WEST VIRGINIA CODE CHAPTER 21 ARTICLE 18

WV Legislature

§21-18-1. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them by this section, unless a different meaning is clearly required by the context in which the term is used:

(1) "Covered caregiver" or "caregiver" means an individual licensed, certified, or otherwise authorized to practice any of the following professions in this state:

(A) Medical doctors licensed pursuant to §30-3-1 *et seq*. of this code;

(B) Physician assistants licensed pursuant to §30-3e-1 *et seq*. of this code;

(C) Registered nurses licensed pursuant to §30-7-1 *et seq*. of this code;

(D) Practical nurses licensed pursuant to §30-7A-1 *et seq*. of this code;

(E) Osteopathic physicians and surgeons licensed pursuant to §30-14-1 *et seq*. of this code;

(F) Participant of a medical residency program pursuant to §30-3-16 of this code or an approved program of post-graduate clinical training as defined in §30-14-2 of this code;

(G) Psychologists licensed pursuant to §30-21-1 *et seq*. of this code;

(H) Counselors licensed pursuant to §30-31-1 *et seq*. of this code;

(F) A first responder as defined by §23-4-1f of this code, including but not limited to, law enforcement officers, firefighters, emergency medical technicians, paramedic and emergency dispatchers;

(I) Social workers licensed pursuant to §30-30-1 *et seq*. of this code;

(J) Chaplains certified by a recognized certifying body, such as the Association of Professional Chaplains or the National Association of Catholic Chaplains;

(K) Pharmacists or other professionals licensed pursuant to §30-5-1 *et seq*. of this code; and

(L) Any other licensed or certified professional designated by a hospital's governing authority as a health care professional with the experience necessary to provide other health care professionals with support.

(2) "Licensing board" means any state board or agency responsible for the licensure, certification, or regulation of a covered caregiver.

(3) "Peer support program" means a formal or informal program, including those operated by employers, professional associations, or nonprofit organizations, that provides peer support services to caregivers.

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(4) "Peer support services" means consultation, risk assessment, referral, or on-site intervention services provided by a peer support team member to an individual experiencing psychological or physical symptoms caused by exposure to acute or chronic high stress incidents in the course of the individual's employment. "Peer support services" includes:

(A) Providing knowledge and experience or emotional, social, or practical support to peers;

(B) Helping a peer navigate available resources, including the mental health system; or

(C) Nonclinical assistance provided by a caregiver or other trained individual with shared or similar professional experience, intended to promote emotional, psychological, or professional well-being.

(5) "Peer support team" means an organized group that has been established by an employer of covered caregivers to provide peer support services to employees or members.

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§21-18-2. Peer support teams.

(a) An employer or organization that appoints a peer support team may designate any of the following individuals as an advisor to ensure team members are appropriately trained and are providing proper peer support services:

(1) An individual licensed to practice medicine and surgery or osteopathic medicine and surgery by the state medical board, including such an individual who has satisfactorily completed a residency training program in psychiatry;

(2) An individual licensed under §30-21-10 of this code to practice psychology;

(3) A advanced practice registered nurse as defined in section §30-7-1 of this code who holds a psychiatric-mental health credential issued by the American nurses credentialing center or a successor organization;

(4) A licensed professional clinical counselor or licensed professional counselor authorized to practice under §30-31-1 *et seq*. of this code;

(5) A licensed independent social worker or licensed social worker authorized to practice under §30-30-1 *et seq*. of this code.

(b) To receive the testimonial privilege established under §57-3-11 of this code, a peer support team member must complete not less than eight hours of initial basic peer support training and additional training or refreshers at least quarterly.

(c) The training required for a peer support team member shall include the following topics:

(1) An introduction to peer support services and basic peer support skills;

(2) Understanding and identifying the risk factors of mental health problems for the peer support team member's peers;

(3) Understanding confidentiality and privacy for privileged communications;

(4) Identifying local mental health support resources;

(5) Understanding the importance of engaged communication, listening, and conflict resolution in the context of providing peer support services.

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