

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 3248

BY DELEGATE FOSTER

[Introduced March 16, 2021; Referred to the
Committee on Health and Human Resources]

1 A BILL to amend and reenact §16-2-16 of the Code of West Virginia, 1931, as amended, relating
 2 to removing the requirement that a local county health department issue a food handler
 3 permit or card; and providing that food handlers shall follow United States Food and Drug
 4 Administration regulations applicable to food-handling operations.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. LOCAL BOARDS OF HEALTH.

§16-2-16. Food handler examinations and cards.

1 A food handler shall not be required to obtain a permit or card issued pursuant to the
 2 procedures put in place by a local county health department ~~shall be valid for at least one year~~
 3 ~~but not longer than three years. The permit or card shall be valid in all counties of this state, if the~~
 4 ~~applicant pays an additional fee not to exceed \$10. If required, a permit or card shall be obtained~~
 5 ~~within thirty days of a person being hired in a restaurant or other applicable food establishment.~~
 6 ~~The Bureau for Public Health shall develop minimum guidelines for training programs for~~
 7 ~~individuals seeking a food handler permit or card that may be adopted by local county health~~
 8 ~~departments. In lieu of state guidelines a local health department may use training courses~~
 9 ~~developed by the American National Standards Institute or other nationally recognized entities for~~
 10 ~~food safety training~~ but shall abide by United States Food and Drug Administration regulations
 11 applicable to food-handling operations.

NOTE: The purpose of this bill is to remove the requirement that a local county health department issue a food handler permit or card and to provide that food handlers must follow regulations issued by the United States Food and Drug Administration for food-handling operations.

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