

Senate Bill No. 343

(By Senators Blair, Snyder and Nohe)

[Introduced January 28, 2015; referred to the Committee on Government Organization; and then
to the Committee on the Judiciary.]

A BILL to amend and reenact §30-1-7a of the Code of West Virginia, 1931, as amended, relating
to removing chiropractors from the list of medical professionals required to obtain continuing
education on mental health conditions common to veterans and family members of veterans.

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:

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

§30-1-7a. Continuing education.

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

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

16 (1) Notwithstanding any other provision of this code or the provision of any rule to the
17 contrary, the West Virginia Board of Medicine, the West Virginia Board of Dental Examiners, the
18 West Virginia Board of Optometry, the West Virginia Board of Pharmacy, the West Virginia Board
19 of Examiners for Registered Professional Nurses, the West Virginia State Board of Examiners for
20 Licensed Practical Nurses and the West Virginia Board of Osteopathy shall establish continuing
21 education requirements and criteria appropriate to their respective discipline on the subject of drug
22 diversion training and best practice prescribing of controlled substances training for each person

1 issued a license or certificate by their respective board who prescribes, administers or dispenses a
2 controlled substance, as that term is defined in section one hundred one, article one, chapter sixty-a
3 of this code, and shall develop a certification form pursuant to subdivision (b)(2) of this section.

4 (2) Each person who receives his or her initial license or certificate from any of the boards
5 set forth in subsection (b) shall complete the continuing education requirements set forth in
6 subsection (b) within one year of receiving his or her initial license from that board and each person
7 licensed or certified by any of the boards set forth in subsection (b) who has held his or her license
8 or certificate for longer than one year shall complete the continuing education requirements set forth
9 in subsection (b) as a prerequisite to each license renewal: *Provided*, That a person subject to
10 subsection (b) may waive the continuing education requirements for license renewal set forth in
11 subsection (b) if he or she completes and submits to his or her licensing board a certification form
12 developed by his or her licensing board attesting that he or she has not prescribed, administered, or
13 dispensed a controlled substance, as that term is defined in section one hundred one, article one,
14 chapter sixty-a of this code, during the entire applicable reporting period.

15 (c) Notwithstanding any other provision of this code or the provision of any rule to the
16 contrary, each person licensed to practice registered professional nursing or licensed as an advanced
17 nurse practitioner by the West Virginia Board of Examiners for Registered Professional Nurses, each
18 person licensed as a licensed practical nurse by the West Virginia State Board of Examiners for
19 Licensed Practical Nurses, each person issued a license to practice midwifery as a nurse-midwife by
20 the West Virginia Board of Examiners for Registered Professional Nurses, ~~each person issued a~~
21 ~~license to practice chiropractic by the West Virginia Board of Chiropractic~~, each person licensed to
22 practice psychology by the Board of Examiners of Psychologists, each person licensed to practice

1 social work by the West Virginia Board of Social Work, and each person licensed to practice
2 professional counseling by the West Virginia Board of Examiners in Counseling, shall complete two
3 hours of continuing education for each reporting period on mental health conditions common to
4 veterans and family members of veterans, as the continuing education is established or approved by
5 his or her respective licensing board. The two hours shall be part of the total hours of continuing
6 education required by each board and not two additional hours.

7 (1) Notwithstanding any other provision of this code or the provision of any rule to the
8 contrary, on or before July 1, 2015, the boards referred to in this subsection shall establish continuing
9 education requirements and criteria and approve continuing education coursework appropriate to
10 their respective discipline on the subject of mental health conditions common to veterans and family
11 members of veterans, in cooperation with the Secretary of the Department of Veterans Assistance.
12 The continuing education shall include training on inquiring about whether the patients are veterans
13 or family members of veterans, and screening for conditions such as post-traumatic stress disorder,
14 risk of suicide, depression and grief, and prevention of suicide.

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

NOTE: The purpose of this bill is to remove chiropractic physicians from the list of medical professionals required to perform continuing education in the area of mental health conditions common to veterans and family members of veterans.

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