**2023 OEMS Legislative Report**

**January 6, 2023**

[**HB 1389**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1389)**Mental illness or emotional disturbance; administration of controlled substances for treatment, etc.**

*Patron:* Anderson

A BILL to amend and reenact § 54.1-2969 of the Code of Virginia, relating to administration of controlled substances for treatment of mental illness or emotional disturbance; parental consent required.

*Summary as introduced:*
**Administration of controlled substances for treatment of mental illness or emotional disturbance; parental consent required.** Provides that a minor shall not be deemed an adult for the purpose of consenting to administration of controlled substances for the treatment of mental illness or emotional disturbance. Currently, a minor is deemed an adult for the purpose of consenting to medical and health services needed in the case of outpatient care, treatment, or rehabilitation for mental illness or emotional disturbance.

11/17/22 House: Prefiled and ordered printed; offered 01/11/23 23100047D
11/17/22 House: Committee Referral Pending

[**HB 1390**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1390)**Fires; negligence, recovery of costs of firefighting.**

*Patron:* Ballard

A BILL to amend and reenact § 10.1-1141 of the Code of Virginia, relating to fires; negligence; firefighting; recovery of costs.

*Summary as introduced:*
**Fires; negligence; firefighting; recovery of costs.** Allows localities to collect the costs of firefighting from any person who negligently or intentionally without using reasonable care and precaution starts a fire or who negligently or intentionally fails to attempt to prevent its escape when such fire burns on any forestland, brushland, grassland, or wasteland. Current law allows localities to collect the costs of firefighting only when a person intentionally starts a fire and fails to attempt to prevent its escape when such fire burns on any forestland, brushland, grassland, or wasteland.

11/28/22 House: Prefiled and ordered printed; offered 01/11/23 23101515D
11/28/22 House: Committee Referral Pending

[**HB 1400**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1400)**Budget Bill.**

*Patron:* Knight

A BILL for all amendments to Chapter 2 of the 2022 Acts of Assembly, Special Session I, which appropriated funds for the 2022-24 Biennium, and to provide a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2023, and the thirtieth day of June, 2024, submitted by the Governor of Virginia to the presiding officer of each house of the General Assembly of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, and a Bill to amend and reenact §§ 58.1-301, 58.1-320, 58.1-322.02, 58.1-322.03, 58.1-400, 58.1-402, and 58.1-609.2 of the Code of Virginia.

*Summary as introduced:*
**Budget Bill.** Amends Chapter 2 of the 2022 Acts of Assembly, Special Session I

12/15/22 House: Prefiled and ordered printed; offered 01/11/23 23103491D
12/15/22 House: Referred to Committee on Appropriations

[**HB 1410**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1410)**Workers' compensation; presumption for arson and hazardous materials investigators.**

*Patron:* Marshall

A BILL to amend and reenact § 65.2-402 of the Code of Virginia, relating to workers' compensation; presumption for arson and hazardous materials investigators.

*Summary as introduced:*
**Workers' compensation; presumption for arson and hazardous materials investigators.** Expands the workers' compensation presumption of compensability for certain cancers causing the death or disability of certain employees who have completed five years of service in their position to include (i) arson investigators or bomb investigators employed by the Department of State Police and (ii) personnel employed by the Commonwealth or any of its agencies to collect, analyze, or handle hazardous materials, hazardous chemicals, radiological materials, biological agents, or drugs.

12/06/22 House: Prefiled and ordered printed; offered 01/11/23 23100248D
12/06/22 House: Committee Referral Pending

[**HB 1447**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1447)**Controlled substances; administration by paramedics.**

*Patron:* Orrock

A BILL to amend and reenact § 54.1-3408 of the Code of Virginia, relating to controlled substances; administration by paramedics.

*Summary as introduced:*
**Controlled substances; administration by paramedics.** Allows paramedics certified by the Board of Health who act pursuant to an oral or written order or standing protocol and who are employed or engaged at a medical care facility to administer controlled substances.

12/21/22 House: Prefiled and ordered printed; offered 01/11/23 23101080D
12/21/22 House: Committee Referral Pending

[**HB 1449**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1449)**Emergency medical services providers; administration of prescription medication.**

*Patron:* Orrock

A BILL to direct the Secretary of Health and Human Resources to adopt a process to allow emergency medical services providers to administer prescription medication to persons under certain circumstances.

