

1 **ENROLLED**

2 **Senate Bill No. 414**

3 (BY SENATORS KESSLER (MR. PRESIDENT) AND HALL,

4 BY REQUEST OF THE EXECUTIVE)

5 _____
6 [Passed March 10, 2012; in effect from passage.]
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9
10 AN ACT to amend and reenact §29-29-3 of the Code of West Virginia,
11 1931, as amended, relating to medical service professionals
12 under the Volunteer for Nonprofit Youth Organizations Act.

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

14 That §29-29-3 of the Code of West Virginia, 1931, as amended,
15 be amended and reenacted to read as follows:

16 **ARTICLE 29. VOLUNTEER FOR NONPROFIT YOUTH ORGANIZATIONS ACT.**

17 **§29-29-3. Definitions.**

18 As used in this article:

19 (a) "Applicant" means any emergency medical service applicant,
20 law-enforcement applicant or medical services applicant, that is
21 registered as a volunteer of the nonprofit organization, making
22 application for a nonprofit volunteer permit under the provisions
23 of this article.

1 (b) "Appropriate licensing agency" means the board,
2 department, division or other agency in each jurisdiction charged
3 with the licensing, certification or permitting of persons
4 performing services of the nature and kind described or duties
5 provided for in this article.

6 (c) "Emergency medical service applicant" means a person
7 authorized to provide emergency medical services in West Virginia,
8 or in another state who but for this article would be required to
9 obtain a certification from the Commissioner of the Bureau for
10 Public Health pursuant to article eight, chapter sixteen of this
11 code to perform emergency medical services in this state.

12 (d) "Law-enforcement applicant" means a person authorized to
13 work as a law-enforcement officer in West Virginia, or in another
14 state who but for this article would be required to obtain
15 authorization pursuant to article twenty-nine, chapter thirty of
16 this code to work as a law-enforcement officer in this state:
17 *Provided*, That any person authorized to work as a law-enforcement
18 officer in another state shall have completed a training program
19 approved by the governing authority of a political subdivision in
20 order to work as a law-enforcement officer in that state.

21 (e) "Medical services applicant" means a person authorized to
22 provide medical services in West Virginia, or in another state who
23 but for this article would be required to obtain authorization to
24 practice in this state, and who is a:

- 1 (1) Practitioner of medicine, surgery or podiatry as defined
2 in article three, chapter thirty of this code;
- 3 (2) Physician assistant as defined in section three, article
4 three, chapter thirty of this code;
- 5 (3) Chiropractor as defined in section three, article sixteen,
6 chapter thirty of this code;
- 7 (4) Dentist or dental assistant as defined in article four,
8 chapter thirty of this code;
- 9 (5) Nurse as defined in article seven or seven-a, chapter
10 thirty of this code;
- 11 (6) Nurse practitioner as defined in section one, article
12 four-b, chapter nine of this code;
- 13 (7) Occupational therapist as defined in section three,
14 article twenty-eight, chapter thirty of this code;
- 15 (8) Practitioner of optometry as defined in section three,
16 article eight, chapter thirty of this code;
- 17 (9) Osteopathic physician or surgeon as defined in article
18 fourteen, chapter thirty of this code;
- 19 (10) Osteopathic physician assistant as defined in article
20 fourteen-a, chapter thirty of this code; (11) Pharmacist as
21 defined in section one-b, article five, chapter thirty of this
22 code;
- 23 (12) Physical therapist as defined in article twenty, chapter
24 thirty of this code;

1 (13) Professional counselor as defined in section three,
2 article thirty-one, chapter thirty of this code;

3 (14) Practitioner of psychology or school psychologist as
4 defined in section two, article twenty-one, chapter thirty of this
5 code;

6 (15) Radiologic technologist, nuclear medicine technologist or
7 practitioner of medical imaging and radiation therapy technology as
8 defined in section four, article twenty-three, chapter thirty of
9 this code; and

10 (16) Social worker licensed by the state Board of Social Work
11 Examiners pursuant to article thirty, chapter thirty of this code.

12 (f) "Nonprofit volunteer permit" or "permit" means a permit
13 issued to an applicant pursuant to the provisions of this article.

14 (g) "Nonprofit volunteer permittee" or "permittee" means a
15 person holding a nonprofit volunteer permit issued under the
16 provisions of this article.

17 (h) "Nonprofit youth organization" or "organization" means any
18 nonprofit organization, including any subsidiary, affiliated or
19 other related entity within its corporate or business structure,
20 that has been chartered by the United States Congress to help train
21 young people to do things for themselves and others, and that has
22 established an area of at least six thousand contiguous acres
23 within West Virginia in which to provide adventure or recreational
24 activities for these young people and others.

1 (i) "Nonprofit volunteer organization medical director" means
2 an individual licensed in West Virginia as a practitioner of
3 medicine or surgery pursuant to article three, chapter thirty of
4 this code, or an individual licensed in West Virginia as an
5 osteopathic physician or surgeon pursuant to article fourteen,
6 chapter thirty of this code, that has been designated by the
7 nonprofit volunteer organization to serve as the medical director
8 for an event or program offered by the organization.