

H. B. 2535

(By Delegates Longstreth, Ferro, Caputo, Rowan, O'Neal, Ashley,
Hamrick, L. Phillips, Fleischauer, Skinner and P. Smith)

[Introduced February 2, 2015; referred to the
Committee on Health and Human Resources then Education.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-40; to amend said code by adding thereto a new section, designated §18B-1B-7; to amend said code by adding thereto a new article, designated §27-6-1 and §27-6-2; and to amend and reenact §30-1-7a of said code, all relating generally to suicide prevention training; requiring middle and high schools to provide information and opportunities for discussion of suicide prevention to students; authorizing the State Board of Education to consult with the Bureau for Behavioral Health to assure the quality and accuracy of the information provided; providing that institutions of higher education will develop and implement a policy to advise students and staff on available depression and suicide prevention resources; requiring suicide prevention information to be provided to all incoming students; requiring suicide prevention information to be posted on the websites of institutions of higher education; requiring free prevention materials and programs to be posted on the websites of all institutions of higher education, the higher education policy

1 commission and the Bureau for Behavioral Health and Health Facilities; requiring the Bureau
 2 for Behavioral Health and Health Facilities to review such posted materials annually;
 3 providing legislative findings; requiring the Bureau for Behavioral Health and Health
 4 Facilities to post certain suicide prevention and awareness information on its website;
 5 providing for the Bureau for Behavioral Health and Health Facilities to assist middle and
 6 high schools in providing suicide prevention information to students; requiring certain health
 7 care professionals to obtain continuing education courses on suicide prevention and related
 8 topics as part of their license renewal; providing that certain health care professionals may
 9 only be required to complete two hours of suicide prevention training; requiring certain
 10 health care licensing boards to establish continuing education requirements and criteria and
 11 approve continuing education courses on suicide prevention and related topics.

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

13 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 14 section, designated §18-2-40; that said code be amended by adding thereto a new section, designated
 15 §18B-1B-7; that said code be amended by adding thereto a new article, designated §27-6-1 and
 16 §27-6-2; and that §30-1-7a of said code be amended and reenacted, all to read as follows:

17 **CHAPTER 18. EDUCATION.**

18 **ARTICLE 2. STATE BOARD OF EDUCATION.**

19 **§18-2-40. Suicide prevention awareness training; dissemination of information.**

20 On or before September 1, 2015, and September 1, of each year thereafter, every public
 21 middle and high school administrator shall disseminate and provide opportunities to discuss suicide
 22 prevention awareness information to all middle and high school students. The information may be

1 obtained from the Department of Health and Human Resources, Bureau for Behavioral Health and
2 Health Facilities or from a commercially developed suicide prevention training program approved
3 by the State Board of Education in consultation with the bureau to assure the accuracy and
4 appropriateness of the information.

5 **CHAPTER 18B. HIGHER EDUCATION.**

6 **ARTICLE 1B. HIGHER EDUCATION POLICY COMMISSION.**

7 **§18B-1B-7. Student mental health policies; suicide prevention.**

8 (a) Each public and private institution of higher education in this state shall develop and
9 implement a policy to advise students and staff on suicide prevention programs available on and off
10 campus that includes, but is not limited to:

11 (1) Crisis intervention access, which includes information for national, state and local suicide
12 prevention hotlines;

13 (2) Mental health program access, which provides information on the availability of local
14 mental health clinics, student health services and counseling services;

15 (3) Multimedia application access, which includes crisis hotline contact information, suicide
16 warning signs, resources offered and free-of-cost applications;

17 (4) Student communication plans, which consist of creating outreach plans regarding
18 educational and outreach activities on suicide prevention; and

19 (5) Post intervention plans which include creating a strategic plan to communicate effectively
20 with students, staff and parents after the loss of a student to suicide.

21 (b) Each public and private institution of higher education in this state shall provide all
22 incoming students with information about depression and suicide prevention resources available to

1 students. The information provided to students shall include available mental health services and
 2 other support services, including student-run organizations for individuals at risk of or affected by
 3 suicide.

4 (c) The information prescribed by subsection (a), subdivisions (1) through (4) of this section
 5 shall be posted on the website of each institution of higher education in this state.

6 (d) Any applicable free-of-cost prevention materials or programs shall be posted on the
 7 websites of the public and private institutions of higher education, the Higher Education Policy
 8 Commission, the West Virginia Council for Community and Technical College Education and the
 9 Bureau for Behavioral Health and Health Facilities. The posted materials or programs shall be
 10 reviewed on an annual basis for adequacy and completeness by the Bureau for Behavioral Health and
 11 Health Facilities.

12 **CHAPTER 27. MENTALLY ILL PERSONS.**

13 **ARTICLE 6. SUICIDE PREVENTION AND AWARENESS.**

14 **§27-6-1. Legislative findings.**

15 (a) The Legislature finds that West Virginia ranks fifteenth in the United States for deaths
 16 by suicide according to the Centers for Disease Control.

