

**REPORT OF THE
VIRGINIA BOARD OF MEDICINE
DEPARTMENT OF HEALTH PROFESSIONS**

**Annual Report on the Number of Competency
Assessments Required for Practitioners Licensed
by the Board of Medicine**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



**COMMONWEALTH OF VIRGINIA
RICHMOND
2008**

Number of Practitioners Subject to a Competency Assessment Pursuant to Chapters 649 and 692 of the 2005 Acts of the Assembly

Background

In the 2005 Session of the General Assembly, language was included in House Bill 2659 and Senate Bill 1173 requiring any practitioner licensed by the Board of Medicine to obtain a competency assessment if he or she has had three medical malpractice claims within the past 10 years. The Board is required to report annually to the General Assembly the number of competency assessments undertaken.

§ [54.1-2912.3](#). *Competency assessments of certain practitioners.*

The Board shall require an assessment of the competency of any person licensed under this chapter on whose behalf three medical malpractice claims are paid in a 10-year period. The assessment shall be accomplished in 12 months or less by a program acceptable to the Board. The licensee shall bear all costs of the assessment. The results of the assessment shall be reviewed by the Board and the Board shall determine a plan of corrective action or appropriate resolution pursuant to the assessment. The assessment, related documents and the processes shall be governed by the confidentiality provisions of § [54.1-2400.2](#) and shall not be admissible into evidence in any medical malpractice action involving the licensee. The Board shall report annually to the General Assembly the number of competency assessments undertaken.

Number of Competency Assessments

In the last twelve months, ten physicians have completed a required competency assessment pursuant to § 54.1-2912.3 with no resulting restrictions to their practice. Additionally, four physicians were required to submit to an assessment but did not submit a report in a timely manner. One of the four was subsequently suspended, and another surrendered his/her license. Final determinations are pending for the other two physicians who were late to submit a report.

Three outstanding reports are due this month (October, 2008) and will be timely if submitted. Additionally, eleven physicians have been recently identified and will be notified shortly that they appear to be subject to a competency assessment.