

HB 4661 S

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2006



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 4661

(By Delegates Mahan and Amores)



Passed March 9, 2006

In Effect Ninety Days from Passage

FILED

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FOR

H. B. 4661

(BY DELEGATES MAHAN AND AMORES)

[Passed March 9, 2006; in effect ninety days from passage.]

AN ACT to amend and reenact §30-7C-7 of the Code of West Virginia, 1931, as amended, relating to continuing Board of Registered Professional Nurses emergency rule relating to dialysis technicians.

Be it enacted by the Legislature of West Virginia:

That §30-7C-7 of the Code of West Virginia, 1931, as amended, be amended and reenacted, to read as follows:

ARTICLE 7C. DIALYSIS TECHNICIANS.

§30-7C-7. Powers and duties of Board; rule-making authority.

1 (a) The Board may:

2 (1) Adopt and amend rules consistent with this article
3 necessary to enable it to carry into effect the provisions of this
4 article, including disciplinary rules;

5 (2) Prescribe standards for preparing individuals for the role
6 of dialysis technician under this article;

7 (3) Provide for standards for approved dialysis technician
8 training programs;

9 (4) Accredite educational programs for the preparation of
10 dialysis technicians that meet the requirements of this article;

11 (5) Provide surveys of educational programs when the
12 Board considers it necessary;

13 (6) Approve, reapprove and prescribe standards for testing
14 organizations and the tests offered by organizations for dialysis
15 technicians;

16 (7) Deny or withdraw approval of testing organizations;

17 (8) Prescribe standards for dialysis technician trainees;

18 (9) Issue, renew or revoke temporary permits, endorsements
19 and certifications for dialysis technicians;

20 (10) Deny or withdraw accreditation of approved dialysis
21 technician training programs for failure to meet or maintain
22 prescribed standards required by this article and by the Board;

23 (11) Conduct hearings upon charges calling for discipline
24 of a dialysis technician;

25 (12) Keep a record of all proceedings of the Board; and

26 (13) Further regulate, as necessary, dialysis technicians:
27 *Provided*, That the Board is not authorized to establish staffing
28 ratios.

29 (b) The Board shall propose rules for legislative approval
30 in accordance with the provisions of article three, chapter
31 twenty-nine-a of the code to:

32 (1) Prescribe standards for training programs;

33 (2) Prescribe testing standards and requirements;

34 (3) Prescribe requirements for persons and organizations
35 providing training programs and testing services;

36 (4) Assess fees for the certification of dialysis technicians,
37 approval of training programs, tests and providers of training
38 programs and testing services, and other services performed by
39 the Board; and

40 (5) Provide for any other requirements necessary to carry
41 out the purposes of this article.

42 (c) The Board may promulgate emergency rules pursuant
43 to the provisions of section fifteen, article three, chapter twenty-
44 nine-a of this code for the purposes set forth in this section.
45 Notwithstanding the provisions of section fifteen, article three,
46 chapter twenty-nine-a of this Code to the contrary, the legisla-
47 tive rule proposed by the Board of Registered Professional
48 Nurses entitled "Dialysis Technicians", [19CSR13] and
49 authorized as an emergency rule by the Secretary of State on
50 the fifth day of August, two thousand five, shall continue in full
51 force and effect as an emergency rule until the first day of July,
52 two thousand seven, unless disapproved or authorized as a
53 legislative rule, or otherwise amended by an Act of the Legisla-
54 ture.

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



Chairman Senate Committee



Chairman House Committee

Originating in the House.

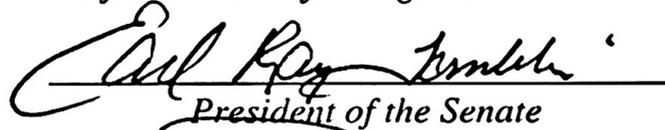
In effect ninety days from passage.



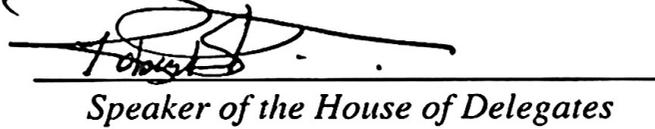
Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within is approved this the 3rd
day of April 2006.



Governor

PRESENTED TO THE
GOVERNOR

MAR 23 2006

Time 3:25 