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H. B. 3061

(By Delegates Morgan, Stephens and Martin)
[Introduced February 8, 2011; referred to the
Committee on Health and Human Resources then Government
Organization.]

10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §30-1-20, relating to
12 authorizing physical and mental health related licensing
13 boards to establish a volunteer's certificate allowing
14 professional licensees to volunteer without a license; and
15 requiring the boards to establish rules to implement
16 procedures.

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

18 That the Code of West Virginia, 1931, as amended, be amended
19 by adding thereto a new section, designated §30-1-20, to read as
20 follows:

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

23 **§30-1-20. Boards may permit a resident and nonresident licensee**
24 **to volunteer for a certain period of time.**

25 (a) Subject to the requirements of this section, the physical
26 and mental health related boards in this chapter may establish a
27 volunteer's certificate to authorize resident and nonresident

1 licensees from other jurisdictions to provide services to indigent
2 and needy persons or to persons at organized events sponsored by
3 nonprofit corporations.

4 (b) The boards may issue a volunteer's certificate, without
5 payment of application, examination, license or renewal fees, upon
6 receipt and review of an application which includes the following:

7 (1) A copy of the applicant's professional degree;

8 (2) One of the following, as applicable:

9 (A) A copy of the applicant's most recent license to practice
10 the profession regulated by the board issued by a jurisdiction in
11 the United States that licenses persons to practice the profession;
12 or

13 (B) A copy of the applicant's most recent license equivalent
14 to a license to practice the profession in one or more branches of
15 the United States Armed Services, issued by the United States
16 Government; and

17 (3) Evidence of one of the following, as applicable:

18 (A) The applicant has maintained for at least two years
19 licensure in good standing in any jurisdiction in the United States
20 that licenses persons to practice the profession; or

21 (B) The applicant has practiced the profession in good
22 standing for at least two years in one or more branches of the
23 United States Armed Services; and

24 (4) A notarized statement from the applicant, on a form
25 prescribed by the board, that the applicant will not accept any

1 form of remuneration for any services rendered while in possession
2 of a volunteer's certificate.

3 (c) Before the implementation of this section, a board shall
4 propose rules for legislative approval in accordance with the
5 provisions of article three, chapter twenty-nine-a of this code,
6 setting forth the volunteer certification requirements, application
7 process and permissible uses.

NOTE: The purpose of this bill is to authorize professional licensing boards to create a volunteer certification so that a health or mental health professional may provide volunteer services in this state without having to have a license issued by this state.

This section is new; therefore, it has been completely underscored.