

# WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2804

BY DELEGATES LANE, FERRO, WILLIAMS, PHILLIPS,

MAYNARD AND ROBINSON

[Passed April 8, 2017; in effect ninety days from passage.]

FILED

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

HB 2804

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1 AN ACT to amend and reenact §30-1-7a of the Code of west Virginia, 1931, as amended, relating  
2 to continuing education requirements; removing continuing education requirements; and  
3 removing outdated provisions.

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

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

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

**§30-1-7a. Continuing education.**

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

5 (b) Notwithstanding any other provision of this code or the provision of a legislative rule to  
6 the contrary, each person issued a license to practice medicine and surgery, a license to practice  
7 podiatry or licensed as a physician assistant by the West Virginia Board of Medicine; each person  
8 issued a license to practice dentistry by the West Virginia Board of Dental Examiners, each person  
9 issued a license to practice optometry by the West Virginia Board of Optometry, each person  
10 licensed as a pharmacist by the West Virginia Board of Pharmacy, each person licensed to  
11 practice registered professional nursing or licensed as an advanced nurse practitioner by the  
12 West Virginia Board of Examiners for Registered Professional Nurses, each person licensed as  
13 a licensed practical nurse by the West Virginia State Board of Examiners for Licensed Practical  
14 Nurses and each person licensed to practice medicine and surgery as an osteopathic physician  
15 and surgeon or licensed or certified as an osteopathic as physician assistant by the West Virginia  
16 Board of Osteopathy shall complete drug diversion training, best-practice prescribing of controlled

17 substances training and training on prescribing and administration of an opioid antagonist, as the  
18 trainings are established by his or her respective licensing board, if that person prescribes,  
19 administers or dispenses a controlled substance, as that term is defined in section one hundred  
20 one, article one, chapter sixty-a of this code.

21 (1) Notwithstanding any other provision of this code or the provision of any legislative rule  
22 to the contrary, the West Virginia Board of Medicine, the West Virginia Board of Dental Examiners,  
23 the West Virginia Board of Optometry, the West Virginia Board of Pharmacy, the West Virginia  
24 Board of Examiners for Registered Professional Nurses, the West Virginia State Board of  
25 Examiners for Licensed Practical Nurses and the West Virginia Board of Osteopathy shall  
26 establish continuing education requirements and criteria appropriate to their respective discipline  
27 on the subject of drug diversion training, best-practice prescribing of controlled substances  
28 training and prescribing and administration of an opioid antagonist training for each person issued  
29 a license or certificate by their respective board who prescribes, administers or dispenses a  
30 controlled substance, as that term is defined in section one hundred one, article one, chapter  
31 sixty-a of this code, and shall develop a certification form pursuant to subdivision (b)(2) of this  
32 section.

33 (2) Each person who receives his or her initial license or certificate from any of the boards  
34 set forth in subsection (b) of this section shall complete the continuing education requirements  
35 set forth in subsection (b) of this section within one year of receiving his or her initial license from  
36 that board and each person licensed or certified by any of the boards set forth in subsection (b)  
37 of this section who has held his or her license or certificate for longer than one year shall complete  
38 the continuing education requirements set forth in subsection (b) of this section as a prerequisite  
39 to each license renewal: *Provided*, That a person subject to subsection (b) of this section may  
40 waive the continuing education requirements for license renewal set forth in subsection (b) of this  
41 section if he or she completes and submits to his or her licensing board a certification form  
42 developed by his or her licensing board attesting that he or she has not prescribed, administered

43 or dispensed a controlled substance, as that term is defined in section one hundred one, article  
44 one, chapter sixty-a of this code, during the entire applicable reporting period.

45 (c) Notwithstanding any other provision of this code or the provision of any legislative rule  
46 to the contrary, each person licensed to practice registered professional nursing or licensed as  
47 an advanced nurse practitioner by the West Virginia Board of Examiners for Registered  
48 Professional Nurses, each person licensed as a licensed practical nurse by the West Virginia  
49 State Board of Examiners for Licensed Practical Nurses, each person licensed to practice  
50 psychology by the Board of Examiners of Psychologists, each person licensed to practice social  
51 work by the West Virginia Board of Social Work and each person licensed to practice professional  
52 counseling by the West Virginia Board of Examiners in Counseling shall complete two hours of  
53 continuing education for each reporting period on mental health conditions common to veterans  
54 and family members of veterans, as the continuing education is established by his or her  
55 respective licensing board. In cooperation with the Secretary of the Department of Veterans'  
56 Assistance, the continuing education shall include training on inquiring about whether the patients  
57 are veterans or family members of veterans, and screening for conditions such as post-traumatic  
58 stress disorder, risk of suicide, depression and grief and prevention of suicide. The two hours  
59 shall be part of the total hours of continuing education required by each board and not two  
60 additional hours.

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

  
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Chairman, House Committee

  
.....  
Member ~~Chairman~~, Senate Committee

FILED  
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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

Originating in the House.

In effect ninety days from passage.

  
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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 26<sup>th</sup>  
day of April, 2017.

  
.....  
Governor

PRESENTED TO THE GOVERNOR

APR 20 2017

Time 3:13 pm