WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2978

By Delegates Foster and Young

[Introduced January 24, 2023; Referred to the Committee on Health and Human Resources]
A BILL to amend and reenact §16-2-16 of the Code of West Virginia, 1931, as amended, relating to removing the requirement that a local county health department issue a food handler permit or card; and providing that food handlers shall follow United States Food and Drug 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.

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