WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1983

ENROLLED
SENATE BILL NO. 476

(By Mr. Wilson)

PASSED March 12, 1983
In Effect

RECEIVED
Mar 25 1127 AH ‘83
OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-26-83

Mar 12: '83
ENROLLED
Senate Bill No. 476
(By Mr. Heck, Mr. Nelson and Mr. Kaufman)

[Passed March 12, 1983; in effect ninety days from passage.]

AN ACT to amend article fifteen, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section four-b; to amend article sixteen of said chapter by adding thereto a new section, designated section three-e; and to amend article twenty-four of said chapter by adding thereto a new section, designated section seven-a, all relating to providing that accident and sickness policies, group accident and sickness policies and hospital, medical service, dental and health service corporation policies cover nonsalaried, primary health care nursing services; and providing definition.

Be it enacted by the Legislature of West Virginia:

That article fifteen, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section four-b; that article sixteen of said chapter be amended by adding thereto a new section, designated section three-e; and that article twenty-four of said chapter be amended by adding thereto a new section, designated section seven-a, all to read as follows:

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-4b. Policies to cover nursing services; definition.

1. (a) Any insurer who, on or after the first day of January, one thousand nine hundred eighty-four, delivers or issues a policy of accident and sickness insurance in this state under the provisions of this article shall
make available as benefits to all subscribers and members
coverage for primary health care nursing services as
hereinafter set forth if such services are currently being
reimbursed when rendered by any other duly licensed
health care practitioner. No insurer may be required
to pay for duplicative health care services actually pro-
vided by both a registered professional nurse or licensed
midwife and other health providers.

(b) For purposes of this section, section three-e of
article sixteen and section seven-a of article twenty-four
of this chapter, "primary health care nursing services"
includes nursing care rendered by a nonsalaried duly
licensed registered professional nurse engaged in private
nursing practice or partnership with other health care
providers within the lawful scope of practice as defined
in section one, article seven, chapter thirty of this code,
and care rendered by a licensed nurse midwife or mid-
wife as this occupation is defined in section one, article
fifteen. chapter thirty of this code, and which care is
within the scope of duties for such licensed nurse-midwife
or midwife as permitted by the provisions of section
seven, article fifteen of said chapter thirty.

(c) Nothing in this section may be construed to permit
any registered professional nurse licensee or midwife
licensee to perform professional services beyond such
individual's areas of professional competence as estab-
lished by education, training and experience.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.
§33-16-3e. Policies to cover nursing services.

(a) Any insurer who, on or after the first day of
January, one thousand nine hundred eighty-four, delivers
or issues a policy of group accident and sickness insurance
in this state under the provisions of this article shall
make available as benefits to all subscribers and mem-
bers coverage for primary health care nursing services as
defined in section four-b, article fifteen of this chapter,
if such services are currently being reimbursed when
rendered by any other duly licensed health care prac-
tioner. No insurer may be required to pay for duplica-
tive health care services actually provided by both a
registered professional nurse or licensed midwife and other health providers.

(b) Nothing in this section may be construed to permit any registered professional nurse licensee or midwife licensee to perform professional services beyond such individual's areas of professional competence as established by education, training and experience.

ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE CORPORATIONS, DENTAL SERVICE CORPORATIONS AND HEALTH SERVICE CORPORATIONS.

§33-24-7a. Contracts to cover nursing service.

(a) Any contract made under the provisions of this article shall, on or after the first day of January, one thousand nine hundred eighty-four, contain a provision that the corporation shall make available as covered benefits to all subscribers and members coverage for primary health care nursing services as defined in section four-b, article fifteen of this chapter, if such services are currently being reimbursed when rendered by any other duly licensed health care practitioner. No corporation may be required to pay for duplicative health care services actually provided by both a registered professional nurse or licensed midwife and other health providers.

(b) Nothing in this section may be construed to permit any registered professional nurse licensee or midwife licensee to perform professional services beyond such individual's scope of professional competence as established by education, training and experience.
Enr. S. B. No. 476] 4

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

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within __approved____ this the ___26___

day of ___March___, 1983.

[Signature]
Governor