

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2667

BY DELEGATES HAMRICK, DEAN, WALTERS, WILSON,

MCGEEHAN AND FOLK

[Introduced February 22, 2017; Referred
to the Committee on Health and Human Resources
then Government Organization.]

1 A BILL to repeal §30-7-5 of the Code of West Virginia, 1931, as amended; and to amend and
2 reenact §30-7-1 and §30-7-6 of said code, all relating to accreditation of nursing schools;
3 and providing a new definition.

Be it enacted by the Legislature of West Virginia:

1 That §30-7-5 of the Code of West Virginia, 1931, as amended, be repealed; and that §30-
2 7-1 and §30-7-6 of said code be amended and reenacted, all to read as follows:

ARTICLE 7. REGISTERED PROFESSIONAL NURSES.

§30-7-1. Definitions.

1 As used in this article:

2 (a) "Accredited School" means a school accredited by The Accreditation Commission for
3 Education in Nursing or The Commission on Collegiate Nursing Education.

4 ~~(a)~~ (b) "Advanced practice registered nurse" means a registered nurse who has acquired
5 advanced clinical knowledge and skills preparing him or her to provide direct and indirect care to
6 patients as a certified nurse practitioner, certified nurse-midwife, certified registered nurse
7 anesthetist, or clinical nurse specialist, who has completed a board-approved graduate-level
8 education program and who has passed a board-approved national certification examination.

9 ~~(b)~~ (c) "Board" means the West Virginia Board of Examiners for Registered Professional
10 Nurses;

11 ~~(c)~~ (d) "Collaborative relationship" means a working relationship, structured through a
12 written agreement, in which an advanced practice registered nurse may prescribe drugs in
13 collaboration with a qualified physician;

14 ~~(d)~~ (e) "Practice of registered professional nursing" or "registered professional nursing"
15 means the performance for compensation of any service requiring substantial specialized
16 judgment and skill based on knowledge and application of principles of nursing derived from the
17 biological, physical and social sciences, such as responsible supervision of a patient requiring
18 skill in observation of symptoms and reactions and the accurate recording of the facts, or the

19 supervision and teaching of other persons with respect to such principles of nursing, or in the
20 administration of medications and treatments as prescribed by a licensed physician, a licensed
21 dentist or a licensed advanced practice registered nurse, or the application of such nursing
22 procedures as involve understanding of cause and effect in order to safeguard life and health of
23 a patient and others; and

24 ~~(e)~~ (f) "Temporary permit" means a permit authorizing the holder to practice registered
25 professional nursing in this state until such permit is no longer effective or the holder is granted a
26 license by the West Virginia State Board of Examiners for Registered Professional Nurses.

§30-7-6. Qualifications; licensure; fees; temporary permits.

1 (a) To obtain a license to practice registered professional nursing, an applicant for such
2 license shall submit to the board written evidence, verified by oath, that he or she: (1) Is of good
3 moral character; (2) has completed an approved four-year high school course of study or the
4 equivalent thereof, as determined by the appropriate educational agency; and (3) has completed
5 an accredited program of registered professional nursing education and holds a diploma of a
6 ~~school accredited by the board~~ an accredited school.

7 (b) The applicant shall also be required to pass a written examination in such subjects as
8 the board may determine. Each written examination may be supplemented by an oral
9 examination. Upon successfully passing such examination or examinations, the board shall issue
10 to the applicant a license to practice registered professional nursing. The board shall determine
11 the times and places for examinations. In the event an applicant shall have failed to pass
12 examinations on two occasions, the applicant shall, in addition to the other requirements of this
13 section, present to the board such other evidence of his or her qualifications as the board may
14 prescribe.

15 (c) The board may, upon application, issue a license to practice registered professional
16 nursing by endorsement to an applicant who has been duly licensed as a registered professional
17 nurse under the laws of another state, territory or foreign country if in the opinion of the board the

18 applicant meets the qualifications required of registered professional nurses at the time of
19 graduation.

20 (d) The board may, upon application and proper identification determined by the board,
21 issue a temporary permit to practice registered professional nursing by endorsement to an
22 applicant who has been duly licensed as a registered professional nurse under the laws of another
23 state, territory or foreign country. Such temporary permit authorizes the holder to practice
24 registered professional nursing in this state while the temporary permit is effective. A temporary
25 permit shall be effective for ninety days, unless the board revokes such permit prior to its
26 expiration, and such permit may not be renewed. Any person applying for a temporary license
27 under the provisions of this paragraph shall, with his or her application, pay to the board a
28 nonrefundable fee of \$10.

29 (e) Any person holding a valid license designated as a "waiver license" may submit an
30 application to the board for a license containing no reference to the fact that such person has
31 theretofore been issued such "waiver license." The provisions of this section relating to
32 examination and fees and the provisions of all other sections of this article shall apply to any
33 application submitted to the board pursuant to the provisions of this paragraph.

34 (f) Any person applying for a license to practice registered professional nursing under the
35 provisions of this article shall, with his or her application, pay to the board a fee of \$40: *Provided,*
36 That the fee to be paid for the year commencing July 1, 1982, shall be \$70: *Provided, however,*
37 That the board in its discretion may, by rule or regulation, decrease either or both said license
38 fees. In the event it shall be necessary for the board to reexamine any applicant for a license, an
39 additional fee shall be paid to the board by the applicant for reexamination: *Provided further,* That
40 the total of such additional fees shall in no case exceed \$100 for any one examination.

41 (g) Any person holding a license heretofore issued by the West Virginia state Board of
42 Examiners for Registered Nurses and which license is valid on the date this article becomes
43 effective shall be deemed to be duly licensed under the provisions of this article for the remainder

44 of the period of any such license heretofore issued. Any such license heretofore issued shall also,
45 for all purposes, be deemed to be a license issued under this article and to be subject to the
46 provisions hereof.

47 (h) The board shall, upon receipt of a duly executed application for licensure and of the
48 accompanying fee of \$70, issue a temporary permit to practice registered professional nursing to
49 any applicant who has received a diploma from a school of nursing approved by the board
50 pursuant to this article after the date the board last scheduled a written examination for persons
51 eligible for licensure: *Provided*, That no such temporary permit shall be renewable nor shall any
52 such permit be valid for any purpose subsequent to the date the board has announced the results
53 of the first written examination given by the board following the issuance of such permit.

54 (i) To obtain a license to practice as an advanced practice registered nurse, an applicant
55 must submit a written application, verified by oath, to the board together with an application fee
56 established by the board through an authorized legislative rule. The requirements for a license to
57 practice as an advanced practice registered nurse in this state are listed below and must be
58 demonstrated to the board through satisfactory evidence submitted with the application for a
59 license:

60 (1) The applicant must be licensed in good standing with the board as a registered
61 professional nurse;

62 (2) The applicant must have satisfactorily completed a graduate-level program accredited
63 by a national accreditation body that is acceptable to the board; and

64 (3) The applicant must be currently certified by a national certification organization,
65 approved by the board, in one or more of the following nationally recognized advance practice
66 registered nursing roles: certified registered nurse anesthetist, certified nurse-midwife, clinical
67 nurse specialist or certified nurse practitioner.

NOTE: The purpose of this bill is to remove the requirement that a school of nursing be

accredited by the West Virginia Board of Examiners for Registered Professional Nurses and providing a new definition for an “Accredited School” to mean a school accredited by The Accreditation Commission for Education in Nursing or The Commission on Collegiate Nursing Education.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.