

**FILED**

2014 MAR 28 P 5:48

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
SECOND REGULAR SESSION, 2014

HB 4318

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**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR

**House Bill No. 4318**

(By Delegates Fleischauer, Longstreth, Campbell,  
Pethel, Barrett, Barill, Jones, Stephens,  
laquinta, Rowan and Ireland)

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Passed March 8, 2014

In effect from passage.

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**H. B. 4318**

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(BY DELEGATES FLEISCHAUER, LONGSTRETH, CAMPBELL,  
PETHIEL, BARRETT, BARILL, JONES, STEPHENS,  
LAQUINTA, ROWAN AND IRELAND)

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[Passed March 8, 2014; in effect from passage.]

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**AN ACT to amend and reenact §30-1-7a of the Code of West Virginia, 1931, as amended, relating to continuing education relevant to mental health issues of veterans and their families; providing certain boards adopt continuing education courses relevant to mental health issues of veterans and their families as part their continuing education requirements for licensure or renewal; and requiring a minimum of two hours of continuing education relevant to mental health issues of veterans and their families for licensure renewal for certain professions.**

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

**That §30-1-7a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:**

DE 11A

84 0 9 **ARTICLE 1. GENERAL PROVISIONS APPLICABLE TO ALL STATE  
BOARDS OF EXAMINATION OR REGISTRATION  
REFERRED TO IN CHAPTER**

4007-730  
3142

**§30-1-7a. Continuing education.**

1 (a) Each board referred to in this chapter shall establish  
2 continuing education requirements as a prerequisite to license  
3 renewal. Each board shall develop continuing education criteria  
4 appropriate to its discipline, which shall include, but not be  
5 limited to, course content, course approval, hours required and  
6 reporting periods.

7 (b) Notwithstanding any other provision of this code or the  
8 provision of any rule to the contrary, each person issued a  
9 license to practice medicine and surgery or a license to practice  
10 podiatry or licensed as a physician assistant by the West Virginia  
11 Board of Medicine, each person issued a license to practice  
12 dentistry by the West Virginia Board of Dental Examiners, each  
13 person issued a license to practice optometry by the West  
14 Virginia Board of Optometry, each person licensed as a  
15 pharmacist by the West Virginia Board of Pharmacy, each  
16 person licensed to practice registered professional nursing or  
17 licensed as an advanced nurse practitioner by the West Virginia  
18 Board of Examiners for Registered Professional Nurses, each  
19 person licensed as a licensed practical nurse by the West  
20 Virginia State Board of Examiners for Licensed Practical Nurses  
21 and each person licensed to practice medicine and surgery as an  
22 osteopathic physician and surgeon or licensed or certified as an  
23 osteopathic physician assistant by the West Virginia Board of  
24 Osteopathy shall complete drug diversion training and best  
25 practice prescribing of controlled substances training, as the  
26 trainings are established by his or her respective licensing board,  
27 if that person prescribes, administers, or dispenses a controlled  
28 substance, as that term is defined in section one hundred one,  
29 article one, chapter sixty-a of this code.

30 (1) Notwithstanding any other provision of this code or the  
31 provision of any rule to the contrary, the West Virginia Board of

32 **Medicine, the West Virginia Board of Dental Examiners, the**  
33 **West Virginia Board of Optometry, the West Virginia Board of**  
34 **Pharmacy, the West Virginia Board of Examiners for Registered**  
35 **Professional Nurses, the West Virginia State Board of Examiners**  
36 **for Licensed Practical Nurses and the West Virginia Board of**  
37 **Osteopathy shall establish continuing education requirements**  
38 **and criteria appropriate to their respective discipline on the**  
39 **subject of drug diversion training and best practice prescribing**  
40 **of controlled substances training for each person issued a license**  
41 **or certificate by their respective board who prescribes,**  
42 **administers or dispenses a controlled substance, as that term is**  
43 **defined in section one hundred one, article one, chapter sixty-a**  
44 **of this code, and shall develop a certification form pursuant to**  
45 **subdivision (b)(2) of this section.**

46 **(2) Each person who receives his or her initial license or**  
47 **certificate from any of the boards set forth in subsection (b) shall**  
48 **complete the continuing education requirements set forth in**  
49 **subsection (b) within one year of receiving his or her initial**  
50 **license from that board and each person licensed or certified by**  
51 **any of the boards set forth in subsection (b) who has held his or**  
52 **her license or certificate for longer than one year shall complete**  
53 **the continuing education requirements set forth in subsection (b)**  
54 **as a prerequisite to each license renewal: *Provided*, That a**  
55 **person subject to subsection (b) may waive the continuing**  
56 **education requirements for license renewal set forth in**  
57 **subsection (b) if he or she completes and submits to his or her**  
58 **licensing board a certification form developed by his or her**  
59 **licensing board attesting that he or she has not prescribed,**  
60 **administered, or dispensed a controlled substance, as that term**  
61 **is defined in section one hundred one, article one, chapter sixty-a**  
62 **of this code, during the entire applicable reporting period.**

