**Here is a look at five Virginia laws that went into effect on January 1, 2024:**

**1. Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority**

In 2021, while under Democratic Governor Ralph Northam Virginia lawmakers voted to legalize marijuana, but not until 2024. Years later, there still appears to be no word on the retail sales of marijuana in Virginia.

House Bill 1598 was Delegate Roxann L. Robinson (R) - House District 27 and transfers the oversight and administration of the Commonwealth's medical cannabis program from the Board of Pharmacy to the Virginia Cannabis Control Authority (CCA).

**2. Health insurance; mandated coverage for hearing aids for minors**

Senate Bill 1003 was introduced by Senator Bill DeSteph (R) - Senate District 8 and requires health insurers, maintenance organizations and corporations providing health care coverage to cover hearing aids and related services to children 18 or younger if an otolaryngologist recommends it.

The coverage includes one hearing aid per hearing-impaired ear, up to a cost of $1,500, every 24 months. The bill applies to policies, contracts, and plans delivered, issued for delivery, or renewed on and after January 1, 2024.

The legislation passed both the Senate and House unanimously in February and was signed by Youngkin in March.

**3. Adoption and foster care; home study reciprocity**

[House Bill 1744](https://lis.virginia.gov/cgi-bin/legp604.exe?231+sum+HB1744) was introduced by Delegate Betsy B. Carr (D) - House District 69 and standardizes home studies for potential foster or adoptive homes and allows those reports to be shared across foster agencies. Home studies are a review of a hopeful family's lifestyle, living situation and adoption readiness. During the study, a licensed social worker will handle the review. These studies can last two to three months.

Beginning Jan. 1, those studies are transferable between all localities, local boards, and licensed child-placing agencies within the state at the request of the prospective foster parent or the prospective adoptive parent, subject to any time limitations or other requirements imposed by law or regulation.

**4. Licensure of professional counselors; Counseling Compact.**

House Bill 1433 was introduced by Delegate Phillip A. Scott (R) - House District 88 and authorizes Virginia to join the [Counseling Compact](https://counselingcompact.org/), allowing eligible licensed professional counselors to practice in other states also part of the compact without the need for multiple licenses.

The program is run by the [Compact Commission](https://counselingcompact.org/compact-commission/), which is composed of one Delegate from each member state's licensing board or agency.

"The Compact permits eligible licensed professional counselors to practice in Compact member states, provided that they are licensed in at least one member state," the bill reads.

**5. Health care provider panels and continuity of care**

House Bill 2354 was introduced by Delegate Robert D. Orrock, Sr. (R) - House District 54 and aims to ensure the continuity of health care when there are changes to health insurance.

"[HB 2354] makes various changes to provisions related to the continuity of care for an enrollee after a provider is terminated from a health insurance carrier's provider panel," the bill reads.

Specifically, the law requires health insurance companies that use a "provider panel" — a certain type of contract with hospitals, physicians or other types of health care providers — to establish procedures for notifying enrollees when those providers are terminated.

The notification is required for providers "furnishing health care services to the enrollee or furnished health care services to the enrollee in the six months prior to the notice."

The law also requires notification of "the right of an enrollee upon request to continue to receive health care services as provided in the law following the provider's termination from a carrier's provider panel."

**Bills to watch in the upcoming Virginia legislative session:**

**Virginia’s 2024 General Assembly session will start January 10, 2024. Over 180 House bills and almost 80 Senate bills have been filed ahead of the 2024 General Assembly Session**

1. One bill being presented in the [House](https://lis.virginia.gov/cgi-bin/legp604.exe?241+sum+HB1)and [Senate](https://lis.virginia.gov/cgi-bin/legp604.exe?241+sum+SB1)is pushing to raise the minimum wage to $13.50 an hour.

The current state minimum wage is $12.

If the bill passes, the minimum wage will go up to $13.50 by 2025 and $15 by 2026.

1. Another [proposed House bill](https://lis.virginia.gov/cgi-bin/legp604.exe?241+sum+HB20) would allow local governments to set up traffic speed cameras in any location deemed necessary.

