

**WEST VIRGINIA LEGISLATURE**

**REGULAR SESSION, 1973**

**ENROLLED**

**SENATE BILL NO. 11**

(By Mr. Colpitt -----)

PASSED April 3 ----- 1973

In Effect From ----- Passage



FILED IN THE OFFICE  
EDGAR F. HEISKELL III  
SECRETARY OF STATE

THIS DATE 4-13-73

**ENROLLED**  
**Senate Bill No. 11**

(By Mr. Galperin)

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[Passed April 3, 1973; in effect from passage.]  
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AN ACT to amend chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-four, relating to professions and occupations; relating to qualification of certain armed forces health technicians for certain civilian health occupations; setting forth certain legislative findings and a rule of construction; relating to the qualification of certain veterans for examination for license as registered professional nurses; relating to the qualification of certain veterans for examination for license as licensed practical nurses; relating to the qualification of certain veterans for examination for license as dental hygienists; relating to the qualifications of certain veterans for examination for license as licensed physical therapists; relating to the qualification of certain veterans for examination for registration as professional sanitarians; relating to the West Virginia board of examiners for registered professional nurses, the West Virginia state board of examiners for licensed practical nurses, the West Virginia board of dental examiners, the West Virginia board of examiners and registration of physical therapists and the West Virginia board of sanitarians; and requiring each such board to keep certain records and make annual reports to the Legislature.

*Be it enacted by the Legislature of West Virginia:*

That chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article twenty-four, to read as follows:

**ARTICLE 24. QUALIFICATION OF ARMED FORCES HEALTH TECHNICIANS FOR CIVILIAN HEALTH OCCUPATIONS.**

**§30-24-1. Legislative findings; rule of construction.**

1 The Legislature hereby finds and declares that there are  
2 many veterans returning to civilian life from active duty in  
3 the armed forces who had extensive academic training and  
4 experience while in the armed forces in various health oc-  
5 cupations; that in many instances, the level of academic  
6 training and experience is equal to or exceeds that re-  
7 ceived by a student studying and training for a similar  
8 health occupation in civilian life; that such veterans should  
9 not be required to undergo further educational training or  
10 obtain additional experience in civilian life before being  
11 eligible for examination for licensing or registration in a com-  
12 parable civilian health occupation; that in the public interest,  
13 however, it is necessary that the competency of such vet-  
14 erans be determined and evaluated by examination before  
15 they are so licensed or registered; and that certain academic  
16 training and experience of such veterans in the armed forces  
17 should be sufficient to permit such examination or examina-  
18 tions as may be required for the licensing or registration as  
19 a registered nurse, licensed practical nurse, dental hygienist,  
20 professional sanitarian or physical therapist. This article is en-  
21 acted in view of these findings and shall be liberally con-  
22 strued in the light thereof.

**§30-24-2. Qualification for examination for license as a registered professional nurse.**

1 Any person who has served on active duty in the medical  
2 corps of any of the armed forces of the United States and  
3 who has successfully completed the course of instruction re-  
4 quired to qualify him for rating as a medical specialist  
5 advanced, medical service technician or advanced hospital  
6 corpsman technician, or other equivalent rating in his partic-  
7 ular branch of the armed forces, and whose service in the  
8 armed forces was under honorable conditions, may submit to  
9 the West Virginia board of examiners for registered profes-  
10 sional nurses, a photostatic copy of the certificate issued  
11 to him certifying successful completion of such course of in-  
12 struction, a photostatic copy of his discharge from the armed  
13 forces, an application for a license as a registered profes-  
14 sional nurse and the prescribed license fee.

15 If the certificate and discharge, as evidenced by the  
16 photostatic copies thereof, the application and prescribed

17 license fee are in order, and if the veteran meets all of the  
18 requirements of article seven of this chapter, except the re-  
19 quirement therein specified requiring an applicant to have  
20 completed an accredited program of registered professional  
21 nursing education and to hold a diploma from a school  
22 accredited by such board, the veteran shall be permitted,  
23 notwithstanding any provision of said article seven to the  
24 contrary, to take the same examination or examinations as  
25 are required under section six of said article seven for ap-  
26 plicants who do not apply for a license under the provi-  
27 sions of this article twenty-four. If the veteran passes such  
28 examination or examinations, he shall be licensed as a  
29 registered professional nurse, and such veteran shall there-  
30 after be subject to all of the provisions of said article  
31 seven. If the veteran does not pass such examination or  
32 examinations, the provisions of said article seven relating  
33 to reexaminations shall apply to such veteran the same as  
34 they apply to a person who does not apply for a license  
35 under the provisions of this article twenty-four.

