

1 **H. B. 4318**

2
3 (By Delegates Fleischauer, Longstreth, Campbell,
4 Pethtel, Barrett, Barill, Jones, Stephens,
5 Iaquina, Rowan and Ireland)

6 [Introduced January 24, 2014; referred to the
7 Committee on Veterans' Affairs and Homeland Security then
8 Government Organization.]

**FISCAL
NOTE**

9
10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new article, designated §30-1B-1, §30-1B-2,
12 §30-1B-3, §30-1B-4 and §30-1B-5, all relating to continuing
13 education of veterans mental health; establishing continuing
14 education requirements for medical and mental health
15 professionals to increase knowledge and recognition of mental
16 health issues faced by veterans; providing legislative
17 findings; defining terms; listing the professions addressed in
18 this article; requiring legislative rules; and implementing
19 processes for administering continuing education.

20 *Be it enacted by the Legislature of West Virginia:*

21 That the Code of West Virginia, 1931, as amended, be amended
22 by adding thereto a new article, designated §30-1B-1, §30-1B-2,
23 §30-1B-3, §30-1B-4 and §30-1B-5, all to read as follows:

24 **ARTICLE 1B. REQUIRING CONTINUING EDUCATION WORK IN VETERANS MENTAL**
25 **HEALTH.**

1 **§30-1B-1. Legislative Findings.**

2 The 2012 West Virginia Veterans Survey authorized by the
3 Legislature found that between forty and fifty percent of the
4 state's veterans report suffering from symptoms of depression and
5 post-traumatic stress disorder, and twenty percent reported giving
6 serious thought to suicide. Only fifteen to twenty percent of these
7 affected veterans reported seeking mental health treatment.

8 West Virginia's veterans and their families have risked and
9 sacrificed their health and comfort to protect all Americans. Many
10 veterans have witnessed or were friends with fellow service members
11 who have died, and have difficulty managing their grief and
12 readjusting to civilian society. In order to promote their health,
13 the Legislature finds it is necessary to ensure medical
14 professionals, social workers and counselors are able to identify
15 signs of post-traumatic stress disorder, risk of suicide,
16 depression, grief and other mental health issues that commonly
17 affect returning veterans and their families.

18 **§30-1B-2. Definitions.**

19 (a) "Boards" means the boards administering the professions
20 set forth in section three of this article.

21 (b) "Cabinet Secretary" means the Cabinet Secretary of the
22 Department of Veterans Assistance.

23 **§30-1B-3. Professions to which this article applies.**

24 The continuing education requirements for renewal of license

1 set forth in this article shall apply to the following:

2 (1) Physicians, podiatrists and physician assistants, pursuant
3 to article three, chapter thirty of this code;

4 (2) Registered nurses, pursuant to article seven, chapter
5 thirty of this code;

6 (3) Osteopathic physicians and surgeons, pursuant to article
7 fourteen, chapter thirty of this code;

8 (4) Nurse-midwives, pursuant to article fifteen, chapter
9 thirty of this code;

10 (5) Chiropractors, pursuant to article sixteen, chapter thirty
11 of this code;

12 (6) Psychologists, pursuant to article twenty-one, chapter
13 thirty of this code;

14 (7) Social workers, pursuant to article thirty, chapter thirty
15 of this code;

16 (8) Licensed professional counselors, pursuant to article
17 thirty-one, chapter thirty of this code;

18 **§30-1B-4. Proposing legislative rules.**

19 (a) The boards administering the professions set forth in
20 section two of this article shall work with the Cabinet Secretary
21 to propose legislative rules that establish biennial continuing
22 education requirements that will increase professionals' knowledge
23 and recognition of mental health conditions common to veterans and
24 family members of veterans.

1 In proposing legislative rules for establishing continuing
2 education requirements, the boards shall work toward the goals of:

3 (1) Increasing knowledge and recognition of mental health
4 conditions common to veterans and family members of veterans; and

5 (2) Improving outreach to veterans and family members of
6 veterans.

7 (b) The continuing education requirements shall include
8 education on the following:

9 (1) Inquiring about whether patients are veterans or family
10 members of veterans;

11 (2) Screening for common mental conditions, including
12 post-traumatic stress disorder, risk of suicide, depression and
13 grief;

14 (3) Making appropriate referrals;

15 (4) Awareness of programs and benefits available to veterans
16 and family members of veterans through federal, state and local
17 government organizations and through nonprofit organizations; and

18 (4) Other matters the Cabinet Secretary considers appropriate.

19 **§30-1B-5. Administering continuing education.**

20 (a) Information about continuing education requirements and
21 any other pertinent information shall be available on the website
22 of the Department of Veterans Assistance and on the websites of the
23 boards.

24 (b) The Cabinet Secretary shall work with the boards to

1 determine the curriculum of the requirements and the number of
2 hours of credit to provide to each of the professions set forth in
3 section two of this article. The Cabinet Secretary may make
4 recommendations to the Legislature for additional professions whose
5 patients or clients could benefit from the continuing education
6 required by this article.

7 (c) Requirements shall be consistent with the boards' rules
8 and regulations.

NOTE: The purpose of this bill is to require the Cabinet Secretary of the Department of Veterans Assistance to work with the various medical, social work, and counseling boards to propose continuing education requirements focused on mental health issues faced by veterans and their families.

The article is new; therefore, it has been completely underscored.