



WRAP-UP

The Newsletter of the West Virginia Legislature

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“Doc of the Day” Program: A Mutually Beneficial Relationship

BY ANDREW STACY

The West Virginia Legislature sponsors several different educational programs. Each has its own unique opportunities for the participants. The Legislature’s Page Program gives students in grades 6 through 12 the opportunity to witness the role that legislators play in state government. Also, the numerous legislative internship programs provide graduate and undergraduate students the ability to work directly with lawmakers and staff. Perhaps the most beneficial program to all employees at the state capitol is the Doc for a Day program.

Started in 1989 by William Ferrell, this year marks the 21st anniversary of the start of the Doc for a Day program. The program is sponsored by the West Virginia Chapter of the Academy of Family Physicians. Ferrell, an Academy administrator, saw the opportunity for a mutually beneficial relationship between family physicians in the state and state capitol employees.

The Doc for a Day program allows family physicians from around the state, including practicing family physicians from West Virginia and Marshall University’s medical schools, to volunteer their medical services each day during the legislative session. The physicians provide medical services free of charge to legislators, legislative staff, government officials and to visitors at the state capitol. The Doc for a Day program not only allows physicians the ability to provide medical services to lawmakers and other state capitol employees, it also serves as an outstanding educational tool.

The ability of this program to provide physicians a first hand look at how



MARTIN VALENT WEST VIRGINIA LEGISLATURE

From the office to the Senate floor

Capitol RN Marsha Boone talks with the Legislature’s “Doc of the Day” Dr. Cynthia Davis while waiting for her formal introduction to lawmakers on Wednesday, February 3rd.

legislators directly impact their profession is second to none. Anita Sayre, a family physician from Marshall University Medical School and a regular in the program, says that it is an invaluable educational tool.

“What happens here affects doctors across the state. It’s a great way to see how health care policy in the state is made. It gives us [family physicians] a different perspective and shows how health care policy gets done,” she said.



Dr. Anita Sayre

Physicians are assisted by Marsha Boone, the Capitol’s full-time RN. Boone, a graduate of West Virginia Institute of Technology’s first nursing program, has seen it all. She has been working as the Capitol’s full-time nurse for 20 years in addition to 28 years of hospital experience. Even with all her professional experience she says that her work at the capitol and participation in the Doc for a Day program has been one of the most fruitful.

“It has been one of the most rewarding jobs I have had, and the Doc for a Day program has made it even better,” she said.

Perhaps the most underrated and beneficial aspects of the program are the



In the House

As of 4:00 p.m., Wednesday, February 3, 2010, the 22nd day of the 79th Legislature's 2nd Regular Session, 1034 bills have been introduced in the House. Of those, 14 passed and have been sent to the Senate for consideration. The bills passed include:

House Bill 2485 would clarify that pharmacy interns may sell pseudoephedrine and other chemical precursors of methamphetamine. A pharmacy intern is defined as someone with a degree in pharmacy who works with a licensed pharmacist as he or she is not yet licensed.

House Bill 2561 would make it so applicants for farm use exemption certificates would not be required to appear before any assessor for renewal. Currently, they must appear, in person, before the county assessor to obtain exemption.

House Bill 2612 would increase penalties for failing to report child abuse. The pen-

alty would be up to 30 days of jail time, up to \$1000 fine, or a combination of the two. A person having reasonable cause to suspect that a child is neglected or abused or observes the child being subjected to conditions that are likely to result in abuse or neglect must report the suspicion.

House Bill 4018 would prohibit the production, manufacture and possession of salvia divinorum. Unlawful possession of salvia divinorum would result in a fine of up to \$1000, up to six months jail time, or a combination of the two. Salvia divinorum is a leafy herb that is being used as a hallucinogenic drug.

House Bill 4039 would increase the number of members allowed on the Marshall County Park and Recreation Board. The Board would be increased to nine members from its current five.

House Bill 4133 would clarify the requirements to practice marriage and family therapy. A change in language occurs in the bill, altering the phrase "licensed professional counselor" to "a person licensed to practice marriage and family therapy."