*Summary as introduced:*
**Secretary of Health and Human Resources; administration of prescription medication by emergency medical services providers.** Directs the Secretary of Health and Human Resources to adopt a process to allow emergency medical services providers to administer prescription medication to persons under certain circumstances.

12/21/22 House: Prefiled and ordered printed; offered 01/11/23 23101813D
12/21/22 House: Committee Referral Pending

[**HB 1472**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1472)**Emergency medical services; provision by localities.**

*Patron:* Fowler

A BILL to amend and reenact §15.2-955 of the Code of Virginia, relating to provision of emergency medical services by localities.

*Summary as introduced:*
**Provision of emergency medical services by localities.** Requires each locality to ensure that essential emergency medical services are maintained throughout the entire locality. Under current law, each locality is required to seek to ensure that emergency medical services are maintained throughout the entire locality.

12/30/22 House: Prefiled and ordered printed; offered 01/11/23 23102489D
12/30/22 House: Committee Referral Pending

[**HB 1571**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1571)**Virginia Retirement System; enhanced retirement benefits for 911 dispatchers.**

*Patron:* Walker

A BILL to amend and reenact § 51.1-138 of the Code of Virginia, relating to Virginia Retirement System; enhanced retirement benefits for 911 dispatchers.

*Summary as introduced:*
**Virginia Retirement System; enhanced retirement benefits for 911 dispatchers.** Adds 911 dispatchers to the list of local employees eligible to receive enhanced retirement benefits for hazardous duty service under the Virginia Retirement System.

01/06/23 House: Prefiled and ordered printed; offered 01/11/23 23102459D
01/06/23 House: Committee Referral Pending

[**HB 1572**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1572)**Emergency response; false information by device; penalty.**

*Patron:* Walker

A BILL to amend and reenact §§ 18.2-426 and 18.2-428 of the Code of Virginia, relating to emergency response; false information by device; penalty.

*Summary as introduced:*
**Emergency response; false information by device; penalty.** Makes it a Class 1 misdemeanor to maliciously advise or inform another over any other device by any means, or cause another to do the same, of the death of, accident to, injury to, illness of, or disappearance of some third party, or of the imminent threat to the safety of a person, that results in an emergency response, knowing the information to be false. The bill defines emergency response as a response by law-enforcement officers, firefighters, or emergency medical personnel to a situation where human life or property is in jeopardy and the prompt summoning of aid is essential. Current law only prohibits such false information to another by telephone.

01/06/23 House: Prefiled and ordered printed; offered 01/11/23 23102628D
01/06/23 House: Committee Referral Pending

[**HB 1573**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1573)**Department of Health Professions; applications for licensure, certification, and registration; men**

*Patron:* Walker

A BILL to direct the Department of Health Professions to amend language related to mental health conditions and impairment in licensure, certification, and registration applications; emergency.

*Summary as introduced:*

**Department of Health Professions; applications for licensure, certification, and registration; mental health conditions and impairment; emergency.** Directs the Department of Health Professions to amend its licensure, certification, and registration applications to remove any existing questions pertaining to mental health conditions and impairment to and include the following questions: (i) Do you have any reason to believe that you would pose a risk to the safety or well-being of your patients or clients?; and (ii) Are you able to perform the essential functions of a practitioner in your area of practice with or without reasonable accommodation? The bill contains an emergency clause.

EMERGENCY

01/06/23 House: Prefiled and ordered printed with emergency clause; offered 01/11/23
01/06/23 House: Committee Referral Pending

[**HB 1590**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1590)**Causing a telephone, digital pager, or other device to alert with intent to annoy.**

*Patron:* Sullivan

A BILL to amend and reenact § 18.2-429 of the Code of Virginia, relating to causing a telephone, digital pager, or other device to alert with intent to annoy; emergency communications; penalty.

*Summary as introduced:*
**Causing a telephone, digital pager, or other device to alert with intent to annoy; emergency communications; penalty.** Modernizes the harassing phone call statute to include any communications that may ring or otherwise signal or alert. Under current law, only telephones and digital pagers are included within the ambit of the statute.

