

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2804

BY DELEGATES LANE, FERRO, WILLIAMS, PHILLIPS,

MAYNARD AND ROBINSON

[Introduced March 6, 2017; Referred
to the Committee on Veterans' Affairs and Homeland
Security then Health and Human Resources.]

1 A BILL to amend and reenact §30-1-7a of the Code of west Virginia, 1931, as amended, relating
2 to removing chiropractors from the list of medical professions required to obtain continuing
3 education on mental health conditions common to veterans and family members.

Be it enacted by the Legislature of West Virginia:

1 That §30-1-7a of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

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

§30-1-7a. Continuing education.

1 (a) ~~Each board~~ The boards referred to in this chapter section shall establish continuing
2 education requirements as a prerequisite to license renewal. Each board shall develop continuing
3 education criteria appropriate to its discipline, which shall include, but not be limited to, course
4 content, course approval, hours required and reporting periods.

5 (b) Notwithstanding any other provision of this code or the provision of any rule to the
6 contrary, each person issued a license to practice medicine and surgery or a license to practice
7 podiatry or licensed as a physician assistant by the West Virginia Board of Medicine, each person
8 issued a license to practice dentistry by the West Virginia Board of Dental Examiners, each person
9 issued a license to practice optometry by the West Virginia Board of Optometry, each person
10 licensed as a pharmacist by the West Virginia Board of Pharmacy, each person licensed to
11 practice registered professional nursing or licensed as an advanced nurse practitioner by the
12 West Virginia Board of Examiners for Registered Professional Nurses, each person licensed as
13 a licensed practical nurse by the West Virginia State Board of Examiners for Licensed Practical
14 Nurses and each person licensed to practice medicine and surgery as an osteopathic physician
15 and surgeon or licensed or certified as an osteopathic physician assistant by the West Virginia
16 Board of Osteopathy shall complete drug diversion training, best-practice prescribing of controlled

17 substances training and training on prescribing and administration of an opioid antagonist, as the
18 trainings are established by his or her respective licensing board, if that person prescribes,
19 administers or dispenses a controlled substance, as that term is defined in section one hundred
20 one, article one, chapter sixty-a of this code.

21 (1) Notwithstanding any other provision of this code or the provision of any rule to the
22 contrary, the West Virginia Board of Medicine, the West Virginia Board of Dental Examiners, the
23 West Virginia Board of Optometry, the West Virginia Board of Pharmacy, the West Virginia Board
24 of Examiners for Registered Professional Nurses, the West Virginia State Board of Examiners for
25 Licensed Practical Nurses and the West Virginia Board of Osteopathy shall establish continuing
26 education requirements and criteria appropriate to their respective discipline on the subject of
27 drug diversion training, best-practice prescribing of controlled substances training and prescribing
28 and administration of an opioid antagonist training for each person issued a license or certificate
29 by their respective board who prescribes, administers or dispenses a controlled substance, as
30 that term is defined in section one hundred one, article one, chapter sixty-a of this code, and shall
31 develop a certification form pursuant to subdivision (b)(2) of this section.

32 (2) Each person who receives his or her initial license or certificate from any of the boards
33 set forth in subsection (b) of this section shall complete the continuing education requirements
34 set forth in subsection (b) of this section within one year of receiving his or her initial license from
35 that board and each person licensed or certified by any of the boards set forth in subsection (b)
36 of this section who has held his or her license or certificate for longer than one year shall complete
37 the continuing education requirements set forth in subsection (b) of this section as a prerequisite
38 to each license renewal: *Provided*, That a person subject to subsection (b) of this section may
39 waive the continuing education requirements for license renewal set forth in subsection (b) of this
40 section if he or she completes and submits to his or her licensing board a certification form
41 developed by his or her licensing board attesting that he or she has not prescribed, administered
42 or dispensed a controlled substance, as that term is defined in section one hundred one, article

43 one, chapter sixty-a of this code, during the entire applicable reporting period.

44 (c) Notwithstanding any other provision of this code or the provision of any rule to the
45 contrary, each person licensed to practice registered professional nursing or licensed as an
46 advanced nurse practitioner by the West Virginia Board of Examiners for Registered Professional
47 Nurses, each person licensed as a licensed practical nurse by the West Virginia State Board of
48 Examiners for Licensed Practical Nurses, each person issued a license to practice midwifery as
49 a nurse-midwife by the West Virginia Board of Examiners for Registered Professional Nurses,
50 ~~each person issued a license to practice chiropractic by the West Virginia Board of Chiropractic,~~
51 each person licensed to practice psychology by the board of Examiners of Psychologists, each
52 person licensed to practice social work by the West Virginia Board of Social Work and each
53 person licensed to practice professional counseling by the West Virginia Board of Examiners in
54 Counseling shall complete two hours of continuing education for each reporting period on mental
55 health conditions common to veterans and family members of veterans, as the continuing
56 education is established or approved by his or her respective licensing board. The two hours shall
57 be part of the total hours of continuing education required by each board and not two additional
58 hours.

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

67 (2) On or after July 1, 2017, each person licensed by any of the boards set forth in this
68 subsection shall complete the continuing education described herein as a prerequisite to his or

69 her next license renewal.

NOTE: The purpose of this bill is to remove chiropractic physicians from the list of medical professionals required to complete continuing education in the area of mental health conditions common to veterans and family members of veterans.

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