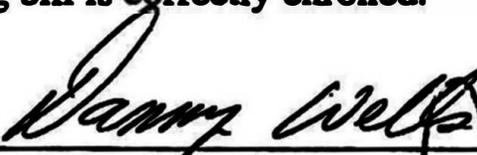
63 **(c) Notwithstanding any other provision of this code or the**  
64 **provision of any rule to the contrary, each person licensed to**  
65 **practice registered professional nursing or licensed as an**  
66 **advanced nurse practitioner by the West Virginia Board of**

67 Examiners for Registered Professional Nurses, each person  
68 licensed as a licensed practical nurse by the West Virginia State  
69 Board of Examiners for Licensed Practical Nurses, each person  
70 issued a license to practice midwifery as a nurse-midwife by the  
71 West Virginia Board of Examiners for Registered Professional  
72 Nurses, each person issued a license to practice chiropractic by  
73 the West Virginia Board of Chiropractic, each person licensed to  
74 practice psychology by the Board of Examiners of Psychologists,  
75 each person licensed to practice social work by the West  
76 Virginia Board of Social Work, and each person licensed to  
77 practice professional counseling by the West Virginia Board of  
78 Examiners in Counseling, shall complete two hours of  
79 continuing education for each reporting period on mental health  
80 conditions common to veterans and family members of veterans,  
81 as the continuing education is established or approved by his or  
82 her respective licensing board. The two hours shall be part of the  
83 total hours of continuing education required by each board and  
84 not two additional hours.

85 (1) Notwithstanding any other provision of this code or the  
86 provision of any rule to the contrary, on or before July 1, 2015,  
87 the boards referred to in this subsection shall establish  
88 continuing education requirements and criteria and approve  
89 continuing education coursework appropriate to their respective  
90 discipline on the subject of mental health conditions common to  
91 veterans and family members of veterans, in cooperation with  
92 the Secretary of the Department of Veterans Assistance. The  
93 continuing education shall include training on inquiring about  
94 whether the patients are veterans or family members of veterans,  
95 and screening for conditions such as post-traumatic stress  
96 disorder, risk of suicide, depression and grief, and prevention of  
97 suicide.

98 (2) On or after July 1, 2017, each person licensed by any of  
99 the boards set forth in this subsection shall complete the  
100 continuing education described herein as a prerequisite to his or  
101 her next license renewal.

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

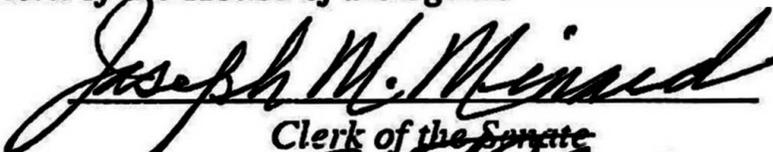
  
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Chairman, House Committee

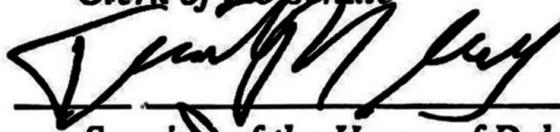
  
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Member — Chairman, Senate Committee

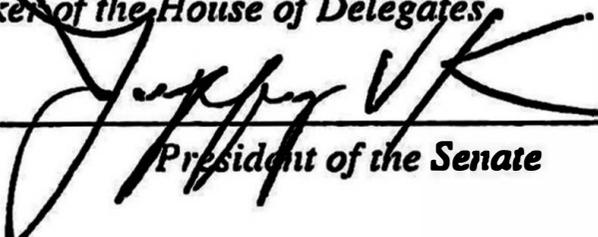
Originating in the House.

In effect from passage.

  
\_\_\_\_\_  
Clerk of the House of Delegates

  
\_\_\_\_\_  
Clerk of the Senate

  
\_\_\_\_\_  
Speaker of the House of Delegates

  
\_\_\_\_\_  
President of the Senate

The within is approved this the 28<sup>th</sup>  
day of March, 2014.

  
\_\_\_\_\_  
Governor

**PRESENTED TO THE GOVERNOR**

MAR 28 2011

**Time** 10:45hr