WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2006

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ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 4661

(By Delegates Mahan and Amores)

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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.

(a) The Board may:
(1) Adopt and amend rules consistent with this article necessary to enable it to carry into effect the provisions of this article, including disciplinary rules;

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

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

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

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

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

(7) Deny or withdraw approval of testing organizations;

(8) Prescribe standards for dialysis technician trainees;

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

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

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

(12) Keep a record of all proceedings of the Board; and
(13) Further regulate, as necessary, dialysis technicians: 
Provided, That the Board is not authorized to establish staffing 
ratios.

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

(1) Prescribe standards for training programs;
(2) Prescribe testing standards and requirements;
(3) Prescribe requirements for persons and organizations 
providing training programs and testing services;
(4) Assess fees for the certification of dialysis technicians, 
approval of training programs, tests and providers of training 
programs and testing services, and other services performed by 
the Board; and
(5) Provide for any other requirements necessary to carry 
out the purposes of this article.

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