



**Acupuncture Society of Virginia (ASVA)
2021 General Assembly Session Report – Special Session**

March 16, 2021

The 2021 Session of the Virginia General Assembly convened on Wednesday, January 13, 2021, for an anticipated 30-day Regular Session. However, the House and Senate adjourned Sine Die earlier than expected in order to wrap up this Regular Session by Monday, February 8th. All bills that were addressed in their House of origin by Friday, February 5th were crossed over to the other legislative body. Those bills were then officially carried over into the Special Session called by Governor Northam. 1555 bills were introduced in the Regular Session, 341 passed both chambers and 1213 were carried over into the Special Session. 1033 bills were introduced in this Special Session, and 934 passed both chambers. The amended budget passed and is waiting for the final signature of the Governor. This Special Session commences February 10th and went Sine Die on March 1, 2021. We are anticipating additional Special Sessions during 2021 and will keep you informed in that regard.

Following is the updated list of bills related to the profession of acupuncture directly or tangentially during the Special Session. The bills that may be of the most interest to you have been more fully detailed. Finally, you will find a spreadsheet of all bills we are monitoring on your behalf during Regular and Special Sessions. Throughout the Covid crisis, we have advocated on behalf of ASVA regarding PPE, vaccine access, and healthcare priority status in order to allow you to best perform your profession in this challenging time. Please let me know if you have any questions. Thank you for the opportunity to serve the members of the Acupuncture Society of Virginia.

Best regards,

Julianne Condrey
VP Government and Association Relations
Aegis Associates, LLC

**Important Recent and Remaining Dates for the 2021 Session and Special Session
of the Virginia General Assembly**

- February 5 Last day for each house to consider its own legislation (“Cross-Over” Day)
- February 10 House and Senate money committees present their versions of the State Budget
- February 8 Adjournment Sine Die - Regular Session
- February 10 Special Session Convenes
- March 1 Sine Die - Special Session
- April 7 Reconvened “Veto” Session

Important Links:

Who’s My Legislator <https://whosmy.viriniageneralassembly.gov/>

Virginia House of Delegates Members
<https://viriniageneralassembly.gov/house/members/members.php>

Virginia Senate Members <https://apps.senate.virginia.gov/Senator/index.php>

Virginia General Assembly Members and Session
<https://viriniageneralassembly.gov/membersAndSession.php?secid=1&activesec=0#!hb=1&mainContentTabs=0>

Virginia’s Legislative Information System <http://lis.virginia.gov/>

Virginia Public Access Project <https://www.vpap.org/>

(ASVA) Acupuncture Society of Virginia

HB 1818 Workers' compensation; presumption of compensability for certain diseases. *Chief patron:* Heretick

Workers' compensation; presumption of compensability for certain diseases. Provides that the occupational disease presumption for death caused by hypertension or heart disease will apply for salaried or volunteer emergency medical services personnel who have at least five years of service and are operating in a locality that has legally adopted a resolution declaring that it will provide one or more of such presumptions. The provisions of the bill do not apply to any individual who was diagnosed with hypertension or heart disease before July 1, 2021. This bill incorporates HB 2080 and is identical to SB 1275.

Passed and awaiting the Governor's signature

HB 1830 Virginia Small Business Financing Authority; members to have small business lending experience. *Chief patron:* Head

Virginia Small Business Financing Authority; Board of Directors; membership; small business lending experience. Requires at least five of the nine citizen members of the Virginia Small Business Financing Authority to have experience in small business lending. This bill is a recommendation of the Joint Legislative Audit and Review Commission.

Passed and signed by the Governor

HB 1862 Employee protections; medicinal use of cannabis oil. *Chief patron:* Helmer

Employee protections; medicinal use of cannabis oil. Prohibits an employer from discharging, disciplining, or discriminating against an employee for such employee's lawful use of cannabis oil pursuant to a valid written certification issued by a practitioner for the treatment or to eliminate the symptoms of the employee's diagnosed condition or disease. The bill provides that such prohibition does not (i) restrict an employer's ability to take any adverse employment action for any work impairment caused by the use of cannabis oil or to prohibit possession during work hours; (ii) require an employer to commit any act that would cause the employer to be in violation of federal law or that would result in the loss of a federal contract or federal funding; or (iii) require

any defense industrial base sector employer or prospective employer to hire or retain any applicant or employee who tests positive for tetrahydrocannabinol (THC) in excess of certain amounts.

Passed and awaiting the Governor's signature

HB 2039 Physician assistant; eliminates certain requirement for practice.

Chief patron: Rasoul

Practice as a physician assistant. Allows a physician assistant to enter into a practice agreement with more than one patient care team physician or patient care team podiatrist and provides that a patient care team physician or patient care team podiatrist shall not be liable for the actions or inactions of a physician assistant for whom the patient care team physician or patient care team podiatrist provides collaboration and consultation. The bill also makes clear that a student physician assistant shall not be required to be licensed in order to engage in acts that otherwise constitute practice as a physician assistant, provided that the student physician assistant is enrolled in an accredited physician assistant education program.

