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**WEST VIRGINIA CODE CHAPTER 16**  
**ARTICLE 1C**

WV Legislature

**§16-1C-1. Definitions.**

(a) "Direct patient care" means health care that provides for the physical, diagnostic, emotional or rehabilitation needs of a patient or health care that involves examination, treatment or preparation for diagnostic tests or procedures.

(b) "Employee" means an employee or contractor of a health care provider or a person who is granted privileges by a health care provider who delivers direct patient care.

(c) "Health care provider" means an individual, partnership, corporation, facility, hospital or institution licensed or certified or authorized by law to provide professional health care service in this state to a patient during that patient's medical, remedial or behavioral health care, treatment or confinement.

(d) "Secretary" means the Secretary of the Department of Health. The secretary may define in rules any term or phrase used in this article which is not expressly defined.

**§16-1C-2. Identification badge requirements.**

Notwithstanding any other provision of this code, an employee shall wear an identification badge when providing direct patient care. The identification badge shall be worn in a conspicuous manner so as to be visible and apparent.

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**§16-1C-3. Exceptions.**

(a) Notwithstanding section two of this article, the following shall apply:

(1) An employee shall not be required to wear an identification badge while delivering direct patient care if it is not clinically feasible.

(2) The last name of the employee may be omitted or concealed from an identification badge when delivering direct patient care if the employee is concerned for his or her safety.

(b) An employee may petition the secretary for an exemption from the requirements of this article for reasons that are not set forth in this section.

(c) An employee providing direct patient care in a behavioral health care setting may not be required to wear an identification badge.

**§16-1C-4. Rules.**

The secretary, in consultation with appropriate health care provider professional licensing boards, shall propose rules for legislative approval in accordance with the provisions of chapter twenty-nine-a of this code to implement the provisions of this article. These rules shall include, at a minimum:

- (1) The contents of the identification badge, which shall at least include the name of the employee and title of the employee;
- (2) The title to be used to identify employee licensure information;
- (3) The appearance of the identification badge, which shall have the title of the employee as large as possible in block type: *Provided*, That health care facilities providing identification badges prior to enactment of this article shall not be required to issue new badges;
- (4) The process and procedure for seeking an exemption from the requirements of this article; and
- (5) Such other rules as may be deemed necessary to effectuate the purposes of this article.

**§16-1C-5. Applicability.**

Section two of this article applies to employees of health care providers who employ at least three licensed practitioners or employ more than ten employees as of July 1, 2016.

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