WEST VIRGINIA CODE: §30-3A-1

§30-3A-1. Definitions.

For the purposes of this article, the words or terms defined in this section have the meanings ascribed to them. These definitions are applicable unless a different meaning clearly appears from the context.

“Accepted guideline” is a care or practice guideline for pain management developed by a nationally recognized clinical or professional association or a specialty society or government-sponsored agency that has developed practice or care guidelines based on original research or on review of existing research and expert opinion. An accepted guideline also includes policy or position statements relating to pain management issued by any West Virginia board included in §30-1-1 et seq. of this code with jurisdiction over various health care practitioners. Guidelines established primarily for purposes of coverage, payment, or reimbursement do not qualify as accepted practice or care guidelines when offered to limit treatment options otherwise covered by the provisions of this article.

“Board” or “licensing board” means the West Virginia Board of Medicine, the West Virginia Board of Osteopathy, the West Virginia Board of Registered Nurses, the West Virginia Board of Pharmacy, the West Virginia Board of Optometry, or the West Virginia Board of Dentistry.

“Nurse” means a registered nurse licensed in the State of West Virginia pursuant to the provisions of §30-7-1 et seq. of this code.

“Pain” means an unpleasant sensory and emotional experience associated with actual or potential tissue damage or described in terms of such damage.

“Pain-relieving controlled substance” includes, but is not limited to, an opioid or other drug classified as a Schedule II through V controlled substance and recognized as effective for pain relief, and excludes any drug that has no accepted medical use in the United States or lacks accepted safety for use in treatment under medical supervision including, but not limited to, any drug classified as a Schedule I controlled substance.

“Pharmacist” means a registered pharmacist licensed in the State of West Virginia pursuant to the provisions of §30-5-1 et seq. of this code.

“Prescriber” shall mean:

(1) A physician licensed pursuant to the provisions of §30-3-1 et seq. or §30-14-1 et seq. of this code;

(2) An advanced practice registered nurse with prescriptive authority as set forth in §30-7-15a of this code;

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(3) A dentist licensed pursuant to the provisions of §30-4-1 et seq. of this code; and

(4) An optometrist licensed pursuant to the provisions of §30-8-1 et seq. of this code.

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