01/06/23 House: Prefiled and ordered printed; offered 01/11/23 23100630D
01/06/23 House: Committee Referral Pending

[**SB 800**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+SB800)**Budget Bill.**

*Patrons:* Howell and Barker

A BILL for all amendments to Chapter 2 of the 2022 Acts of Assembly, Special Session I, which appropriated funds for the 2022-24 Biennium, and to provide a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2023, and the thirtieth day of June, 2024, submitted by the Governor of Virginia to the presiding officer of each house of the General Assembly of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, and a Bill to amend and reenact §§ 58.1-301, 58.1-320, 58.1-322.02, 58.1-322.03, 58.1-400, 58.1-402, and 58.1-609.2 of the Code of Virginia.

*Summary as introduced:*
**Budget Bill.** Amends Chapter 2 of the 2022 Acts of Assembly, Special Session I.

12/15/22 Senate: Prefiled and ordered printed; offered 01/11/23 23103492D
12/15/22 Senate: Referred to Committee on Finance and Appropriations

[**SB 827**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+SB827)**Hospital emergency departments; required security and training, regulations.**

*Patron:* Favola

A BILL to amend and reenact § 32.1-127 of the Code of Virginia, relating to hospital emergency departments; required security and training; regulations.

*Summary as introduced:*
**Hospital emergency departments; required security and training; regulations.** Directs the Board of Health to amend its regulations to require every hospital with an emergency department to have at least one off-duty law-enforcement officer or a trained security officer present at all times. Hospital protocols shall ensure such officers providing security receive training in the use of weapons, defensive tactics, de-escalation techniques, appropriate physical restraint techniques, crisis intervention, and trauma-informed approaches in identifying and safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis.

12/21/22 Senate: Prefiled and ordered printed; offered 01/11/23 23101960D
12/21/22 Senate: Referred to Committee on Education and Health

[**SB 904**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+SB904)**Workers' compensation; post-traumatic stress disorder, anxiety disorder, or depressive disorder.**

*Patron:* DeSteph

A BILL to amend and reenact §§ 65.2-101, 65.2-107, 65.2-603, 65.2-605, 65.2-606, and 65.2-607 of the Code of Virginia, relating to workers' compensation; post-traumatic stress disorder, anxiety disorder, or depressive disorder; law-enforcement officers, public safety telecommunicators, and firefighters.

*Summary as introduced:*
**Workers' compensation; post-traumatic stress disorder, anxiety disorder, or depressive disorder; law-enforcement officers, public safety telecommunicators, and firefighters.** Provides that an anxiety disorder or depressive disorder, as both are defined in the bill, incurred by a law-enforcement officer, public safety telecommunicator, or firefighter is compensable under the Virginia Workers' Compensation Act on the same basis as post-traumatic stress disorder. The bill adds correctional officers to the definition of law-enforcement officers for whom the workers' compensation presumption for post-traumatic stress disorder, anxiety disorder, or depressive disorder applies. The bill provides that a mental health professional must diagnose the covered individual as suffering from anxiety disorder or depressive disorder as a result of a qualifying event, defined in the bill as an incident or exposure occurring in the line of duty on or after July 1, 2023, and includes other conditions for compensability. The bill requires each employer of law-enforcement officers and public safety telecommunicators to provide resilience and self-care technique training beginning July 1, 2023. The bill also adds mental health professionals to certain provisions that currently apply to physicians and surgeons.

01/05/23 Senate: Prefiled and ordered printed; offered 01/11/23 23101042D
01/05/23 Senate: Referred to Committee on Commerce and Labor

[**SB 905**](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+SB905)**Fire marshals; police powers, training requirements.**

*Patron:* DeSteph

A BILL to amend and reenact § 27-34.2:1 of the Code of Virginia, relating to police powers of fire marshals; training requirements.

*Summary as introduced:*
**Police powers of fire marshals; training requirements.**Provides that a local fire marshal or assistant shall not exercise any police powers until such person has satisfactorily completed a basic law-enforcement course for fire marshals with police powers and maintains satisfactory participation in in-service and advanced courses and programs. The bill also provides that current or prior certification as a law-enforcement officer may satisfy the police powers training requirements.

01/05/23 Senate: Prefiled and ordered printed; offered 01/11/23 23101310D
01/05/23 Senate: Referred to Committee on General Laws and Technology