Commonwealth of Virginia
Office of the Governor

Executive Order

SECOND AMENDED NUMBER FIFTY-SEVEN (2020)

LICENSING OF HEALTH CARE PROFESSIONALS IN RESPONSE TO NOVEL CORONAVIRUS (COVID-19)

EXTENSION OF CERTAIN WAIVERS

Importance of the Issue

It is anticipated that COVID-19 will continue to place increased demands on the Commonwealth's health professional workforce that will require additional personnel. Authorizing out-of-state licensed professionals to continue providing care to the citizens of the Commonwealth via telehealth will assist in meeting that demand. In addition, continuing to permit experienced nurse practitioners and physician assistants to practice without a practice agreement will extend the availability of primary care and hospital providers. Finally, continuing to expand the availability of telehealth will assist in the needed provision of health care services to the citizens of the Commonwealth.

Directive

Therefore, by virtue of the authority vested in me by the Constitution of Virginia and §44-146.17 of the *Code of Virginia*, during the state of emergency declared in Amended Executive Order 51, I hereby order the following:

1. During the state of emergency declared in Amended Executive Order 51, a license issued to a health care practitioner by another state, and in good standing with such state, shall be deemed to be an active license issued by the Commonwealth to provide health care or professional services as a health care practitioner of the same type for which such license is issued in another state, provided such health care practitioner is engaged by a hospital, or an affiliate of such hospital where both share the same corporate parent, licensed nursing facility, or dialysis facility in the Commonwealth for the purpose of assisting that facility with public health and medical disaster response operations. Hospitals, licensed nursing facilities, and dialysis facilities must submit to the applicable licensing authority each out-of-state health care practitioner's name, license type, state of license, and license

identification number within a reasonable time of such healthcare practitioner providing services at the applicable health care facility in the Commonwealth. Health care practitioners with active licenses issued by other states who notified the applicable licensing authority under this Executive Order and were engaged by a physician's office or other health care facility that is not a hospital, nursing facility, or dialysis facility may continue to practice in the Commonwealth for an additional 30 days from the date of this Order and may apply for licensure in the Commonwealth in order to continue providing services to patients located in Virginia.

2. A clinical psychologist, professional counselor, marriage and family therapist, and clinical social worker with an active license issued by another state may be issued a temporary license by endorsement as a health care practitioner of the same type for which such license is issued in another state upon submission of an application and information requested by the applicable licensing board and the board's verification that the applicant's license issued by another state is active in good standing and there are no current reports in the United States Department of Health and Human Services National Practitioner Data Bank. Such temporary license shall expire September 8, 2020. During such time the practitioner may seek a full Virginia license or transition patients to Virginia-licensed practitioners.

3. Nurse practitioners licensed in the Commonwealth of Virginia, except those licensed in the category of Certified Registered Nurse Anesthetists, with two or more years of clinical experience may continue to practice in the practice category in which they are certified and licensed and prescribe without a written or electronic practice agreement until September 8, 2020.

4. Health care practitioners with an active license issued by another state may provide continuity of care to their current patients who are Virginia residents through telehealth services for the duration of Amended Executive Order 51. Establishment of a relationship with a new patient requires a Virginia license unless pursuant to paragraphs 1 or 2 above.

5. Physician assistants licensed in the Commonwealth of Virginia with two or more years of clinical experience may practice in their area of knowledge and expertise and may prescribe without a written or electronic practice agreement until September 8, 2020.

6. A healthcare practitioner may use any non-public facing audio or remote communication product that is available to communicate with patients for the duration of Amended Executive Order 51. This exercise of discretion applies to telehealth provided for any reason regardless of whether the telehealth service is related to the diagnosis and treatment of COVID-19.

Nothing in this order designates the healthcare practitioners above as agents of the Commonwealth.

These actions are in concert with, and further the provisions of Executive Order 51 in marshalling all resources and appropriate preparedness, response, and recovery measures to respond to the emergency.

Effective Date of this Executive Order

This Executive Order shall be effective June 10, 2020 and shall remain in full force and in effect for the duration of the state of emergency as declared in Amended Executive Order 51 unless sooner amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 10th day of June, 2020.

Ralph S. Northam, Governor

Attest:

Kelly Thomasson, Secretary of the Commonwealth