

COMMITTEE SUBSTITUTE

FOR

H. B. 4104

(BY DELEGATES MORGAN, STEPHENS, HATFIELD, BUTCHER,
CANN, D. POLING, CRAIG AND SWARTZMILLER)

(Originating in the Committee on Government Organization.)
[February 9, 2012]

A BILL to amend and reenact §30-1-7a of the Code of West Virginia, 1931, as amended, relating to authorizing professional licensing boards to exempt licensees who have been licensed for a total of twenty years or more from continuing education requirements.

Be it enacted by the Legislature of West Virginia:

That §30-1-7a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

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

§30-1-7a. Continuing education.

1 (a) Each board referred to in this chapter shall establish
2 ~~continuing education requirements as a prerequisite to license~~
3 ~~renewal. Each board shall develop~~ continuing education
4 criteria appropriate to its discipline, ~~which shall include, but~~
5 ~~not be limited to, including~~ course content, course approval,
6 hours required and reporting periods, as a prerequisite to
7 license renewal: *Provided*, That a board may, by legislative
8 rule, exempt from continuing education requirements
9 licensees who have been licensed for a total of twenty years
10 or more, in this state or in any jurisdiction with licensure
11 requirements that are substantially similar to licensure
12 requirements in this state.

13 (b) (1) Notwithstanding any other provision of this code
14 or the provision of any rule to the contrary, each person
15 issued a license to practice medicine and surgery or a license

16 to practice podiatry or a license as a physician assistant by
17 the West Virginia Board of Medicine, each person licensed
18 as a pharmacist by the West Virginia Board of Pharmacy,
19 each person licensed to practice registered professional
20 nursing or licensed as an advanced nurse practitioner by the
21 West Virginia Board of Examiners for registered professional
22 nurses, each person licensed as a licensed practical nurse by
23 the West Virginia State Board of Examiners for licensed
24 practical nurses and each person licensed to practice
25 medicine and surgery as an osteopathic physician and
26 surgeon or certified as an osteopathic physician assistant by
27 the West Virginia Board of Osteopathy shall complete two
28 hours of continuing education coursework in the subject of
29 end-of-life care including pain management during each
30 continuing education reporting period through the reporting
31 period ending June 30, 2005. The two hours shall be part of
32 the total hours of continuing education required by each
33 board by rule and not two additional hours.

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34 (2) Effective as of the reporting period beginning July 1,
35 2005, the coursework requirement imposed by this
36 subsection will become a one-time requirement, and all
37 licensees who have not completed the coursework
38 requirement shall complete the coursework requirement prior
39 to his or her first license renewal.