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HOUSE BILL NO. 191

Offered January 12, 2022

Prefiled January 10, 2022

A BILL to amend and reenact §§ 32.1-122.7 and 32.1-122.7:2 and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 4.5, consisting of a section numbered 2.2-450, and by adding a section numbered 32.1-122.7:3, relating to health workforce development; Special Advisor to the Governor for Health Workforce Development; Virginia Health Workforce Development Fund.

Patron—Hodges

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-122.7 and 32.1-122.7:2 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 2.2 a chapter numbered 4.5, consisting of a section numbered 2.2-450, and by adding a section numbered 32.1-122.7:3, as follows:

CHAPTER 4.5.**SPECIAL ADVISOR FOR HEALTH WORKFORCE DEVELOPMENT.****§ 2.2-450. Special Advisor to the Governor for Health Workforce Development.**

The position of Special Advisor to the Governor for Health Workforce Development is hereby created. The Special Advisor shall be appointed by the Governor and shall be responsible for coordinating and aligning efforts to (i) expand the health workforce in the Commonwealth by improving retention of existing staff and developing the health professions pipeline to support education, training, and recruitment of new health workers and (ii) address regulatory, payment, and other issues that negatively impact recruitment and retention of health workers in critical practice areas, including behavioral health, nursing, and public health.

§ 32.1-122.7. Virginia Health Workforce Development Authority; purpose.

A. There is hereby created as a public body corporate and as a political subdivision of the Commonwealth the Virginia Health Workforce Development Authority (the Authority), with such public and corporate powers as are set forth in § 32.1-122.7:2. The Authority is hereby constituted as a public instrumentality, exercising public and essential governmental functions with the power and purpose to provide for the health, welfare, convenience, knowledge, benefit, and prosperity of the residents of the Commonwealth and such other persons who might be served by the Authority. The Authority is established to move the Commonwealth forward in achieving its vision of ensuring a quality health workforce for all Virginians.

B. The mission of the Authority is to facilitate the development of a statewide health professions pipeline that identifies, educates, recruits, and retains a diverse, appropriately geographically distributed, and culturally competent quality workforce. The mission of the Authority is accomplished by: (i) providing the statewide infrastructure required for health workforce needs assessment and planning that maintains engagement by health professions training programs in decision making and program implementation; (ii) serving as the advisory board and setting priorities for the Virginia Area Health Education Centers Program; (iii) coordinating with and serving as a resource to relevant state, regional, and local entities, including the Department of Health Professions Workforce Data Center, the Joint Legislative Audit and Review Commission, the Joint Commission on Health Care, the Southwest Virginia Health Authority, or any similar regional health authority that may be developed; (iv) informing state and local policy development as it pertains to health care delivery, training, and education; (v) identifying and promoting evidence-based strategies for health workforce pipeline development and interdisciplinary health care service models, particularly those affecting rural and other underserved areas; (vi) supporting communities in their health workforce recruitment and retention efforts and developing partnerships and promoting models of participatory engagement with business and community-based and social organizations to foster integration of health care training and education; (vii) advocating for programs that will result in reducing the debt load of newly trained health professionals; (viii) identifying high priority target areas within each region of the Commonwealth and working toward health workforce development initiatives that improve health measurably in those areas; (ix) fostering or creating innovative health workforce development models that provide both health and economic benefits to the regions they serve; (x) developing strategies to increase diversity in the health workforce by examining demographic data on race and ethnicity in training programs and health professional licensure; (xi) identifying ways to leverage technology to increase access to health workforce training and health care delivery; and (xii) developing a centralized health care careers

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roadmap in partnership with the Department of Health Professions that includes information on both licensed and unlicensed professions and that is disseminated to the Commonwealth's health care workforce stakeholders to raise awareness about available career pathways, and (xiii) working with the Special Advisor to the Governor for Health Workforce Development, employers of health and health science professionals, and institutions that provide education and training for health and health science professionals to align education and training initiatives with existing and evolving health workforce needs.

§ 32.1-122.7:2. Powers and duties of the Virginia Health Workforce Development Authority; exemptions.

A. The Authority is authorized to serve as the incorporated consortium of allopathic and osteopathic medical schools in Virginia as required by federal statute to qualify for the receipt of Area Health Education Centers programs, legislatively mandated under the Public Health Service Act as amended, Title VII, Section 751, and 42 U.S.C. § 294a, and to administer federal, state, and local programs as needed to carry out its public purpose and objectives. The Authority is further authorized to exercise independently the powers conferred by this section in furtherance of its corporate and public purposes to benefit citizens and such other persons who might be served by the Authority.

B. The Authority is authorized to monitor, collect, and track data pertaining to health care delivery, training, and education from Virginia educational institutions and other entities as needed to carry out its public purpose and objectives in areas where such data efforts do not already exist.

C. The Authority shall have the authority to assess policies, engage in policy development, and make policy recommendations.

D. The Authority shall have the authority to apply for and accept federal, state, and local public and private grants, loans, appropriations, and donations; hire and compensate staff, including an executive director; rent, lease, buy, own, acquire, and dispose of property, real or personal; participate in joint ventures, including to make contracts and other agreements with public and private entities in order to carry out its public purpose and objectives; and make bylaws for the management and regulation of its affairs.

E. *The Authority shall coordinate and seek opportunities to expand existing workforce development initiatives in the Commonwealth to facilitate the development of the health workforce and shall partner with an institution of higher education in the Commonwealth to facilitate the sharing of information and resources and strengthen efforts to develop the health workforce in the Commonwealth.*

F. The Authority shall be exempt from the provisions of Chapters 29 (§ 2.2-2900 et seq.) and 43 (§ 2.2-4300 et seq.) of Title 2.2.

F. G. The exercise of powers granted by this article and the undertaking of activities in the furtherance of the purpose of the Authority shall constitute the performance of essential governmental functions. Therefore, the Authority shall be exempt from any tax or assessment upon any project or property acquired or used by the Authority under the provisions of this article or upon the income therefrom, including sales and use taxes on tangible personal property used in the operation of the Authority. This exemption shall not extend to persons conducting business for which local or state taxes would otherwise be required.

§ 32.1-122.7:3. Virginia Health Workforce Development Fund.

A. *There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Health Workforce Development Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of (i) supporting the work of the Virginia Health Workforce Development Authority and (ii) funding grants to regional health and health science workforce development initiatives in accordance with subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Commissioner.*

B. *The Authority shall establish a process for the issuance of grants to regional health and health science workforce development initiatives established to meet regional health and health science workforce needs by developing and supporting targeted initiatives to address unique regional needs related to health and health science workforce education, training, recruitment, and retention.*