House Bill 4139 relates to professional licensing boards. The bill revises specific subject matter requirements for orientation sessions, clarifies the establishment of quorums when there are vacancies on the board, and clarifies the procedure covering hearings along with other technical revisions and clarifications.

House Bill 4142 would update the practice of environmental health science and the State Board of Sanitarians. Environmental health science is defined as public health science that includes, but is not limited to, the following concentrations: air quality, food quality and protection, hazardous and toxic substances, consumer product safety, housing, institutional health and safety, community noise control, radiation protection, recreational facilities, solid and liquid waste management, vector control, drinking water quality, milk sanitation and rabies control.

House Bill 4171 would encourage the use of criminogenic risk and need assessments for all people sentenced to the custody of the Division of Corrections. Additionally, the bill would require the Parole Board to review available criminogenic risk and need assessments when making parole determinations.

A Sampling of Bills Introduced In the House

House Bill 4207 would make it unlawful to send obscene, anonymous, harassing and threatening communications by computer, mobile phone, personal digital assistant or other mobile device. The bill makes it a misdemeanor for first and second offenses; a third or subsequent offense is a felony and, establishes penalties of up to two years jail time, a fine up to \$5,000, or a combination of the two.

House Bill 4223 would increase safety for children traveling on school buses by increasing the penalty for failing to stop a vehicle before reaching a school bus when flashing warning lights are on.

House Bill 4251 would require election officials, poll clerks and poll workers to vote in precincts where they are registered to vote.

House Bill 4256 would create a sales tax holiday for those purchasing guns and ammunition in the month of November.

House Bill 4262 would create the West Virginia Renewable Energy Act. The bill provides an investment cost recovery incentive of up to \$2,000 for customer-generated electricity from a renewable energy system; this exempts electric and gas companies.

House Bill 4265 would prohibit the seizure of lawfully possessed arms and ammunition during a declared state of emergency or riot.

The West Virginia Legislature's Reference and Information Center

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In the Senate

As of 4:00 p.m., Wednesday February 3, 2010, the 22nd day of the 79th Legislature's 2nd Regular Session, 463 bills have been introduced in the Senate. Of those, three have been passed by the Senate and must go to the House for review.

Senate Bill 215 would add the assault of volunteer firefighters, emergency medical technicians and emergency medical service employees to existing laws for malicious assault.

Senate Bill 339 would correct an invalid code reference section in relation to the statewide voter registration list.

Senate Bill 388 would specify the number of members on municipal planning commissions. The bill would establish that Class IV towns and villages should have no less than three and no more than nine members on these commissions.

A Sampling of Bills Introduced In the Senate

Senate Bill 370 would eliminate the \$1 million cap on fees that can be collected and deposited into the Groundwater Protection Fund. The bill would also update code language.

Senate Bill 373 would establish the Caregivers Consent Act. The Act would allow the caregivers of minors who are not parents or legal guardians to consent to the health care of a minor. The consent to health care would be established through an affidavit, which would be signed by the minor's parent or guardian.

Senate Bill 380 would prohibit the use of animals for fighting purposes. The bill would also expand current law to add activities supporting animal fighting including animal breeding for fighting, animal ownership and organizing and aiding animal fights.

Senate Bill 383 would increase the funds annually allocated from the wireless

enhanced 911 fee to be distributed into the Enhanced 911 Wireless Tower Assistance Fund. The increase in funds would subsidize the construction of wireless towers.

Senate Bill 386 would establish a minimum number of state troopers. The bill calls for the increase in state troopers to reach a minimum of 800 by July 2014.

Senate Bill 389 relates to federal restrictions on the eligibility of felons convicted of drug-related crimes to receive federally-funded benefits. These benefits come from state programs under part A of title IV of the Social Security Act and the Food Stamp Program. The bill calls for West Virginia to opt out of these restrictions.

Senate Bill 394 would authorize the Division of Motor Vehicles (DMV) to use an electronic insurance verification program to identify uninsured vehicles.

