WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981

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ENROLLED

SENATE BILL NO. 647

(By Mr. Williams)

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PASSED April 14, 1981
In Effect July 1, 1981

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ENROLLED

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 consent of the Senate, a board consisting of five members who shall constitute and be known as the West Virginia board of examiners for registered professional nurses.

2 Appointments hereunder shall be made by the governor, by and with the advice and consent of the Senate, from lists submitted to the governor by the West Virginia nurses’ association. Such lists shall contain the names of at least three persons eligible for membership for each membership or
vacancy to be filled and shall be submitted to the governor on
't or before the first day of June of each year and at such other
time or times as a vacancy on the board shall exist.
Appointments under the provisions of this article shall be for
a term of five years each or for the unexpired term, if any, of
the present members. Any member may be eligible for
reappointment, but no member shall serve longer than two
successive terms. Vacancies shall be filled in the same
manner as is provided for appointment in the first instance.
The governor may remove any member for neglect of duty,
for incompetence, or for unprofessional or dishonorable
conduct.

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

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

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

To obtain a license to practice registered professional
nursing, an applicant for such license shall submit to the
board written evidence, verified by oath, that he or she (a) is
of good moral character; (b) has completed an approved
four-year high school course of study or the equivalent
thereof, as determined by the appropriate educational
agency; and (c) has completed an accredited program of
registered professional nursing education and holds a
diploma of a school accredited by the board.

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

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

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

Any person applying for a license to practice registered
professional nursing under the provisions of this article shall,
with his or her application, pay to the board a fee of forty
dollars: Provided, That the fee to be paid for the year
commencing the first day of July, one thousand nine hundred
eighty-two shall be seventy dollars: Provided, however, That
the board in its discretion may, by rule or regulation, decrease
either or both said license fees. In the event it shall be
necessary for the board to reexamine any applicant for a
license, an additional fee shall be paid to the board by the
applicant for reexamination: Provided further, That the total
of such additional fees shall in no case exceed one hundred
dollars for any one examination.

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

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

Tony E. Whitlow  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1981.

J. J. Willis  
Clerk of the Senate

A. Blankenship  
Clerk of the House of Delegates

President of the Senate.

T. V. Bell, Jr.  
Speaker House of Delegates

The within is approved this the 29th day of April, 1981.

Governor