**§30-24-3. Qualification for examination for license as a  
licensed practical nurse.**

1 Any person who has served on active duty in the medical  
2 corps of any of the armed forces of the United States and  
3 who has successfully completed the course of instruction  
4 required to qualify him for rating as a medical specialist  
5 advanced, medical service technician, advanced hospital  
6 corpsman technician, medical corpsman, medical service  
7 specialist or class A hospital corpsman, or other equivalent  
8 rating in his particular branch of the armed forces, and whose  
9 service in the armed forces was under honorable conditions,  
10 may submit to the West Virginia state board of examiners  
11 for licensed practical nurses, a photostatic copy of the certifi-  
12 cate issued to him certifying successful completion of such  
13 course of instruction, a photostatic copy of his discharge  
14 from the armed forces, an application for license as a licensed  
15 practical nurse and the prescribed fee.

16 If the certificate and discharge, as evidenced by the  
17 photostatic copies thereof, the application and prescribed  
18 fee are in order, and if the veteran meets all of the re-  
19 quirements of article seven-a of this chapter, except the  
20 requirements therein specified requiring an applicant to  
21 have completed a course of study in an accredited school

22 for practical nurses as defined by such board, to hold a  
23 diploma therefrom and to have completed such other gen-  
24 eral educational requirements as may be prescribed by  
25 such board, the veteran shall be permitted, notwithstanding  
26 any provision of said article seven-a to the contrary, to  
27 take the same examination or examinations as are required  
28 under section six of said article seven-a for applicants who  
29 do not apply for a license under the provisions of this  
30 article twenty-four. If the veteran passes such examination  
31 or examinations, he shall be licensed as a licensed practical  
32 nurse, and such veteran shall thereafter be subject to all of  
33 the provisions of said article seven-a. If the veteran does  
34 not pass such examination or examinations, the provisions  
35 of said article seven-a relating to reexaminations (by cross-  
36 reference to section six, article one of this chapter) shall  
37 apply to such veteran the same as they apply to a person  
38 who does not apply for a license under the provisions of  
39 this article twenty-four.

**§30-24-4. Qualification for examination for license as a dental hygienist.**

1 Any person who has served on active duty in the medical  
2 corps of any of the armed forces of the United States and  
3 who has successfully completed the course of instruction  
4 required to qualify him for rating as a dental specialist,  
5 preventive dentistry technician or dental technician class A  
6 dental technician school, or other equivalent rating in his  
7 particular branch of the armed forces, and whose service in  
8 the armed forces was under honorable conditions, may sub-  
9 mit to the West Virginia board of dental examiners, a photo-  
10 static copy of the certificate issued to him certifying suc-  
11 cessful completion of such course of instruction, a photostatic  
12 copy of his discharge from the armed forces, an application  
13 for license as a dental hygienist and the prescribed fee.

14 If the certificate and discharge, as evidenced by the photo-  
15 static copies thereof, the application and prescribed fee are  
16 in order, and if the veteran meets all of the requirements of  
17 article four of this chapter, except the requirement therein  
18 specified requiring an applicant to be a graduate of and  
19 possess an acceptable diploma in dental hygiene from a  
20 school having a course in dental hygiene approved by such  
21 board, the veteran shall be permitted, notwithstanding any  
22 provision of said article four to the contrary, to take the

23 same examination or examinations as are required under  
24 section fourteen of said article four for applicants who do  
25 not apply for a license under the provisions of this article  
26 twenty-four. If the veteran passes such examination or ex-  
27 aminations, he shall be licensed as a dental hygienist, and  
28 such veteran shall thereafter be subject to all of the pro-  
29 visions of said article four relating to dental hygienists. If  
30 the veteran does not pass such examination or examinations,  
31 the provisions of said article four relating to reexaminations  
32 shall apply to such veteran the same as they apply to a  
33 person who does not apply for a license under the provi-  
34 sions of this article twenty-four.

