

H. B. 2502

(By Delegates Morgan, Stephens, Givens, Hartman, Hatfield, Martin, D. Poling, Staggers, Cowles, C. Miller and Rowan)

[Introduced January 14, 2011; referred to the Committee on Government Organization then the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended by adding thereto a new article designated §30-1B-1, §30-1B-2, §30-1B-3 and §30-1B-4, all relating to requiring certain boards to combine administrative functions.

Be it enacted by the Legislature of West Virginia:

That said Code of West Virginia, 1931, as amended, be amended by adding thereto a new article designated §30-1B-1, §30-1B-2, §30-1B-3 and §30-1B-4, all to read as follows:

**ARTICLE 1B. COMBINATION OF BOARD'S ADMINISTRATIVE FUNCTIONS.**

**§30-1B-1. Legislative findings.**

The Legislature finds that the Performance Evaluation and Review Division has recommended that Legislature consider creating an umbrella board. In considering PERD's recommendation, the Legislature finds that the creation of an umbrella for all professional boards would be difficult considering the required space and employees that it would effect. Therefore, the

1 Legislature finds that it shall require certain professional board  
2 to combine administration functions and monitor and study the  
3 process. The majority of boards selected for this process have  
4 been identified by PERD as not having any employees and lack access  
5 to the public. These were the main factors in deciding which  
6 boards should be required to participate. Additionally, the  
7 selected boards have a small number of licensees, therefore by  
8 combining functions it is anticipated that licensure fees would  
9 ultimately decrease.

10 **§30-1B-2. Participating boards.**

11 The following boards shall combine administrative functions:

- 12 (1) The Board of Acupuncture;  
13 (2) The Board of Licensed Dietitians;  
14 (3) The Board of Foresters;  
15 (4) The Board of Hearing Aid Dealers; and  
16 (5) The Board of Massage Therapy.

17 **§30-1B-3. Process to combine functions.**

18 (a) The boards shall enter into a memorandum of understanding  
19 to combine administration functions by June 30, 2012.

20 (b) The boards shall provide the Joint Committee on Government  
21 Organization with updates every three months on its process.

22 (c) The boards shall combine administrative functions  
23 including, but not limited to:

- 24 (1) Location;  
25 (2) Employees;

1       (3) Disciplinary functions; and

2       (4) Investigative functions.

3 **§30-1B-4. Authority to combine administrative functions.**

4       In completing the combination process, the boards and the

5 Executive Director of the Board of Massage Therapy and the Board of

6 Acupuncture have all authority necessary to complete the process.

7 Each board referenced in section may promulgate emergency rules

8 pursuant to section fifteen, article three, chapter twenty-nine-a

9 of this code.

NOTE: The purpose of this bill is to require the combination of administrative functions of the Board of Acupuncture, the Board of Licensed Dietitians, the Board of Foresters, the Board of Hearing Aid Dealers and the Board of Massage Therapy.

This article is new; therefore, it has been completely underscored.