Senate Bill 396 would update commercial driver's license (CDL) requirements to comply with changes in federal law. These changes would require an air brakes skills test and would require drivers to forfeit previously held driver's licenses to the Division of Motor Vehicles before

being issued a CDL. The bill would also issue a CDL with a hazardous materials endorsement for no more than five years.

Senate Bill 398 would prohibit the disposal of certain electronic devices in landfills. These electronic devices would include computers and televisions. The bill would take effect July 2010.

Senate Bill 427 would rename the West Virginia Parkways, Economic Development and Tourism Authority the West Virginia Parkways Authority. The bill would also authorize this Authority to sell bonds to fund new parkways projects and allow the Authority to establish tolls once these projects are completed. The Parkways Authority would also add two new public members.

Senate Bill 430 would reduce state income taxes for state and federal retirees. The bill calls for the increase in the exemption on retirement income in the calculation of federal income for state income taxes purposes.

Senate Bill 433 would increase the compulsory school attendance age from 16 to 18.

SEE IN THE SENATE, PAGE 4

West Virginia Legislature's Web site

The online **West Virginia Code** has been enhanced to show bills that have become law (under the chapter of the code affected) but have yet to be incorporated in the online version. <http://www.legis.state.wv.us/WVCODE/Code.cfm>

Bill Tracking has been improved to allow users the ability to prioritize bills and add personal notes. Users can also now sort and view their bills by multiple criteria. http://www.legis.state.wv.us/billstatus_personalized/persbills_login.cfm

On the **Bill History** page, sponsors, subjects and code affected are now all hyperlinked to related bills. It is now possible to sort bills by date, step, status or committee, and direct links to the history and text of the bills is now available. The effective date of bills that have become law has also been added. http://www.legis.state.wv.us/Bill_Status/bill_status.cfm

The new legislative blog **Today in the Legislature** is a daily synopsis of legislative floor activities, complete with photos and daily committee meeting schedules. http://www.legis.state.wv.us/daily_sum/today.cfm

Visit the **Legislature's Homepage**: <http://www.legis.state.wv.us>

Doc of the Day - from Pg. 1

money and man hours it saves the state. Having a family physician at the Capitol allows patients to obtain basic medical assistance without leaving work. Also, the fact that these physicians provide free medical service saves the state health care costs which would otherwise be paid by the Public Employees Insurance Agency.

Over the years the program has provided medical service to over 35,000 patients and have approximately 75 emergency transports from the Capitol annually. Typical ailments include the common cold, allergy and sinus problems.

The program was also the first of its kind in the nation. Currently, there are only 16 state capitols that have medical services and the West Virginia State Capitol is one of only two or three that treat everyone and not just legislators. ■

In the House - from Pg. 2

House Bill 4269 would make it unlawful for licensed pharmacies to sell drug paraphernalia. Drug paraphernalia is defined as items designed or marketed for use of a controlled substance.

House Bill 4276 would create the Energy Efficient Building Act. This would produce a tax incentive for constructing energy efficient buildings.

House Bill 4296 would authorize the Division of Motor Vehicles to create and issue special registration plates bearing the inscription "Support Coal Miners."

House Bill 4310 would prohibit members of the media from being compelled to give testimony, or be subject to search, before a grand jury.

In the Senate - from Pg. 3

Senate Bill 438 would make reading, writing, sending or receiving a text message while operating a vehicle a misdemeanor offense. The bill names exceptions, including emergency situations.

Senate Bill 443 would establish the requirement of people convicted of driving under the influence to participate in the Motor Vehicle Test and Lock Program. The requirement would apply to those convicted of DUI who are on probation, parole or other conditional release for that offense. The Motor Vehicle Test and Lock Program is a mechanical or computerized system that would prevent the operation of a motor vehicle when the driver is determined to be under the influence of alcohol.

Senate Bill 455 would require a DNA sample to be submitted from anyone 18 years or older who has been arrested for a felony.