**§30-24-5. Qualification for examination for registration as a  
sanitarian.**

1 Any person who has served on active duty in the medical  
2 corps of any of the armed forces of the United States and  
3 who has successfully completed the course of instruction re-  
4 quired to qualify him for rating as a food inspection special-  
5 ist or a preventive medical specialist, or other equivalent  
6 rating in his particular branch of the armed forces, and  
7 whose service in the armed forces was under honorable con-  
8 ditions, may submit to the West Virginia board of sanitari-  
9 ans, a photostatic copy of the certificate issued to him  
10 certifying successful completion of such course of instruction,  
11 a photostatic copy of his discharge from the armed forces,  
12 an application for registration as a professional sanitarian  
13 and the prescribed registration fee.

14 If the certificate and discharge, as evidenced by the photo-  
15 static copies thereof, the application and prescribed registra-  
16 tion fee are in order, and if the veteran meets all of the  
17 requirements of article seventeen of this chapter, except the  
18 educational and probationary employment requirements  
19 therein specified, the veteran shall be permitted, notwith-  
20 standing any provision of said article seventeen to the  
21 contrary, to take the same examination as is required under  
22 subdivision 1 (1), section five of said article seventeen for  
23 applicants who do not apply for registration under the  
24 provisions of this article twenty-four. If the veteran passes  
25 such examination, he shall be registered as a professional  
26 sanitarian, and such veteran shall thereafter be subject to  
27 all of the provisions of said article seventeen.

**§30-24-6. Qualification for examination for license as a licensed physical therapist.**

1 Any person who has served on active duty in the medical  
2 corps of any of the armed forces of the United States and  
3 who has successfully completed the course of instruction re-  
4 quired to qualify him for rating as a physical therapy  
5 specialist, physical and occupational therapy technician, physi-  
6 cal therapy technician, or physical therapy specialist (semi-  
7 skilled), or other equivalent rating in his particular branch  
8 of the armed forces, and whose service in the armed forces  
9 was under honorable conditions, may submit to the West Vir-  
10 ginia board of examiners and registration of physical ther-  
11 apists, a photostatic copy of the certificate issued to him  
12 certifying successful completion of such course of instruction,  
13 a photostatic copy of his discharge from the armed forces,  
14 an application for a license as a licensed physical therapist  
15 and the prescribed license fee.

16 If the certificate and discharge, as evidenced by the photo-  
17 static copies thereof, the application and prescribed license  
18 fee are in order, and if the veteran meets all of the  
19 requirements of article twenty of this chapter, except the re-  
20 quirement therein specified requiring an applicant to be a  
21 graduate of a school of physical therapy approved by the  
22 American Physical Therapy Association and the board, the  
23 veteran shall be permitted, notwithstanding any provision of  
24 said article twenty to the contrary, to take the same exam-  
25 ination or examinations as are required under section five of  
26 said article twenty for applicants who do not apply for a  
27 license under the provisions of this article twenty-four. If  
28 the veteran passes such examination or examinations, he  
29 shall be licensed as a licensed physical therapist, and such  
30 veteran shall thereafter be subject to all of the provisions  
31 of said article twenty. If the veteran does not pass such  
32 examination or examinations, any provisions of said article  
33 twenty relating to reexaminations shall apply to such veteran  
34 the same as they apply to a person who does not apply  
35 for a license under the provisions of this article twenty-four.

**§30-24-7. Records required to be kept; reports to Legislature.**

1 Each board referred to in the preceding sections of this  
2 article shall prepare and maintain records as to (1) the  
3 number of veterans who apply to such boards for license or  
4 registration under the provisions of this article and the per-

5 centage thereof who pass the required examination or ex-  
6 aminations; and (2) the number of persons who apply to  
7 such boards for license other than under the provisions of  
8 this article and the percentage thereof who pass the re-  
9 quired examination or examinations. Each such board shall  
10 render a report to the Legislature each year, during the first  
11 ten days of each regular session thereof, collating and sum-  
12 marizing the information contained in such records.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*H. Daniel Derby*  
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Chairman Senate Committee

*Florence C. Christian Jr*  
-----  
Chairman House Committee

Originated in the Senate.

To take effect from passage.

*Howard Tolson*  
-----  
Clerk of the Senate

*C. A. Blankenship*  
-----  
Clerk of the House of Delegates

*H. Boddy*  
-----  
President of the Senate

*Louis F. B. Thomas*  
-----  
Speaker House of Delegates

The within *approved* this the *13th*  
*April*  
day of \_\_\_\_\_, 1973.

*Arch A. Branch*  
-----  
Governor

PRESENTED TO THE  
GOVERNOR

Date 4/10/73

Time 10:35 a.m.