

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

House Bill 4156

BY DELEGATES SUMMERS, ELLINGTON, ESPINOSA,

HOUSEHOLDER AND FRICH

[Originating in the Committee on Education;

February 1, 2018.]

1 A BILL to amend and reenact §30-7-1 of the Code of West Virginia, 1931, as amended; and to
2 amend said code by adding thereto a new section, designated §30-7-5A, all relating to
3 school of nursing faculty requirements; establishing the qualifications of full and part time
4 nursing school faculty members; granting exceptions; and defining a term.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. REGISTERED PROFESSIONAL NURSES.

§30-7-1. Definitions.

1 As used in this article:

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

7 ~~(b)~~ “Board” means the West Virginia Board of Examiners for Registered Professional
8 Nurses;

9 ~~(c)~~ “Collaborative relationship” means a working relationship, structured through a written
10 agreement, in which an advanced practice registered nurse may prescribe drugs in collaboration
11 with a qualified physician;

12 “Direct patient care” means the provision of services to a sick, injured, mentally or
13 physically disabled, elderly or fragile patient that requires some degree of interaction with that
14 patient. Direct patient care may include assessment, treatment, counseling, procedures, self-
15 care, patient education, administration of medication, and implementation of a care plan;

16 ~~(d)~~ “Practice of registered professional nursing” or “registered professional nursing” means
17 the performance for compensation of any service requiring substantial specialized judgment and
18 skill based on knowledge and application of principles of nursing derived from the biological,
19 physical and social sciences, such as responsible supervision of a patient requiring skill in

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

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

§30-7-5A. Schools of nursing faculty requirements

1 (a) Full-time nursing faculty members shall:

2 (1) Have a graduate degree with a major in nursing, have a bachelor degree with a major
3 in nursing and be enrolled in a graduate degree program with a major in nursing within one year
4 of employment as a faculty member, or have a bachelor degree with a major in nursing and at
5 least ten years of direct patient care experience in nursing;

6 (2) Have evidence of current experience in nursing practice and education sufficient to
7 demonstrate professional competence. For faculty with less than two years' experience in
8 education, the nursing program administrator will submit to the board mentoring and orientation
9 plans as defined by board guidelines and function under the guidance of a faculty member fully
10 qualified in the specific teaching area and professional competence; and

11 (3) Have credentials which verify status as a registered professional nurse in West
12 Virginia.

13 (b) Part-time nursing faculty members shall:

14 (1) Have a graduate degree with a major in nursing, have a bachelor degree with a major
15 in nursing and be enrolled in a graduate degree program with a major in nursing within one year

16 of employment as a faculty member, or have a bachelor degree with a major in nursing and at
17 least two years of direct patient care experience in nursing;

18 (2) Have evidence of current experience in nursing practice and education sufficient to
19 demonstrate professional competence. For faculty with less than two years' experience in
20 education, the nursing program administrator will submit to the board mentoring and orientation
21 plans as defined by board guidelines and function under the guidance of a faculty member fully
22 qualified in the specific teaching area and professional competence; and

23 (3) Have credentials which verify status as a registered professional nurse in West
24 Virginia.

25 (c) The board may grant an exception to the requirements in subsections (a) and (b) of
26 this section for faculty members who have qualifications other than those set forth in these
27 subsections which are acceptable to the board.

NOTE: The purpose of this bill is to establish the qualifications of full and part time nursing school faculty members. The bill grants exceptions. The bill defines a term.

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