

COMMITTEE SUBSTITUTE

FOR

# **H. B. 3061**

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(BY DELEGATES MORGAN, STEPHENS AND MARTIN)

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(Originating in the Committee on Government Organization)  
[February 21, 2011]

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

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

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

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

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

1        (a) Subject to the requirements of this section, the  
2        physical and mental health related boards in this chapter may  
3        establish a license, certificate, permit or other authorization  
4        for resident and nonresident licensees from other  
5        jurisdictions to voluntarily provide services to indigent and  
6        needy persons or to persons at organized events sponsored by  
7        nonprofit corporations.

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

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

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

15       (A) A copy of the applicant's most recent license to  
16       practice the profession regulated by the board issued by a

17 jurisdiction in the United States that licenses persons to  
18 practice the profession; or

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

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

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

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

31 (4) A notarized statement from the applicant, on a form  
32 prescribed by the board, that the applicant will not accept any  
33 form of remuneration for any services rendered while in  
34 possession of a volunteer's license, certificate, permit or  
35 other authorization.

36 (c) Before the implementation of this section, a board  
37 shall propose rules for legislative approval in accordance

38 with the provisions of article three, chapter twenty-nine-a of  
39 this code, setting forth the requirements, application process  
40 and permissible uses of the license, certificate, permit or  
41 other authorization.