, state, and agency goals and objectives related to sound workforce management. Given significant retirement projections, the Department of Health Professions Salary Administration Plan includes exceptional recruitment and retention options. Agency efforts continue to diversify the overall employee population. Approximately 41% of the Department of Health Professions employees participate in an alternative work schedule and almost 60% are eligible to telecommute.

In addition to the need to assess agency resources based upon retirement risks, Agency management continues to review its organizational structure to ensure that appropriate resources are assigned to core activities.

Physical Plant

The Agency leases non-state space at an annual cost of approximately \$1.34 million. Due to the increase in the number of regulants and disciplinary cases over the biennium, the Agency began leasing an additional 5,918 square feet at its current location on April 1, 2016 to accommodate its expanding workforce. Currently 60% of the Department of Health Professions' employees are eligible to telecommute and field staff are required to work from a home office. Teleconferencing systems have been put into place to optimize existing infrastructure use.

Supporting Documents

Title **File Type**

Service Area Plan

Scholarships [10810]

Description of this Program / Service Area

In 1991, the General Assembly created the Nursing Scholarship and Loan Repayment Fund. Funding for the scholarship fund is provided through a \$1.00 surcharge assessed on the renewal of licenses for registered and licensed practical nurses. The purpose of the fund is to finance scholarships for part-time and full-time students enrolled in or accepted for enrollment by licensed practical or registered nursing programs. The program is administered jointly by the Department of Health Professions and the Virginia Department of Health. A portion of the total funding for the program is provided by Virginia Department of Health. Department of Health Professions collects the money and deposits it into the Scholarship Fund. The Virginia Department of Health determines the recipients and sends to Department of Health Professions the names of the recipients and the schools they plan to attend. The Department of Health Professions, in turn, distributes the awards to the schools according to the list provided by the Virginia Department of Health. Any balances left in the fund at year-end automatically carry forward to the next fiscal year. For Fiscal Year 2016, revenue amounted to \$66,532 and expenditures totaled \$55,297. (NOTE: These numbers reflect Department of Health Professions' revenue and expenditures, only. They do not include Virginia Department of Health's portion of the program.)

Mission Alignment

Although this service area is fiscally modest, it is an integral part of the Agency's mission, especially in the nursing field.

Products and Services

Description of Major Products and Services

The service provided through this activity is scholarships to nursing students.

Anticipated Changes

Given the limit on revenues created by the legislative cap on the surcharge, it is unlikely that there will be significant changes in the program for the foreseeable future.

Factors Impacting

Financial Overview

All funding for this service area is derived from a legislatively mandated surcharge on renewal fees for licensed practical and registered nurses.

Biennial Budget

	2017 General Fund	2017 Nongeneral Fund	2018 General Fund	2018 Nongeneral Fund
Initial Appropriation for the Biennium	0	65,000	0	65,000
Changes to Initial Appropriation	0	0	0	0

Supporting Documents

Title **File Type**

Technical Assistance to Regulatory Boards [56044]**Description of this Program / Service Area**

Virginia's 13 health regulatory boards are responsible for the licensing and the discipline of health practitioners, and promulgating the regulations that govern health practitioners. Some boards have additional responsibilities, to include regulating education programs and facilities. The Department of Health Professions' employees support the boards in their activities, but it is the members of these boards who have the ultimate authority to promulgate regulations and make case decisions.

The Governor appoints all board members, most of whom are health professionals licensed by the boards to which they are appointed. All boards have at least one and as many as five citizen members, depending on the size of the board. Board members serve four-year terms and cannot serve more than two successive full terms.

Licensure or certification in each profession typically requires the completion of a board-approved professional education program and the passage of an approved examination in the applicant's chosen professional field. At the end of the 2014-2016 Biennium, the 13 health regulatory boards regulated more than 385,883 health professionals, facilities, and other designated entities. This represents a 5.1% increase over the prior biennium and a 39.6 % increase during the last ten years.

A vital part of the boards' charge is the investigation and adjudication of complaints and allegations of misconduct against licensees. During the 2014-2016 Biennium, the boards managed over 10,700 disciplinary cases.

The investigation and preparation of disciplinary cases presented to the boards is handled by Department of Health Professions' staff. Formal hearings are prosecuted by the Attorney General's Office or by the Department of Health Professions' Administrative Proceedings Division. All disciplinary cases are decided in accordance with Virginia's Administrative Process Act, the Boards law, and regulations.

The health regulatory boards are also responsible for promulgating the regulations governing the professionals under their purview. These regulations establish initial licensure requirements, set fee rates and renewal requirements, and establish standards for practice.