However, it would also require two signs instead of just one warning about the camera if it’s placed somewhere other than a school or highway work zone.

1. A house proposal to charge anyone who lets a child carry a firearm, or knows they can access the gun, [would be charged with a misdemeanor](https://lis.virginia.gov/cgi-bin/legp604.exe?241+sum+HB36).

The bill would also elevate the penalty to a Class 5 felony if the owner knows the minor has been charged with a felony, or has been the subject of a school-initiated threat assessment.

1. Virginia is currently the southern-most state that hasn't widely banned or restricted abortion since the Supreme Court struck down a nationwide right to abortion last year. Right now, abortion is banned in Virginia after 26 weeks.

A proposed constitutional amendment by Democrats to provide that every person has the fundamental right to reproductive freedom. Meaning, a person would not be denied the right to make their own decisions regarding abortion.

Though, this would have to pass two years in a row, and then voters would have the final say on their ballots.

[LIS > Bill Tracking > SJ1 > 2024 session (virginia.gov)](https://lis.virginia.gov/cgi-bin/legp604.exe?241+sum+SJ1)

**Title IX Regulations:**

Last month new information was posted on reginfo.gov (Office of Management and Budget) suggesting the target release date of new Title IX regulations by the Department of Education is now sometime in March 2024. This development comes on the heels of two previous delays in aspirational release dates. Will we have new Title IX regulations in March 2024? Many in the field are skeptical. Even if the regulations are released this spring, there may be further delays in implementation as we do not have any indication of effective dates for the new regulations—and we anticipate litigation challenging the new regulations or otherwise impacting implementation.

Suffice it to say, it is *imperative* for Title IX operatives (coordinators, decision-makers, investigators, and anyone who runs informal Title IX adjudication processes) to remain current with their annual training. In all likelihood, the field will be working under the 2020 regulations for some time. If the implementation date for the new Title IX regulations were to be sometime in August 2024 (speculation, but seems possible) then Title IX matters arising up to that point may need to be managed under the 2020 regulations. Moreover, given the evolutionary nature of federal regulation in this area, the best way to gain a firm grasp of what is to come is to have knowledge and experience with the 2020 regulations.

**Supreme Court:**

Session begins January 8, 2024

*Loper Bright Enterprises v. Raimondo*

(Administrative Law, Environment & Climate)

**Issue**: Whether the court should overrule [Chevron v. Natural Resources Defense Council](https://casetext.com/case/chevron-inc-v-natural-resources-defense-council-inc-american-iron-and-steel-institute-v-natural-resources-defense-council-inc-ruckelshaus-v-natural-resources-defense-council-inc), or at least clarify that statutory silence concerning controversial powers expressly but narrowly granted elsewhere in the statute does not constitute an ambiguity requiring deference to the agency.

*Oral argument date January 17, 2024*

In [*Loper Bright*](https://www.scotusblog.com/case-files/cases/loper-bright-enterprises-v-raimondo/), the Court could upend decades of administrative law, jeopardizing protections for our health and safety. National Marine Fisheries Service (NMFS) issued a rule that required fishing companies to pay for third party observers on certain boats. The fishing companies sued the agency, arguing that NMFS did not have the power to implement this rule. Though the dispute at the center of this case may seem to be about fisheries, the actual dispute is over the [*Chevron* Doctrine](https://supreme.justia.com/cases/federal/us/467/837/).

The *Chevron* Doctrine is at the core of administrative law and requires courts to defer to agency expertise. To better explain how *Chevron* works, let’s take a brief look at the FDA: The FDA is tasked with determining whether a new medication is safe and effective. The agency is staffed with thousands of experts – from public health specialists to research scientists to physicians – all of whom work together to make this complex decision. Under *Chevron*, these experts get to decide what constitutes “safe” and “effective” when it comes to approving new drugs. If the Court overturns *Chevron*, individual judges could have the power to ignore experts in these agencies, transforming the way complex policy decisions are made in the U.S.