

**7DEPARTMENT OF HEALTH PROFESSIONS - DIRECTIVES****APPROVAL:** John W. Hasty**DIRECTIVE NO.:** 3.2  
**EFFECTIVE:** 7-1-96  
**SUPERSEDES:** \_\_\_\_\_**3.2 Petition for Reinstatement of License or Modification of Disciplinary Orders****Purpose:** To facilitate for informed decisions by members of regulatory boards to reinstate licenses or modify terms of orders.**Policy:** A background report shall be provided by the Enforcement Division on each petition for reinstatement of a license or certificate or for removal or amendment of any term or condition of an order of a regulatory board.

The purpose for the background report is to verify information provided by the petitioner and to provide for the Board any additional information that may be relevant to the consideration of the petition.

- Procedure:**

1. Within two working days of the receipt of a petition for reinstatement or for removal or amendment of any term or condition of a disciplinary order, a copy of such petition shall be provided to the Enforcement Division. The staff assigned to the regulatory board shall cooperate with the Enforcement Division by supplying such other information or assistance as it requests as expeditiously as possible.
2. Unless required by law to be sooner, no hearing shall be scheduled on any petition for reinstatement or for removal or amendment of any term or condition of a disciplinary order within ninety days of the receipt of the petition, unless a waiver is granted by the Director or by adoption of a motion regarding the specific petition by the regulatory board. Within ninety days, the Enforcement Division shall conclude a background investigation regarding the petitioner and submit a report of its findings to the regulatory board. All other preparations shall be made for any proceeding on the petition within that ninety day period.
3. The Enforcement Division may determine that no investigation of a petition is warranted. When this determination is made, the Enforcement Division shall communicate it in writing to the regulatory board's administrator, citing the justification for it. If the regulatory board disagrees with the Enforcement Division's determination and believes an investigation is warranted, it shall submit its decision to the Division in writing, stating specifically those areas that it desires to have investigated.

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4. Only persons authorized and sworn in accordance with Section 54.1-2506 of the Code of Virginia are empowered to conduct investigations.