The Board of Health Professions (BHP) was created in 1977 to assist the health regulatory boards develop guidelines governing health care professionals in Virginia. The Board of Health Professions is also responsible for reviewing the Agency's budget and advising the Department of Health Professions Director, General Assembly, and the Governor on matters related to the regulation of health care professions. The Board of Health Professions is comprised of 18 members, one from each of the 13 health regulatory boards, and five citizens (consumers), all appointed by the Governor.

The primary activities included in the Boards service area are:

- Licensing applicants who meet defined standards as determined by law and regulation
- Issuing licenses or permits to specified health related facilities that are in compliance with applicable laws and regulations, and inspecting to verify continued compliance
- Ensuring occupational competency by monitoring and enforcing continuing education or experience requirements, as required by law and/or regulation
- Enforcing compliance with legal policies and assuring professional accountability through diligent investigation of complaints, application of established standards, and objective disciplinary decisions
- Studying, evaluating and recommending the appropriate type and degree of regulation for health professions and occupations

Mission Alignment

Technical Assistance to Regulatory Boards Service Area supports the core mission of the Agency.

Statutory Authority

Sections 54.1-100 through 54.1-119, Code of Virginia

Sections 54.1-2400 through 54.1-3813, Code of Virginia

Chapter 24 of Title 54.1; General Provisions

- Provides the general powers and duties of health regulatory boards including the responsibilities for licensure, promulgation of regulations, levying and collecting fees sufficient to cover all expenses, holding administrative proceedings, and taking appropriate disciplinary actions.
- Provides for the confidentiality of investigations, suspension of licenses for certain causes, and mandated reporting of misconduct by health care institutions and other officials.
- Enacted 1966, last updated 2016.

Chapter 24.1 of Title 54.1; Practitioner-Self Referral Act

- Prohibits referrals by health providers of patients to facilities where that practitioner has an ownership interest in that entity.
- Contains cost of health care by reducing unnecessary demand for services; permits freedom of choice.

- Enacted 1993, parts became effective July 1, 2010.

Chapter 25 of Title 54.1; Department and Board of Health Professions

- Provides administrative structure and authority for administration, enforcement, oversight, coordination and policy analysis dealing with the regulation of health care provided in the Commonwealth.
- Board coordinates policy reviews and provides advisory oversight for disciplinary and regulatory issues.
- Assures coordination with other government agencies economies of scale, effectiveness and adequate policy analysis.
- Enacted 1977, last updated 2016.

Chapter 25.1 of Title 54.1; Health Practitioners' Monitoring Program

- Provides monitoring services for practitioners affected by physical or mental disabilities, including substance abuse.
- Operated for the benefit of all boards by the Department.
- Enacted 1997, last updated 2016.

Chapter 25.2 of Title 54.1; Prescription Monitoring Program

- Provides for the collection and limited disclosure of all Schedule II through IV controlled substances dispensed in Virginia.
- Provides information to law enforcement officers, prescribers, dispensers, and regulators regarding inappropriate and unlawful receipt of controlled drugs to combat abuse.
- Enacted 2002, last updated 2016.

Chapter 26 of Title 54.1; Audiology and Speech-Language Pathology

- Licenses and regulates audiologists and speech-language pathologists providing hearing and speech therapy.
- Assures minimum competency and provides for disciplinary action in response to misconduct.
- Enacted 1972, last updated 2016.

Chapter 27 of Title 54.1; Dentistry

- Licenses and regulates dentists and dental hygienists who provide oral health care to the public; authorized to register dental assistants II with expanded duties in oral care.
- Assures minimum compliance of those entering the profession and disciplinary action in response to misconduct.
- Enacted 1886, last updated 2016.

Chapter 28 of Title 54.1; Funeral Directors and Embalmers

- Licenses and regulates funeral service practitioners and establishments including regulation of commercial practices and handling of pre-need funeral contracts including trust funds. Registers funeral service interns and crematories.
- Assures minimum competency for those providing services and inspection of facilities and accounts. Provides avenue for complaints by citizens.
- Enacted 1894, last updated 2015.

