WEST VIRGINIA CODE: §29-30-2

§29-30-2. Definitions.

The following words have the following meaning:

(a) “Credentialing” means obtaining, verifying and assessing the qualifications of a health practitioner to provide treatment, care or services in or for a health facility.

(b) “Disaster relief organization” means an entity that provides emergency or disaster relief services that include health or veterinary services provided by volunteer health practitioners and that:

(1) Is designated or recognized as a provider of those services pursuant to a disaster response and recovery plan adopted by an agency of the federal government or by the Governor of this state; or

(2) Regularly plans and conducts its activities in coordination with an agency of the federal government or any agency designated by the Governor.

(c) “Emergency” means an event or condition that is an emergency, disaster or public health emergency pursuant to a declaration of the Governor or any agency designated by the Governor.

(d) “Emergency declaration” means a declaration of emergency issued by the Governor or his or her designee pursuant to the laws of this state.

(e) “Emergency Management Assistance Compact” means the interstate compact approved by Congress by Public Law No. 104-321,110 Stat. 3877.

(f) “Entity” means a person other than an individual.

(g) “Health facility” means an entity licensed pursuant to the laws of this or another state to provide health or veterinary services.

(h) “Health practitioner” means an individual licensed pursuant to the laws of this or another state to provide health or veterinary services. For the purposes of this article, a health practitioner includes a physician, a physician assistant, a dentist, a dental hygienist, a pharmacist, a pharmacy technician, a pharmacy intern, a registered professional nurse, a licensed practical nurse, an optometrist, an osteopathic physician, a chiropractor, a physical therapist, a psychologist, an occupational therapist and a veterinarian.

(i) “Health services” means the provision of treatment, care, advice or guidance, or other services or supplies, related to the health or death of individuals or human populations, to the extent necessary to respond to an emergency, including:

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(1) The following, concerning the physical or mental condition or functional status of an individual or affecting the structure or function of the body:

(A) Preventive, diagnostic, therapeutic, rehabilitative, maintenance or palliative care; and

(B) Counseling, assessment, procedures or other services;

(2) Sale or dispensing of a drug, a device, equipment or another item to an individual in accordance with a prescription; and

(3) Funeral, cremation, cemetery or other mortuary services.

(j) "Host entity" means an entity operating in this state which uses volunteer health practitioners to respond to an emergency.

(k) "License" means authorization and licensing by an appropriate licensing board to engage in health or veterinary services that are unlawful without the license. The term includes authorization pursuant to the laws of this state to an individual to provide health or veterinary services based upon a national certification issued by a public or private entity.

(l) "Person" means an individual, corporation, business trust, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency or instrumentality or any other legal or commercial entity.

(m) "Privileging" means the authorizing by an appropriate authority, such as a governing body, of a health practitioner to provide specific treatment, care or services at a health facility subject to limits based on factors that include license, education, training, experience, competence, health status and specialized skill.

(n) "Scope of practice" means the extent of the authorization to provide health or veterinary services granted to a health practitioner by a license issued to the practitioner in the state in which the principal part of the practitioner's services is rendered, including any conditions imposed by the licensing authority.

(o) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States.

(p) "Veterinary services" means the provision of treatment, care, advice or guidance or other services or supplies related to the health or death of an animal or to animal populations, to the extent necessary to respond to an emergency, including:

(1) Diagnosis, treatment or prevention of an animal disease, injury or other physical or mental condition by the prescription, administration or dispensing of a vaccine, medicine, surgery or therapy;

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(2) Use of a procedure for reproductive management; and

(3) Monitoring and treatment of animal populations for diseases that have spread or demonstrate the potential to spread to humans.

(q) "Volunteer health practitioner" means a health practitioner who provides health or veterinary services, whether or not the practitioner receives compensation for those services. The term does not include a practitioner who receives compensation pursuant to a preexisting employment relationship with a host entity or affiliate which requires the practitioner to provide health services in this state, unless the practitioner is not a resident of this state and is employed by a disaster relief organization providing services in this state while an emergency declaration is in effect.

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