

1 **H. B. 4104**

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3 (By Delegates Morgan, Stephens, Hatfield, Butcher,
4 Cann, D. Poling, Craig and Swartzmiller)

5 [Introduced January 18, 2012; referred to the
6 Committee on Government Organization.]

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10 A BILL to amend and reenact §30-1-7a of the Code of West Virginia,
11 1931, as amended, relating to authorizing professional
12 licensing boards to exempt licensees who have been
13 continuously licensed for twenty years or more from continuing
14 education requirements.

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

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

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

20 **§30-1-7a. Continuing education.**

21 (a) Each board referred to in this chapter shall establish
22 ~~continuing education requirements as a prerequisite to license~~
23 ~~renewal. Each board shall develop~~ continuing education criteria
24 appropriate to its discipline, ~~which shall include, but not be~~

1 ~~limited to,~~ including course content, course approval, hours
2 required and reporting periods, as a prerequisite to license
3 renewal: Provided, That a board may, by legislative rule, exempt
4 licensees who have been continuously licensed in this state or in
5 any jurisdiction with licensure requirements in this state for a
6 period of twenty years or more from continuing education
7 requirements.

8 (b) (1) Notwithstanding any other provision of this code or
9 the provision of any rule to the contrary, each person issued a
10 license to practice medicine and surgery or a license to practice
11 podiatry or a license as a physician assistant by the West Virginia
12 Board of Medicine, each person licensed as a pharmacist by the West
13 Virginia Board of Pharmacy, each person licensed to practice
14 registered professional nursing or licensed as an advanced nurse
15 practitioner by the West Virginia board of examiners for registered
16 professional nurses, each person licensed as a licensed practical
17 nurse by the West Virginia State Board of Examiners for licensed
18 practical nurses and each person licensed to practice medicine and
19 surgery as an osteopathic physician and surgeon or certified as an
20 osteopathic physician assistant by the West Virginia Board of
21 Osteopathy shall complete two hours of continuing education
22 coursework in the subject of end-of-life care including pain
23 management during each continuing education reporting period
24 through the reporting period ending June 30, 2005. The two hours

1 shall be part of the total hours of continuing education required
2 by each board by rule and not two additional hours.

3 (2) Effective as of the reporting period beginning July 1,
4 2005, the coursework requirement imposed by this subsection will
5 become a one-time requirement, and all licensees who have not
6 completed the coursework requirement shall complete the coursework
7 requirement prior to his or her first license renewal.

NOTE: The purpose of this bill is to authorize, by legislative rule, professional licensing boards to exempt licensees who have been continuously licensed for twenty years or more from continuing education requirements.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.