

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

Senate Bill 518

BY SENATORS BLAIR (MR. PRESIDENT) AND BALDWIN

(BY REQUEST OF THE EXECUTIVE)

[Originating in the Committee on Health and Human

Resources; reported on February 25, 2022]

1 A BILL to amend and reenact §30-7-6 of the Code of West Virginia, 1931, as amended, relating
2 to allowing eligible professional nurses and advance practice registered nurses, or the
3 equivalent, to practice in West Virginia; removing expiration date of temporary permit; and
4 providing that temporary permit is valid until the board approves or denies the
5 endorsement request.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. REGISTERED PROFESSIONAL NURSES.

§30-7-6. Qualifications; licensure; fees; temporary permits.

1 (a) To obtain a license to practice registered professional nursing, an applicant for such
2 license shall submit to the board written evidence, verified by oath, that he or she: (1) Is of good
3 moral character; (2) has completed an approved four-year high school course of study or the
4 equivalent thereof, as determined by the appropriate educational agency; and (3) has completed
5 an accredited program of registered professional nursing education and holds a diploma of a
6 school accredited by the board.

7 (b) The applicant shall be required to pass a written examination in such subjects as the
8 board may determine. Each written examination may be supplemented by an oral examination.
9 Upon successfully passing such examination or examinations, the board shall issue to the
10 applicant a license to practice registered professional nursing. The board shall determine the
11 times and places for examinations. In the event an applicant shall have failed to pass
12 examinations on two occasions, the applicant shall, in addition to the other requirements of this
13 section, present to the board such other evidence of his or her qualifications as the board may
14 prescribe.

15 (c) The board may, upon application, issue a license to practice registered professional
16 nursing by endorsement to an applicant who has been duly licensed as a registered professional
17 nurse under the laws of another state, territory, or foreign country if in the opinion of the board the
18 applicant meets the qualifications required of registered professional nurses at the time of

19 graduation.

20 (d) The board may, upon application and proper identification determined by the board,
21 issue a temporary permit to practice registered professional nursing by endorsement to an
22 applicant who has been duly licensed as a registered professional nurse under the laws of another
23 state, territory, or foreign country. Such temporary permit authorizes the holder to practice
24 registered professional nursing in this state while the temporary permit is effective. A temporary
25 permit shall be effective ~~for ninety days unless the board revokes such permit prior to its~~
26 ~~expiration, and such permit may not be renewed~~ until the board either approves or denies an
27 endorsement request. Any person applying for a temporary license under the provisions of this
28 section shall, with his or her application, pay to the board a nonrefundable fee of \$10.

29 (e) Any person holding a valid license designated as a "waiver license" may submit an
30 application to the board for a license containing no reference to the fact that such person has
31 theretofore been issued such "waiver license". The provisions of this section relating to
32 examination and fees and the provisions of all other sections of this article shall apply to any
33 application submitted to the board pursuant to the provisions of this section.

34 (f) Any person applying for a license to practice registered professional nursing under the
35 provisions of this article shall, with his or her application, pay to the board a fee of \$40: *Provided,*
36 That the fee to be paid for the year commencing July 1, 1982, shall be \$70: *Provided, however,*
37 That the board, in its discretion, may, by rule or regulation, decrease either or both said license
38 fees. In the event it shall be necessary for the board to reexamine any applicant for a license, an
39 additional fee shall be paid to the board by the applicant for reexamination: *Provided further,* That
40 the total of such additional fees shall in no case exceed \$100 for any one examination.

41 (g) Any person holding a license heretofore issued by the West Virginia state Board of
42 Examiners for Registered Professional Nurses and which license is valid on the date this article
43 becomes effective shall be deemed to be duly licensed under the provisions of this article for the
44 remainder of the period of any such license heretofore issued. Any such license heretofore issued

45 shall also, for all purposes, be deemed to be a license issued under this article and to be subject
46 to the provisions hereof.

47 (h) The board shall, upon receipt of a duly executed application for licensure and of the
48 accompanying fee of \$70, issue a temporary permit to practice registered professional nursing to
49 any applicant who has received a diploma from a school of nursing approved by the board
50 pursuant to this article after the date the board last scheduled a written examination for persons
51 eligible for licensure: *Provided*, That no such temporary permit shall be renewable nor shall any
52 such permit be valid for any purpose subsequent to the date the board has announced the results
53 of the first written examination given by the board following the issuance of such permit.

54 (i) To obtain a license to practice as an advanced practice registered nurse, an applicant
55 must submit a written application, verified by oath, to the board together with an application fee
56 established by the board through an authorized legislative rule. The requirements for a license to
57 practice as an advanced practice registered nurse in this state are listed below and must be
58 demonstrated to the board through satisfactory evidence submitted with the application for a
59 license:

60 (1) The applicant must be licensed in good standing with the board as a registered
61 professional nurse;

62 (2) The applicant must have satisfactorily completed a graduate-level program accredited
63 by a national accreditation body that is acceptable to the board; and

64 (3) The applicant must be currently certified by a national certification organization and
65 approved by the board, in one or more of the following nationally recognized advance practice
66 registered nursing roles: Certified registered nurse anesthetist, certified nurse-midwife, clinical
67 nurse specialist, or certified nurse practitioner.