17 (b) The Legislature further finds that suicide is the second leading cause of death in youths
 18 ten to twenty-four years old, with more than one in six high school students nationally having
 19 reported seriously considering attempting suicide.

20 (c) The Legislature finds that losing our young people to suicide is largely preventable
 21 through education and mental health services. However, more educators, administrators, other
 22 school personnel and health care providers need to be educated to the prevalent dangers of suicide

1 and how to prevent and treat suicide.

2 (d) The Legislature further finds that although we require some suicide prevention training
3 for educators, administrators, other school personnel and, to a limited extent, health care providers,
4 we do not provide direct access to suicide prevention materials to persons who are at risk. The
5 Legislature further finds that education and health care personnel generally do not facilitate open
6 discussion of suicide between trained personnel and persons who are at risk.

7 **§27-6-2. Dissemination of information.**

8 (a) The Department of Health and Human Resources, Bureau for Behavioral Health and
9 Health Facilities shall, on or before August 1, 2015, post on its website suicide prevention awareness
10 information, to include recognizing the warning signs of a suicide crisis. The website shall include
11 information related to suicide prevention training opportunities offered by the Bureau or an agency
12 recognized by the Bureau as a training provider.

13 (b) The Bureau may assist the public middle and high school administrators in providing
14 suicide prevention information to students in the public middle and high schools.

15 (c) The Bureau shall annually review, for adequacy and completeness, the materials or
16 programs posted on the websites of the institutions of higher education as required by section seven,
17 article one-b, chapter eighteen-b of this code.

18 **CHAPTER 30. PROFESSIONS AND OCCUPATIONS.**

19 **ARTICLE 1. GENERAL PROVISIONS APPLICABLE TO ALL STATE BOARDS OF**
20 **EXAMINATION OR REGISTRATION REFERRED TO IN CHAPTER.**

21 **§30-1-7a. Continuing education.**

22 (a) Each board referred to in this chapter shall establish continuing education requirements

1 as a prerequisite to license renewal. Each board shall develop continuing education criteria
2 appropriate to its discipline, which shall include, but not be limited to, course content, course
3 approval, hours required and reporting periods.

4 (b) Notwithstanding any other provision of this code or the provision of any rule to the
5 contrary, each person issued a license to practice medicine and surgery or a license to practice
6 podiatry or licensed as a physician assistant by the West Virginia Board of Medicine, each person
7 issued a license to practice dentistry by the West Virginia Board of Dental Examiners, each person
8 issued a license to practice optometry by the West Virginia Board of Optometry, each person
9 licensed as a pharmacist by the West Virginia Board of Pharmacy, each person licensed to practice
10 registered professional nursing or licensed as an advanced nurse practitioner by the West Virginia
11 Board of Examiners for Registered Professional Nurses, each person licensed as a licensed practical
12 nurse by the West Virginia State Board of Examiners for Licensed Practical Nurses and each person
13 licensed to practice medicine and surgery as an osteopathic physician and surgeon or licensed or
14 certified as an osteopathic physician assistant by the West Virginia Board of Osteopathy shall
15 complete drug diversion training and best practice prescribing of controlled substances training, as
16 the trainings are established by his or her respective licensing board, if that person prescribes,
17 administers, or dispenses a controlled substance, as that term is defined in section one hundred one,
18 article one, chapter sixty-a of this code.

19 (1) Notwithstanding any other provision of this code or the provision of any rule to the
20 contrary, the West Virginia Board of Medicine, the West Virginia Board of Dental Examiners, the
21 West Virginia Board of Optometry, the West Virginia Board of Pharmacy, the West Virginia Board
22 of Examiners for Registered Professional Nurses, the West Virginia State Board of Examiners for

1 Licensed Practical Nurses and the West Virginia Board of Osteopathy shall establish continuing
2 education requirements and criteria appropriate to their respective discipline on the subject of drug
3 diversion training and best practice prescribing of controlled substances training for each person
4 issued a license or certificate by their respective board who prescribes, administers or dispenses a
5 controlled substance, as that term is defined in section one hundred one, article one, chapter sixty-a
6 of this code, and shall develop a certification form pursuant to subdivision (b)(2) of this section.

7 (2) Each person who receives his or her initial license or certificate from any of the boards
8 set forth in subsection (b) shall complete the continuing education requirements set forth in
9 subsection (b) within one year of receiving his or her initial license from that board and each person
10 licensed or certified by any of the boards set forth in subsection (b) who has held his or her license
11 or certificate for longer than one year shall complete the continuing education requirements set forth
12 in subsection (b) as a prerequisite to each license renewal: *Provided*, That a person subject to
13 subsection (b) may waive the continuing education requirements for license renewal set forth in
14 subsection (b) if he or she completes and submits to his or her licensing board a certification form
15 developed by his or her licensing board attesting that he or she has not prescribed, administered, or
16 dispensed a controlled substance, as that term is defined in section one hundred one, article one,
17 chapter sixty-a of this code, during the entire applicable reporting period.