Passed and awaiting Governor's signature

HB 2061 VIIS; any health care provider in the Commonwealth that administers immunizations to participate. *Chief patron: Willett*

Virginia Immunization Information System; health care entities; required participation. Requires any health care provider in the Commonwealth that administers immunizations to participate in the Virginia Immunization Information System (VIIS) and report patient immunization history and information to VIIS. Under current law, participation in VIIS is optional for authorized health care entities. The bill has a delayed effective date of January 1, 2022.

Passed and awaiting the Governor's signature

HB 2304 Phase I or Phase II electric utilities; provision of broadband capacity.

Chief patron: Tyler

Provision of broadband capacity by Phase I or Phase II electric utilities. Makes permanent the pilot program under which a Phase I or Phase II electric utility is permitted to petition the State Corporation Commission to provide broadband capacity to unserved areas of the Commonwealth. The bill expands the program to allow for the participation of municipalities and government-owned broadband authorities. The bill provides that investor-owned electric utilities may recover costs of and revenue generated from providing broadband capacity that serves as an electric grid transformation project in areas unserved by broadband, as defined in the bill. The bill also consolidates the State Corporation Commission petition approval process into one hearing. This bill is identical to SB 1413.

Passed and awaiting the Governor's signature

HB 2322 Opioid Abatement Authority; established, report. *Chief patron: Herring*

Opioid Abatement Authority; established, report. Establishes the Opioid Abatement Authority. The Authority, with the assistance of the Office of the Attorney General, would administer the Opioid Abatement Fund, which would receive moneys from settlements, judgments, verdicts, and other court orders relating to claims regarding the manufacturing, marketing, distribution, or sale of opioids and any other funds received on the Fund's behalf that would be used to provide grants and loans to Virginia agencies and certain localities for the purpose of treating, preventing, or reducing opioid use disorder and the misuse of opioids or otherwise abating or remediating the opioid epidemic in the Commonwealth. This bill is identical to SB 1469.

Passed and awaiting the Governor's signature

HB 2332 Commonwealth Health Reinsurance Program; established, report.

Chief patron: Sickles

Commonwealth Health Reinsurance Program. Requires the State Corporation Commission (Commission) to establish, upon approval of a state innovation waiver request pursuant to § 1332 of the Affordable Care Act, a reinsurance program, known as the Commonwealth Health Reinsurance Program (the Program). The bill provides that the Program is funded through federal funding provided under the state innovation waiver and state appropriations. The bill requires the General Assembly to appropriate a sum sufficient to ensure the operation of the program. The bill provides requirements for payment parameters, data submissions, recordkeeping, reporting, and audits of health carriers. The bill requires the Secretary of Health and Human Resources to convene a work group to develop recommendations for developing a state-based subsidy program to increase affordability of health plans to individuals and to increase enrollment in the Virginia Health Benefit Exchange. The bill requires the Commission to evaluate the program following its second year of operation. The provisions of the bill, other than the requirements that the Commission apply for the state innovation waiver, will become effective 30 days after notice of approval of the waiver request.

Passed and awaiting the Governor's signature

SB 1146 Income tax, state; conformity with the Internal Revenue Code.

Chief patron: Howell

Conformity of the Commonwealth's taxation system with the Internal Revenue Code. Advances Virginia's date of conformity with the Internal Revenue Code from December 31, 2019, to December 31, 2020. The bill deconforms from the suspension of the overall limitation on itemized deductions and the reduction in the medical expense deduction floor for taxable year 2017 and taxable years on and after January 1, 2019, and from the provisions of the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) related to the net operating loss limitation and carryback, a loss limitation applicable to taxpayers other than corporations, the limitation on business interest, and certain loan forgiveness and other business financial assistance. The bill provides an individual and corporate income tax deduction or subtraction, as applicable, of up to \$100,000 for Rebuild Virginia grants and certain amounts related to Paycheck Protection Program loans. The bill contains an emergency clause and is identical to HB 1935.

EMERGENCY- would go into effect immediately

Passed and awaiting the Governor's signature

SB 1464 Drug Control Act; adds certain chemicals to Schedule I of Act.

Chief patron: Newman

Drug Control Act; Schedule I. Adds certain chemicals to Schedule I of the Drug Control Act. The Board of Pharmacy has added these substances to Schedule I in an expedited regulatory process. A substance added via this process is removed from the schedule after 18 months unless a general law is enacted adding the substance to the schedule.

Passed and awaiting the Governor's signature

SB 1473 Health Insurance Reform Commission; mandated health insurance benefit or provider.

Chief patron: Saslaw

Health Insurance Reform Commission; mandated health insurance benefit or provider. Provides that, for the purposes of the requirement that the Chair of the House Committee on Labor and Commerce or Senate Committee on Commerce and Labor refer certain legislation regarding a mandated health insurance benefit or provider to the Health Insurance Reform Commission for review, "mandated health insurance benefit or provider" means coverage required under the laws of the Commonwealth to be provided in a policy of accident and sickness insurance or a contract for a health-related condition that (i) includes coverage for specific health care services or benefits; (ii) places limitations or restrictions on deductibles, coinsurance, copayments, or any annual or lifetime maximum benefit amounts; or (iii) includes a specific category of licensed health care practitioners from whom an insured is entitled to receive care.

Passed and awaiting the Governor's signature