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SENATE BILL NO. 617

Offered January 12, 2022

A BILL to amend and reenact §§ 32.1-17, 32.1-30, and 32.1-34 of the Code of Virginia, relating to Commissioner of Health and local health director qualifications; local variances.

Patron—Locke

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-17, 32.1-30, and 32.1-34 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-17. Appointment of Commissioner; qualifications; term.

A. There shall be a State Health Commissioner appointed by the Governor, subject to confirmation by each house of the General Assembly. The Commissioner shall be a physician licensed to practice medicine in ~~this~~ the Commonwealth and shall be certified by the American Board of Preventive Medicine or a recognized board in a primary care specialty as approved by the American Board of Medical Specialties; *shall be* experienced in public health duties, sanitary science, and environmental health; *shall possess a Doctor of Public Health degree, a Master of Public Health degree, or a doctoral degree in the area of public health;* and shall be otherwise qualified to execute the duties incumbent upon him by law.

B. The Commissioner shall be appointed for a term coincident with that of the Governor and shall serve at the pleasure of the Governor.

§ 32.1-30. Local health departments.

Each county and city shall establish and maintain a local department of health ~~which~~ that shall be headed by a local health director. Each such local health director shall be a physician licensed to practice medicine in ~~this~~ the Commonwealth *or shall possess a Doctor of Public Health degree, a Master of Public Health degree, or a doctoral degree in the area of public health.*

§ 32.1-34. Scope of local health ordinances and regulations.

A. No county, city, or town ordinance or regulation shall be less stringent in the protection of the public health than any applicable state law or any applicable regulations of the Board.

B. *The Commissioner may grant a variance to a state law or regulation of the Board when the Commissioner determines that, upon review of an application from a county, city, or town, (i) the applicant for such variance has demonstrated that the implementation of a regulation would impose a substantial financial or programmatic hardship and (ii) the variance would not adversely affect the safety and well-being of residents of the county, city, or town or the Commonwealth.*

INTRODUCED

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