

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

House Bill 4023

BY DELEGATES SUMMERS, ELLINGTON, HOUSEHOLDER,

ROHRBACH, HOLLEN, DEAN AND BUTLER

[Originating in the House Committee on Government

Organization; February 5, 2018.]

1 A BILL to repeal §30-7C-9 of the Code of West Virginia, 1931, as amended; and to amend and
2 reenact §30-7C-3 of said code, all relating to the regulation of dialysis technicians;
3 establishing temporary permit time-frames; clarifying that permit holder is eligible to renew
4 his or her permit; and repealing an advisory council.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7C. DIALYSIS TECHNICIANS.

§30-7C-3. Qualifications; exceptions; application form and fees.

1 (a) ~~In order~~ To be certified by the board as a dialysis technician, an individual ~~must~~ shall
2 demonstrate that he or she:

3 (1) Is of good moral character;

4 (2) Has acquired at least a high school diploma, general equivalency diploma or
5 equivalent;

6 (3) Has successfully completed an approved dialysis technician training program;

7 (4) Has achieved national certification as a dialysis technician; and

8 (5) Has met such other qualifications required by the board by legislative rule.

9 ~~(b) On or before July 1, 2005, an individual who is currently working as a dialysis technician~~
10 ~~in a dialysis facility, and whose administrative registered professional nurse in charge~~
11 ~~acknowledges that he or she is competent to perform the delegated duties and practices in~~
12 ~~accordance with the laws regulating the provision of dialysis care, the rules of the board and any~~
13 ~~other applicable federal and state laws and rules, will be considered as having met the~~
14 ~~requirements of subdivisions (3) and (4), subsection (a) of this section for the purposes of being~~
15 ~~certified by the board as a dialysis technician.~~

16 ~~(c) On or before July 1, 2006, an individual who has successfully completed an approved~~
17 ~~dialysis technician training program and who was working on or before July 1, 2005, as a dialysis~~
18 ~~technician trainee in a dialysis facility, and whose administrative registered professional nurse in~~
19 ~~charge acknowledges that he or she is competent to perform the delegated duties and practices~~

20 ~~in accordance with the laws regulating the provision of dialysis care, the rules of the board and~~
21 ~~any other applicable federal and state laws and rules, will be considered as having met the~~
22 ~~requirements of subdivision (4), subsection (a) of this section for the purposes of being certified~~
23 ~~by the board as a dialysis technician~~

24 ~~(d)~~ (b) An applicant for certification ~~must~~ shall file with the board an application ~~in the form~~
25 ~~and manner~~ as established by the board demonstrating that he or she has met the qualifications
26 set forth in ~~subsection (a) of this section~~, and pay an application fee as established by legislative
27 rule.

28 ~~(e)~~ (c) (1) The board may, upon receipt of a completed application and fee in accordance
29 with legislative rule, issue a temporary permit to practice as a dialysis technician to any applicant
30 who has completed a board approved dialysis technician training program.

31 (2) A temporary permit is ~~not renewable, and is~~ effective from the date of issuance until
32 three days ~~following~~ after the receipt by the applicant and the board of the results of the first
33 ~~written~~ certification examination or after eighteen months whichever is sooner, unless the board
34 revokes the temporary permit prior to its expiration.

35 ~~(f) The Board may, upon receipt of a completed application and fee in accordance with~~
36 ~~legislative rule, issue a temporary endorsement to practice as a dialysis technician to an applicant~~
37 ~~who has been certified as a dialysis technician under the laws of another state, territory or foreign~~
38 ~~country and who meets the qualifications of the board. A temporary endorsement is not renewable~~
39 ~~and is effective for ninety days unless the board revokes the endorsement prior to its expiration~~

40 (3) A temporary permit may be renewed one time for an additional eighteen months from
41 the renewal date unless the board revokes the temporary permit prior to its expiration, under the
42 following circumstances:

43 (A) The national certification has lapsed, and

44 (B) A dialysis technician is required to work to qualify for recertification.

45 (d) A dialysis technician previously licensed under this article is continued to be licensed
46 and is eligible to renew.

ARTICLE 7C. DIALYSIS TECHNICIANS.

§30-7C-9. Dialysis technician advisory council.

1 [Repealed.]

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