

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2648

BY DELEGATE SUMMERS

[Introduced January 24, 2019; Referred
to the Committee on Health and Human Resources.]

1 A BILL to amend and reenact §30-1-7a of the Code West Virginia, 1931, as amended, relating to
2 continuing education for registered nurses and advanced nurse practitioners; exempting
3 them from continuing education in drug diversion, controlled substance prescribing
4 practices, and administration of opioid antagonists; exempting them from continuing
5 education for screening veterans and families of veterans for signs of certain mental and
6 emotional disorders; and removing the requirement for the Board of Examiners for
7 Registered Professional Nurses to establish requirements and criteria therefor.

Be it enacted by the Legislature of West Virginia:

**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 a
13 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 §60A-1-101 of this
20 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 §60A-1-101 of this code, and shall develop a
31 certification form pursuant to subdivision (b)(2) of this section.

32 (2) Each person who receives his or her initial license or certificate from any of the boards
33 set forth in subsection (b) of this section shall complete the continuing education requirements
34 set forth in subsection (b) of this section within one year of receiving his or her initial license from
35 that board and each person licensed or certified by any of the boards set forth in subsection (b)
36 of this section who has held his or her license or certificate for longer than one year shall complete
37 the continuing education requirements set forth in subsection (b) of this section as a prerequisite
38 to each license renewal: *Provided*, That a person subject to subsection (b) of this section may
39 waive the continuing education requirements for license renewal set forth in subsection (b) of this
40 section if he or she completes and submits to his or her licensing board a certification form

41 developed by his or her licensing board attesting that he or she has not prescribed, administered
42 or dispensed a controlled substance, as that term is defined in §60A-1-101 of this code, during
43 the entire applicable reporting period.

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

NOTE: The purpose of this bill is to exempt RNs and Advanced Nurse Practitioners from certain types of continuing education requirements.

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