Chapter 29 of Title 54.1; Medicine

- Assures minimum competency of individuals to deliver medical and allied health care services and provide an avenue for action for misconduct in the course of the delivery of these services. Licenses and regulates the following professions: Doctor of Medicine and Surgery, Doctor of Osteopathic Medicine, Doctor of Podiatry, Doctor of Chiropractic, Interns and Residents, University Limited License, Physician Assistant, Respiratory Therapist, Occupational Therapist, Occupational Therapy Assistant, Radiological Technologist, Radiological Technologist Limited, Radiologist Assistants, Licensed Acupuncturists, Licensed Athletic Trainers, Licensed Midwife, Behavior Analysts, Assistant Behavior Analysts, Polysomnographic Technologists, Surgical Assistants, Surgical Technologists.
- Enacted 1884, last updated in 2016.

Chapter 30 of Title 54.1; Nursing

- Licenses and regulates nurses, nurse practitioners (see Section 54.1-2957), registered nurses, and practical nurses. Licenses massage therapists and registers medication aides.
- Assures minimum competency for the practice of nursing and takes action against nurses for misconduct.
- \$1.00 from each nurse's license application and renewal fee goes to a scholarship fund for the education of registered and licensed practical nurses.
- Requires registration of medication aides who administer drugs to residents of assisted living facilities.
- Enacted 1903, last updated 2016.

Chapter 30 of Title 54.1-Article 4 and 42 U.S.C §§ 1395i-3(e), (f), and (g); 1819; and 1919 of the Social Security Act; Nurse Aides of the Board of Nursing

- Provides for certification, registration and regulation of nurse aides who care for patients in skilled care facilities or home health settings.
- Assures minimum competency of nurse aides to care for residents in skilled care facilities and provides for removal from practice of aides who abuse or neglect patients or steal their property.
- Virginia law enacted in 1989, updated 2016. Federal law enacted 1987, and last amended in 2010.

Chapter 31 of Title 54.1; Long-Term Care Administrators

- Regulates individuals who are administrators of skilled care and assisted living facilities.
- Assures minimum competency of those who administer nursing homes and assisted living facilities and provides for disciplinary action for misconduct.
- Enacted 1970, last updated 2011.

Chapter 32 of Title 54.1; Optometry

- Regulates individuals who practice optometry, which includes ascertaining eye defects that may be treated using lenses, visual training, orthoptics or certain permitted pharmaceutical agents.
- Assures minimum competency of those offering optometric services to the public and provides a mechanism for action dealing with misconduct by practitioners.
- Enacted 1916, last updated 2016.

Chapter 33 of Title 54.1; Pharmacy

- Regulates the practice of pharmacy and the manufacturing, wholesaling, dispensing, selling, and compounding of drugs. The board also registers practitioners, pharmacy technicians, or entities who sell or possess drugs.
- Assures the safe dispensing of drugs to patients and coordination of drug therapies through the testing for minimum competency for pharmacists; also provides for disciplinary action for misconduct.
- Enacted 1886, last updated 2016.

Chapter 34 of Title 54.1; Drug Control Act

- This basic law governs the conduct of manufacturers, wholesalers, distributors, prescribers and dispensers and others in manufacturing, distribution, prescribing, administering and dispensing of drugs.
- Assures the safe delivery of controlled drugs and prevents illegal diversion and misuse.
- Enacted 1970, updated 2016.

Chapter 34.1 of Title 54.1; Physical Therapy

- Licenses physical therapists and physical therapist assistants, who evaluate, treat, educate, and rehabilitate individuals with physical disorders due to trauma, disease or defect.
- Assures minimum competency and disciplinary action in response to misconduct.
- Enacted 2000 as separate board; updated 2015.

Chapter 35 of Title 54.1; Professional Counseling

- Regulates counseling, rehabilitation providers, substance abuse counseling, and marriage and family therapy services rendered to individuals and families to facilitate development and remediate emotional or behavioral disorders.
- Assures minimum competency of those individuals providing counseling services to the public and an avenue for disciplinary action in response to misconduct by these providers.
- Enacted 1976, last updated 2016.

Chapter 36 of Title 54.1; Psychology

- Regulates individuals who provide psychotherapy and counseling, including school psychologists and sex offender treatment providers.
- Assures minimum competency and disciplinary action for those who engage in misconduct.
- Enacted 1946, last updated 2015.

Chapter 37 of Title 54.1; Social Work

- Regulates individuals who provide social work services to individuals, groups and families in a relationship intended to help modify behavior.
- Assures minimum competency for those who engage in social work and provides for disciplinary action for misconduct.
- Enacted 1966, last updated 2013

Chapter 38 of Title 54.1; Veterinary Medicine

- Regulates the practice of veterinarians, veterinary technicians, and equine dental technicians who prevent, cure or alleviate disease and injury in animals. Facilities are also regulated.
- Assures minimum competency for those engaged in veterinary practice and disciplinary action for misconduct.
- Enacted 1896, last updated 2016.