18 (c) Notwithstanding any other provision of this code or the provision of any rule to the
19 contrary, each person licensed to practice registered professional nursing or licensed as an advanced
20 nurse practitioner by the West Virginia Board of Examiners for Registered Professional Nurses, each
21 person licensed as a licensed practical nurse by the West Virginia State Board of Examiners for
22 Licensed Practical Nurses, each person issued a license to practice midwifery as a nurse-midwife by

1 the West Virginia Board of Examiners for Registered Professional Nurses, each person issued a
2 license to practice chiropractic by the West Virginia Board of Chiropractic, each person licensed to
3 practice psychology by the Board of Examiners of Psychologists, each person licensed to practice
4 social work by the West Virginia Board of Social Work, and each person licensed to practice
5 professional counseling by the West Virginia Board of Examiners in Counseling, shall complete two
6 hours of continuing education for each reporting period on mental health conditions common to
7 veterans and family members of veterans, as the continuing education is established or approved by
8 his or her respective licensing board. The two hours shall be part of the total hours of continuing
9 education required by each board and not two additional hours.

10 (1) Notwithstanding any other provision of this code or the provision of any rule to the
11 contrary, on or before July 1, 2015, the boards referred to in this subsection shall establish continuing
12 education requirements and criteria and approve continuing education coursework appropriate to
13 their respective discipline on the subject of mental health conditions common to veterans and family
14 members of veterans, in cooperation with the Secretary of the Department of Veterans Assistance.
15 The continuing education shall include training on inquiring about whether the patients are veterans
16 or family members of veterans, and screening for conditions such as post-traumatic stress disorder,
17 risk of suicide, depression and grief, and prevention of suicide.

18 (2) On or after July 1, 2017, each person licensed by any of the boards set forth in this
19 subsection shall complete the continuing education described herein as a prerequisite to his or her
20 next license renewal.

21 (d) Notwithstanding any other provision of this code or the provision of any rule to the
22 contrary, each person licensed to practice medicine as a physician or surgeon , podiatrist or

1 physician assistant by the Board of Medicine; each person licensed to practice medicine as an
2 osteopathic physician, or surgeon by the Board of Osteopathic Medicine; each person licensed to
3 practice registered professional nursing or licensed as an advanced nurse practitioner by the West
4 Virginia Board of Examiners for Registered Professional Nurses, each person licensed as a licensed
5 practical nurse by the West Virginia State Board of Examiners for Licensed Practical Nurses, each
6 person issued a license to practice midwifery as a nurse-midwife by the West Virginia Board of
7 Examiners for Registered Professional Nurses, each person issued a license to practice chiropractic
8 by the West Virginia Board of Chiropractic, each person licensed to practice psychology by the
9 Board of Examiners of Psychologists, each person licensed to practice social work by the West
10 Virginia Board of Social Work, and each person licensed to practice professional counseling by the
11 West Virginia Board of Examiners in Counseling, shall complete two hours of continuing education
12 on suicide awareness, prevention and intervention, as the continuing education is established or
13 approved by his or her respective licensing board. The two hours shall be completed as part of the
14 total hours of continuing education required by each board and not two additional hours during the
15 licensing period following the approval of suicide awareness, prevention and intervention training.

16 (1) Persons licensed by the Board of Medicine, the Board of Osteopathic Medicine and the
17 Board of Chiropractic are required to obtain the two hours suicide awareness, prevention and
18 intervention once , but may take additional hours. The Board of Examiners for Registered
19 Professional Nurses, the Board of Examiners for Licensed Practical Nurses, the Board of Examiners
20 of Psychologist, the Board of Social Work, the Board of Examiners in Counseling may each provide
21 by rule for additional suicide prevention training.

22 (2) On or before July 1, 2016, each of the boards referred to in subsection (d) above shall

- 1 establish continuing education requirements and criteria and approve continuing education course
- 2 work appropriate to their respective disciplines on the subject of suicide prevention including risk
- 3 factors, characteristics of mental or emotional disorders, effective strategies for intervention,
- 4 de-escalation techniques, positive behavioral interventions and supports and available resources for
- 5 additional mental health services.

NOTE: The purpose of this bill is to expand the number of people who are trained in suicide prevention in order to maximize the possibility that at risk children and adults can be saved. School personnel from middle school through college will not only be trained, they will provide children and young adults with suicide prevention information, facilitate discussion about preventing suicide and make mental health resources available. Licensed medical professionals will be required to obtain education in suicide prevention as part of their licensing process.

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

Sections §18-2-40, §18B-1B-7 and article §27-6-1 and §27-6-2 are new; therefore, they have been completely underscored.

This bill was recommended to introduction and passage by the Joint Committee on Children and Families.