

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-29-81

Time \_\_\_\_\_

No: 647

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1981

ENROLLED

SENATE BILL NO. 647

(By Mr. Millions)

PASSED April 11, 1981

In Effect July 1, 1981 ~~Enacted~~

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SECY. OF STATE

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**Senate Bill No. 647**

(By MR. WILLIAMS)

[Passed April 11, 1981; in effect July 1, 1981.]

AN ACT to amend and reenact sections three and six, article seven, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increasing the per diem rate for the board of examiners for registered nurses; increasing the license fee for registered professional nurses for year commencing the first day of July, one thousand nine hundred eighty-two; and raising the maximum allowable fee for examination.

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

That sections three and six, article seven, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 7. REGISTERED PROFESSIONAL NURSES.**

**§30-7-3. Board of examiners for registered professional nurses; appointment, term and qualifications of members; reappointment; vacancies; removal; compensation.**

1 The governor shall appoint, by and with the advice and  
2 consent of the Senate, a board consisting of five members  
3 who shall constitute and be known as the West Virginia board  
4 of examiners for registered professional nurses.

5 Appointments hereunder shall be made by the governor, by  
6 and with the advice and consent of the Senate, from lists  
7 submitted to the governor by the West Virginia nurses'  
8 association. Such lists shall contain the names of at least three  
9 persons eligible for membership for each membership or

10 vacancy to be filled and shall be submitted to the governor on  
11 or before the first day of June of each year and at such other  
12 time or times as a vacancy on the board shall exist.  
13 Appointments under the provisions of this article shall be for  
14 a term of five years each or for the unexpired term, if any, of  
15 the present members. Any member may be eligible for  
16 reappointment, but no member shall serve longer than two  
17 successive terms. Vacancies shall be filled in the same  
18 manner as is provided for appointment in the first instance.  
19 The governor may remove any member for neglect of duty,  
20 for incompetence, or for unprofessional or dishonorable  
21 conduct.

22 Each member of the board hereafter appointed shall (a) be a  
23 citizen of the United States and a resident of this state, (b) be a  
24 graduate from an accredited educational program in this or  
25 any other state for the preparation of practitioners of  
26 registered professional nursing, or be a graduate from an  
27 accredited college or university with a major in the field of  
28 nursing, (c) be a graduate from an accredited college or  
29 university, (d) be a registered professional nurse licensed in  
30 this state or eligible for licensure as such, (e) have had at least  
31 five years of experience in teaching in an educational  
32 program for the preparation of practitioners of registered  
33 professional nursing, or in a combination of such teaching  
34 and either nursing service administration or nursing  
35 education administration, and (f) have been actually engaged  
36 in registered professional nursing for at least three within the  
37 past five years preceding his or her appointment or  
38 reappointment.

39 Each member of the board shall receive fifty dollars for  
40 each day actually spent in attending meetings of the board, or  
41 of its committees, and shall also be reimbursed for actual and  
42 necessary expenses: *Provided*, That the per diem increased  
43 by this amendment shall be effective upon passage of this  
44 article.

**§30-7-6. Qualifications and examinations of persons seeking  
licensure; applications; practitioners licensed in  
another state; present practitioners; fees; temporary  
permits.**

1 To obtain a license to practice registered professional  
2 nursing, an applicant for such license shall submit to the  
3 board written evidence, verified by oath, that he or she (a) is

4 of good moral character; (b) has completed an approved  
5 four-year high school course of study or the equivalent  
6 thereof, as determined by the appropriate educational  
7 agency; and (c) has completed an accredited program of  
8 registered professional nursing education and holds a  
9 diploma of a school accredited by the board.

10 The applicant shall also be required to pass a written  
11 examination in such subjects as the board may determine.  
12 Each written examination may be supplemented by an oral  
13 examination. Upon successfully passing such examination or  
14 examinations, the board shall issue to the applicant a license  
15 to practice registered professional nursing. The board shall  
16 determine the times and places for examinations. In the event  
17 an applicant shall have failed to pass examinations on two  
18 occasions, the applicant shall, in addition to the other  
19 requirements of this section, present to the board such other  
20 evidence of his or her qualifications as the board may  
21 prescribe.

22 The board may, upon application, issue a license to practice  
23 registered professional nursing by endorsement to an  
24 applicant who has been duly licensed as a registered  
25 professional nurse under the laws of another state, territory or  
26 foreign country if in the opinion of the board the applicant  
27 meets the qualifications required of registered professional  
28 nurses at the time of graduation.

29 Any person holding a valid license designated as a "waiver  
30 license" may submit an application to the board for a license  
31 containing no reference to the fact that such person has  
32 theretofore been issued such "waiver license." The provisions  
33 of this section relating to examination and fees and the  
34 provisions of all other sections of this article shall apply to  
35 any application submitted to the board pursuant to the  
36 provisions of this paragraph.

37 Any person applying for a license to practice registered  
38 professional nursing under the provisions of this article shall,  
39 with his or her application, pay to the board a fee of forty  
40 dollars: *Provided*, That the fee to be paid for the year  
41 commencing the first day of July, one thousand nine hundred  
42 eighty-two shall be seventy dollars: *Provided, however*, That  
43 the board in its discretion may, by rule or regulation, decrease  
44 either or both said license fees. In the event it shall be  
45 necessary for the board to reexamine any applicant for a

46 license, an additional fee shall be paid to the board by the  
47 applicant for reexamination: *Provided further*, That the total  
48 of such additional fees shall in no case exceed one hundred  
49 dollars for any one examination.

50 Any person holding a license heretofore issued by the West  
51 Virginia state board of examiners for registered nurses and  
52 which license is valid on the date this article becomes  
53 effective shall be deemed to be duly licensed under the  
54 provisions of this article for the remainder of the period of  
55 any such license heretofore issued. Any such license  
56 heretofore issued shall also, for all purposes, be deemed to be  
57 a license issued under this article and to be subject to the  
58 provisions hereof.

59 The board shall, upon receipt of a duly executed  
60 application for licensure and of the accompanying fee of  
61 seventy dollars, issue a temporary permit to practice  
62 registered professional nursing to any applicant who has  
63 received a diploma from a school of nursing approved by the  
64 board pursuant to this article after the date the board last  
65 scheduled a written examination for persons eligible for  
66 licensure: *Provided*, That no such temporary permit shall be  
67 renewable nor shall any such permit be valid for any purpose  
68 subsequent to the date the board has announced the results of  
69 the first written examination given by the board following the  
70 issuance of such permit.

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

*R. P. Baylor*  
Chairman Senate Committee

*Jonny E. Whitlow*  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1981.

*Todd C. Willis*  
Clerk of the Senate

*W. Blankenship*  
Clerk of the House of Delegates

*Mark W. ...*  
President of the Senate

*Wayne M. See, Jr.*  
Speaker House of Delegates

The within *is approved* this the *29*

day of *April*, 1981.

*John R. ...*  
Governor

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