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March 2, 2026
Governor Abigail Spanberger
Office of the Governor
1111 East Broad Street
Richmond, Virginia 23219

Re: Urging Enactment of Senate Bill 745 (Legislation to prohibit in-network steering of pathology/laboratory services by Health Insurance Plans)

Dear Governor Spanberger:

The Virginia Society for Pathology (VSP) strongly urges your enactment of Senate Bill 745. This Senate legislation, sponsored by Senator Kannan Srinivasan, and an analogous House Bill 424, sponsored by Delegate Destiny LeVere Bolling, passed both chambers by unanimous votes. Moreover, the respective committee votes in both chambers was also unanimous.

The VSP, and our national organization, College of American Pathologists (CAP), urge your enactment of this legislation, which is consistent with the recently issued public policy positions of the American Medical Association (AMA). (AMA policy D-180.975 and AMA policy H-180.941). During the legislative process the bill was supported by the Medical Society of Virginia and the Virginia Hospital Association.

This legislation is intended to partially remedy the adverse clinical care and adverse diagnostic impact on patients from insurance industry business practices that were allowed to occur in Virginia under the prior administration, despite repeated medically-based objections from the pathologist community.

Under current law, Virginia patients are harmed by health insurance plans' business arrangements that steer all in-network pathology/laboratory referrals to a single or designated commercial laboratory. This referral restriction deleteriously limits Virginia patients' timely access to all in-network diagnostic care, and it can increase patient costs, especially when additional hospital-based pathology services are needed to confirm external findings. This disruption in the coordination of care, and the additional cost, time and delay in diagnosis could be avoided if health plan in-network steering is prohibited under this legislation.

For optimal medical practice and patient care, physicians should have the ability to refer pathology and laboratory specimens to any in-network pathologist/laboratory of their choice based upon all relevant medical considerations regarding their patients. The current insidious business practice of Virginia regulated insurance plans steering pathology and laboratory referrals to only certain commercial laboratories is

harming patients without their knowledge, and in some cases the medical results can be highly adverse (See Exhibit "A").

Community, independent and hospital-based pathologists/laboratories who are in-network with health plans should **NOT** be excluded from providing diagnostic services to insurance plan participants in Virginia. Health insurance plan restrictions on pathology/laboratory referrals can harmfully delay diagnosis and create difficulty finding a specialized pathologist for conferral with an ordering physician.

Patients have unknowingly suffered adverse medical outcomes as the result of this insurance business practice. If referrals are allowed to all in-network pathologists and laboratories, Virginia patients will have timely access to high quality services with no additional cost. Moreover, the bill has no fiscal impact on the state. The State of Virginia should end this business practice by insurance plans in the best interest of Virginia patients. Thank you for your consideration of this request for enactment of Senate Bill 745.

Sincerely,

Handwritten signature in black ink that reads "Emerald O'Sullivan-Mejia, MD, FCAP". The signature is written in a cursive, flowing style.

Emerald O'Sullivan-Mejia, MD, FCAP
President, Virginia Society for Pathology

cc: Ralston King, RivCo Government Affairs LLC
Clark Barrineau, Vice President of Government Affairs and Public Policy,
Medical Society of Virginia