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2 **COMMITTEE SUBSTITUTE**

3 **for**

4 **H. B. 3061**

5
6 (By Delegates Morgan, Stephens and Martin)

7 [Originating in the Committee on Government Organization]

8 (February 21, 2011)

9
10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §30-1-21, relating to
12 authorizing health related licensing boards to authorize
13 residents and nonresident licensees to voluntarily provide
14 services in certain circumstances; setting forth minimum
15 requirements for authorization; and requiring promulgation of
16 legislative rules prior to implementing the provisions of this
17 section.

18 *Be it enacted by the Legislature of West Virginia:*

19 That the Code of West Virginia, 1931, as amended, be amended
20 by adding thereto a new section, designated §30-1-21, to read as
21 follows:

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

24 **§30-1-21. Boards may establish authorization for residents and**
25 **nonresident licensees to voluntarily provide**
26 **services.**

27 (a) Subject to the requirements of this section, the physical
28 and mental health related boards in this chapter may establish a

1 license, certificate, permit or other authorization for resident
2 and nonresident licensees from other jurisdictions to voluntarily
3 provide services to indigent and needy persons or to persons at
4 organized events sponsored by nonprofit corporations.

5 (b) The boards may issue a volunteer's license, certificate,
6 permit or other authorization, without examination or payment of
7 application, examination, license, renewal or other fees, upon
8 receipt and review of an application which includes the following:

9 (1) A copy of the applicant's professional degree;

10 (2) One of the following, as applicable:

11 (A) A copy of the applicant's most recent license to practice
12 the profession regulated by the board issued by a jurisdiction in
13 the United States that licenses persons to practice the profession;
14 or

15 (B) A copy of the applicant's most recent license equivalent
16 to a license to practice the profession in one or more branches of
17 the United States Armed Services, issued by the United States
18 Government; and

19 (3) Evidence of one of the following, as applicable:

20 (A) That the applicant has maintained for at least two years
21 licensure in good standing in any jurisdiction in the United States
22 that licenses persons to practice the profession; or

23 (B) That the applicant has practiced the profession in good
24 standing for at least two years in one or more branches of the
25 United States Armed Services; and

26 (4) A notarized statement from the applicant, on a form

1 prescribed by the board, that the applicant will not accept any
2 form of remuneration for any services rendered while in possession
3 of a volunteer's license, certificate, permit or other
4 authorization.

5 (c) Before the implementation of this section, a board shall
6 propose rules for legislative approval in accordance with the
7 provisions of article three, chapter twenty-nine-a of this code,
8 setting forth the requirements, application process and permissible
9 uses of the license, certificate, permit or other authorization.