



West Virginia House of Delegates

Standing Committee on Health and Human Resources

Minutes for April 08, 2025, 3:30 PM

Pursuant to the call of the Chair, the Standing Committee on Health and Human Resources met on April 08, 2025, 3:30 PM, in the House East Wing Committee Room 215-E.

Members present: Delegates Amos, Anders, Burkhammer, Chiarelli, Clark, Dean, Drennan, Hall, Hamilton, Heckert, Hite, Jeffries, Lewis, Masters, Mazzocchi, Miller, Petitto, Pushkin, Pinson, Rohrbach, Smith, Stephens, Vance, Willis, Worrell.

Members absent: None.

A silent roll call being taken, the presence of a quorum was established.

On motion of Delegate Hite, the minutes of the previous meeting were approved.

Chair Worrell recognized Senator Stuart to explain SB 585 - Relating to Cohen Craddock Student Athlete Safety Act (2nd REF FIN). Senator Stuart answered questions of the committee. Chair Worrell Advanced SB 585 to markup.

Chair Worrell recognized Senator Stuart to explain SB 761 - Creating Joel Archer Substance Abuse Intervention Act. Senator Stuart answered questions of the committee. Chair Worrell recognized and swore in Stacie Archer, of Joel Archer, who's name is creating the Substance Abuse Intervention Act would be name for. Chair Worrell advanced SB 761 to markup.

Chair Worrell recognized counsel to explain SB 299 - Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment (2nd REF JUD). Counsel explained SB 299. Counsel answered question of the committee. Chair Worrell called for amendments. Delegate Burkhammer moved to amend. SB299 H HRR AM #1 Burkhammer

CR 3338

Delegate Burkhammer and Pinson moved to amend the bill on page 11, section 20, line 67, by inserting a new subsection (i) to read as follows:

“A physician assistant may elect to not participate in a gender reassignment surgery, and may not be disciplined by his or her employer for the decision.”

And,

On page 14, section 15f, line 67, by inserting a new subsection (i) to read as follows:

“An advanced practice registered nurse or registered nurse may elect to not participate in a gender reassignment surgery and may not be disciplined by his or her employer for the decision.”
Amendment Adopted. The Committee moved to amend. SB299 H HRR AM #1

CR 3338

The Committee on Health and Human Resources moved to amend the bill on page 7, section 20, line 76, by striking subsections (d), (e), (f), (g) and (h);

And,

On page 10, section 20, line 44, by striking subsections (d), (e), (f), (g) and (h);

And,

On page 11, section 20, line 67, by inserting a new subsection to read as follows:

“(d) A physician assistant may elect to not participate in a gender reassignment surgery, and may not be disciplined by his or her employer for the decision.”

And,

On page 13, section 15f, line 44, by striking subsections (d), (e), (f), (g) and (h);

And,

On page 14, section 15f, line 67, by inserting a new subsection to read as follows:

“(d) An advanced practice registered nurse or registered nurse may elect to not participate in a gender reassignment surgery, and may not be disciplined by his or her employer for the decision.”

And,

On page 17, section 17, line 77, by striking subsections (d), (e), (f), (g) and (h). Amendment Adopted. Vice Chair Hite moved to report SB 299 to the floor with a recommendation it do pass as amended, but first be referred to the committee on the Judiciary. (there is a request for the 2nd reference to be waived)

Chair Worrell recognized counsel to explain com sub for SB 526 - Creating Pharmacist Prescribing Authority Act. Counsel explained. No questions of consel. Chair Worrell called for amendments. Delegate Amos moved to amend SB526 H HHR AM #1 Amos

CR 3338

Delegate Amos moved to amend bill on page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 5. PHARMACISTS, PHARMACY TECHNICIANS, PHARMACY INTERNS AND PHARMACIES.

§30-5-10. Scope practice for licensed pharmacist;

(a) A licensed pharmacist may:

(1) Provide care related to the interpretation, evaluation, and implementation of medical orders;

(2) Dispense of prescription drug orders; participate in drug and device selection;

- (3) Provide drug administration;
- (4) Provide drug regimen review;
- (5) Provide drug or drug-related research;
- (6) Perform patient counseling;
- (7) Provide pharmacy related primary care;
- (8) Provide pharmacist care in all areas of patient care, including collaborative pharmacy practice;
- (9) Compound and label drugs and drug devices;
- (10) Proper and safe storage of drugs and devices;
- (11) Maintain proper records;
- (12) Provide patient counseling concerning the therapeutic value and proper use of drugs and devices;
- (13) Order laboratory tests in accordance with drug therapy management; and
- (14) Provide medication therapy management; and
- (15) Prescribe of drugs, drug categories, or devices, excluding controlled substances, that are in accordance with the product's federal Food and Drug Administration-approved labeling and that are limited to conditions for which a relevant patient medication history has been taken and:
 - (A) Do not require a new diagnosis; or
 - (A) (i) Have a test that is used to guide diagnosis or clinical decision-making that is waived under the federal Clinical Laboratory Improvement Amendments of 1988 that indicates the existence of a condition that is minor and generally self-limiting for influenza; Group A Streptococcus Pharyngitis; SARS-COV-2 and RSV; or
 - (ii) In the professional judgment of the pharmacist, are patient emergencies; or
 - (iii) refill an expired prescription for an epinephrine injection device.
 - (B) The pharmacist may shall, within 72 hours, notify the patient's primary care physician, if identified, of the test result and the permissible drug, drug categories, or devices that are prescribed.
 - (C) A prescription dispensed or prescribed pursuant to this article is limited to up to a 30-day supply within a six-month period, if more than 10 days is prescribed or dispensed, then the pharmacist shall notify the primary care physician, if identified.
 - (D) The Board of Pharmacy shall establish approved protocols based on best practice guidelines for the above named CLIA-waived tests.
 - (E) The provision of this section may not be interpreted to require payment of the services provided by Medicaid, CHIP, or PEIA.

(b) A licensee meeting the requirements as promulgated by legislative rule may administer immunizations.

(c) The sale of any medicine, if the contents of its container, or any part thereof, taken at one time, are likely to prove poisonous, deleterious, or habit-forming is prohibited by any person other than a registered pharmacist, who shall take precautions to acquaint the purchaser of the nature of the medicine at the time of sale. Division was called and by a vote of 12-10 the amendment was adopted. Vice Chair Hite moved to report com sub for SB 526 as amended, be reported to the with the recommendation it do pass as amended. Motion carried.

Vice Chair Hite asked for unanimous consent to hear and markup the same day. Chair Worrell recognized counsel to explain SB 833 - Excluding pharmaceutical medication from prior authorization gold card process (2nd REF FIN). There being no questions of counsel, Chair Worrell called for amendments. No amendments. Vice Chair Hite moved SB 833 to be reported to the floor with the recommendation it do pass, but first be referred to the committee on Finance. Motion carried. (2nd reference waiver will be requested). Chair Worrell called for a recess until 15 minutes after floor session.

Chair Worrell recognized counsel to explain SB 710 - Relating to the practice of teledentistry. No questions of counsel. Chair Worrell recognized Dr. Dan Joseph, Orthodontist. Dr. Joseph answered questions of the committee. Chair Worrell advanced SB 710 to markup.

Vice Chair Hite asked for unanimous consent to originate a study resolution for SB 718 - Relating to hospital transparency. Counsel explained SB 718 and the need for a study in the interim.

On Motion of Delegate Hite the committee adjourned.

Evan Worrell

Committee Chair

Martha White

Administrator