WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2978

By Delegates Foster and Young

[Introduced January 24, 2023; Referred to the

Committee on Health and Human Resources]

1   A BILL to amend and reenact §16-2-16 of the Code of West Virginia, 1931, as amended, relating to

2   removing the requirement that a local county health department issue a food handler

3   permit or card; and providing that food handlers shall follow United States Food and Drug

4   Administration regulations applicable to food-handling operations.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. LOCAL BOARDS OF HEALTH.

§16-2-16. Food handler examinations and cards.

1   A food handler <u>shall not be required to obtain a</u> permit or card issued pursuant to the

2   procedures put in place by a local county health department ~~shall be valid for at least one year but~~

3   ~~not longer than three years. The permit or card shall be valid in all counties of this state, if the~~

4   ~~applicant pays an additional fee not to exceed $10. If required, a permit or card shall be obtained~~

5   ~~within thirty days of a person being hired in a restaurant or other applicable food establishment.~~

6   ~~The Bureau for Public Health shall develop minimum guidelines for training programs for~~

7   ~~individuals seeking a food handler permit or card that may be adopted by local county health~~

8   ~~departments. In lieu of state guidelines a local health department may use training courses~~

9   ~~developed by the American National Standards Institute or other nationally recognized entities for~~

10   ~~food safety training~~ <u>but shall abide by United States Food and Drug Administration regulations</u>

11   <u>applicable   to   food-handling   operations.</u>

NOTE: The purpose of this bill is to remove the requirement that a local county health department issue a food handler permit or card and to provide that food handlers must follow regulations issued by the United States Food and Drug Administration for food-handling operations.

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