Products and Services

Description of Major Products and Services

- Licensing, certifying, registering, and permitting individuals and entities that meet requirements to practice health care professions in Virginia

- Enforcing laws and regulations governing health care delivery
- Investigating and adjudicating reports and complaints against health care providers
- Reviewing, developing, and proposing regulations and legislation promoting the safe delivery of health care
- Approving educational programs that satisfy requirements for initial and ongoing licensure, certification, or registration
- Providing consumer information about health care providers, requirements, and standards
- Providing administrative services in support of the 14 health regulatory boards, the Agency's mission, and its programs
- Collecting data and providing information through the Prescription Monitoring Program secure database to deter the misuse, abuse, and diversion of controlled substances
- Collecting and providing information relative to healthcare workforce through the Department of Health Professions Healthcare Workforce Data Center
- Monitoring impaired healthcare providers through the Healthcare Practitioners' Monitoring Program

Anticipated Changes

Both the number of consumers entering the healthcare system and the number of licensees are anticipated to increase over the next decade. These factors are likely to increase the number of complaints and mandatory reports filed with the Agency leading to increased resources that must be devoted to the investigation and adjudication of those complaints. The demand for information from the general public, healthcare institutions, employers and insurers will also likely increase as the number of licensees and complaints increase.

The Prescription Monitoring Program will expand its secure database and increase educational efforts with the additional funding noted below in Financial Overview.

Factors Impacting

The Agency's services are affected by a number of different forces. Chief among these are:

- Federal and state legislative mandates and requests regarding requirements for regulating practitioners and facilities, the use and scope of the Prescription Monitoring Program, and policy analysis involving health care practice and workforce needs,
- the number of individuals and facilities who apply for licensure, registration, or certification in a covered healthcare profession,
- the number of individuals and facilities who renew their licenses each year,
- the number of new professions designated by the General Assembly as requiring licensure,
- the number and nature of reports and complaints alleging misconduct on the part of a regulated individual or facility,
- the demand for information from the general public, employers, and insurers,
- regulations adopted by health regulatory boards affecting the practice of their respective licensees and their scope of practice, and
- increasing demand and associated costs for technology.

Financial Overview

The Department of Health Professions is a self-supporting, fee-based agency. No support is provided from the state's General Fund. For Fiscal Year 2016, total revenues were approximately \$31.3 million. Of that, approximately 97.32% was from fees associated with the licensure, certification, registration, or permitting of the various healthcare professions and facilities. All fees are set by regulations adopted by the health regulatory boards through the state's rulemaking procedures consistent with the Administrative Process Act. Of the remaining amount, approximately 1.95% represented the combined Medicare and Medicaid share of the Certified Nurse Aide program, funded through reimbursements from the Department of Health and the Department of Medical Assistance Services. Miscellaneous revenue from non-revenue producing departments accounted for 0.36% of total revenue.

Approximately 0.37% of the Agency's FY16 revenue came from interest earned on the Prescription Drug Monitoring Trust Fund. Investment of the Trust Fund is managed by the Department of the Treasury, and all interest earned is credited to the Department of Health Professions for the support of the Prescription Monitoring Program.

The agency expended \$29.02 million in FY16, devoting approximately 65% to the investigation and adjudication of complaints against healthcare providers, 20% to initial licensing and subsequent renewals, and the remaining 15% is divided between the Agency's administrative, financial, information technology, and rulemaking support activities. The agency's FY16 major expenditure categories are as follows: employee salaries, wages, and fringe benefits (65.90%), contractual services (27.76%), continuous charges (5.00%), supplies and materials (.63%), equipment (.44%), nursing scholarship (.23%), and transfer payments (.04%).

The Fiscal Year 2017- 2018 appropriation increases are associated with the lease of additional space at the Agency's current location and the funding for additional FTEs. The FY18 appropriation increases include the FY17 increases annualized plus funding for the registration for two new registration types in the Board of Counseling and funding to support a demonstration program with the Medical Society of Virginia and the Prescription Monitoring Program to enhance the use of the PMP by prescribers through the use of real time access to the program via interoperability with Electronic Medical Records (EMR) systems.

Biennial Budget

	2017 General Fund	2017 Nongeneral Fund	2018 General Fund	2018 Nongeneral Fund
Initial Appropriation for the Biennium	0	29,700,185	0	29,703,874
Changes to Initial Appropriation	0	315,263	0	1,019,970

Supporting Documents

Title **File Type**