



COMMONWEALTH of VIRGINIA

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March 23, 2020

On March 12, 2020, Governor Ralph Northam declared a state of emergency due to novel coronavirus (COVID-19). In the declaration, [Executive Order 51](#), the Governor directed state agencies to render appropriate assistance to prepare for and mitigate the effects of the coronavirus (COVID-19) outbreak. In doing so, he ordered authorization for the heads of executive branch agencies, on behalf of their regulatory boards as appropriate, and with the concurrence of their Cabinet Secretary, to waive any state requirement or regulation.

Pursuant to the authority granted to the agency head by Executive Order 51 (2020), I hereby waive the below requirements for submission of a fee and evidence of continuing education to reinstate or reactivate a license for a doctor of medicine or osteopathic medicine, a physician assistant, or a respiratory therapist who held an unrestricted, active license issued by the Board within the past four years:

- [18VAC85-20-240](#). Doctors of Medicine or Osteopathic Medicine

A. A practitioner whose license has been lapsed for two successive years or more and who requests reinstatement of licensure shall:

1. File a completed application for reinstatement;
2. Pay the reinstatement fee prescribed in [18VAC85-20-22](#); and
3. Provide documentation of having completed continued competency hours equal to the requirement for the number of years, not to exceed four years, in which the license has been lapsed.

B. An inactive licensee may reactivate his license upon submission of the required application, payment of the difference between the current renewal fee for inactive licensure and the current renewal fee for active licensure, and documentation of having completed continued competency hours equal to the requirement for the number of years, not to exceed four years, in which the license has been inactive.

C. If a practitioner has not engaged in active practice in his profession for more than four years and wishes to reinstate or reactivate his license, the board may require the practitioner to pass one of the following examinations. For the purpose of determining active practice, the practitioner shall provide evidence of at least 640 hours of clinical practice within the four years immediately preceding his application for reinstatement or reactivation.

1. The Special Purpose Examination (SPEX) given by the Federation of State Medical Boards.
2. The Comprehensive Osteopathic Medical Variable Purpose Examination—USA (COMVEX-USA) given by the National Board of Osteopathic Examiners.

3. The Special Purposes Examination for Chiropractic (SPEC) given by the National Board of Chiropractic Examiners.
 4. A special purpose examination or other evidence of continuing competency to practice podiatric medicine as acceptable to the board.
 - D. The board reserves the right to deny a request for reinstatement or reactivation to any licensee who has been determined to have committed an act in violation of § [54.1-2915](#) of the Code of Virginia or any provisions of this chapter.
- [18VAC85-50-58](#) - Physician Assistants
 - A. A physician assistant who holds a current, unrestricted license in Virginia shall, upon a request on the renewal application and submission of the required fee, be issued an inactive license.
 1. The holder of an inactive license shall not be required to maintain certification by the NCCPA.
 2. An inactive licensee shall not be entitled to practice as a physician assistant in Virginia.
 - B. An inactive licensee may reactivate his license upon submission of:
 1. The required application;
 2. Payment of the difference between the current renewal fee for inactive licensure and the renewal fee for active licensure for the biennium in which the license is being reactivated; and
 3. Documentation of having maintained certification or having been recertified by the NCCPA.
 - C. The board reserves the right to deny a request for reactivation to any licensee who has been determined to have committed an act in violation of § [54.1-2915](#) of the Code of Virginia or any provisions of this chapter.
 - [18VAC85-40-65](#) - Respiratory Therapists
 - A. To reactivate an inactive license or to reinstate a license that has been lapsed for more than two years, a respiratory therapist shall submit evidence of competency to return to active practice to include one of the following:
 1. Information on continued practice in another jurisdiction during the period in which the license has been inactive or lapsed;
 2. Ten hours of continuing education for each year in which the license has been inactive or lapsed, not to exceed three years; or
 3. Recertification by passage of an examination from NBRC.
 - B. To reactivate an inactive license, a respiratory therapist shall pay a fee equal to the difference between the current renewal fee for inactive licensure and the renewal fee for active licensure.
 - C. To reinstate a license which has been lapsed for more than two years, a respiratory therapist shall file an application for reinstatement and pay the fee for reinstatement of his licensure as prescribed in [18VAC85-40-35](#). The board may specify additional requirements for reinstatement of a license so lapsed to include education, experience or reexamination.
 - D. A respiratory therapist whose licensure has been revoked by the board and who wishes to be reinstated shall make a new application to the board, fulfill additional requirements as specified in the order from the board and make payment of the fee for reinstatement of his licensure as prescribed in [18VAC85-40-35](#) pursuant to § [54.1-2408.2](#) of the Code of Virginia.

E. The board reserves the right to deny a request for reactivation or reinstatement to any licensee who has been determined to have committed an act in violation of § [54.1-2915](#) of the Code of Virginia or any provisions of this chapter.

This waiver does not waive statutory requirements or limitations. This waiver shall take effect on March 23, 2020, and shall remain in full force and in effect until June 10, 2020, or unless sooner amended, or rescinded by further executive order.

A handwritten signature in black ink, appearing to read "D. E. Brown".

David E. Brown, D.C.
Director