

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

### **Committee Substitute**

**for**

### **House Bill 5021**

By Delegate Drennan

[Originating in the Committee on Health and Human

Resources; Reported on February 9, 2026]

1 A BILL to amend and reenact §30-7-1 of the Code of West Virginia, as amended, 1931, relating to  
2 when a registered nurse may administer an anesthetic.

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

**ARTICLE 7. REGISTERD PROFESSIONAL NURSES.**

**§30-7-1. Definitions.**

1 As used in this article:

2 “Advanced practice registered nurse” means a registered nurse who has acquired  
3 advanced clinical knowledge and skills preparing him or her to provide direct and indirect care to  
4 patients as a certified nurse practitioner, certified nurse-midwife, certified registered nurse  
5 anesthetist, or clinical nurse specialist, who has completed a board-approved graduate-level  
6 education program and who has passed a board-approved national certification examination;

7 “Board” means the West Virginia Board of Examiners for Registered Professional Nurses;

8 “Collaborative relationship” means a working relationship, structured through a written  
9 agreement, in which an advanced practice registered nurse may prescribe drugs in collaboration  
10 with a qualified physician;

11 “Direct patient care” means the provision of services to a sick, injured, mentally or  
12 physically disabled, elderly or fragile patient that requires some degree of interaction with that  
13 patient. Direct patient care may include assessment, treatment, counseling, procedures, self-care,  
14 patient education, administration of medication, and implementation of a care plan;

15 “Practice of registered professional nursing” or “registered professional nursing” means  
16 the performance for compensation of any service requiring substantial specialized judgment and  
17 skill based on knowledge and application of principles of nursing derived from the biological,  
18 physical and social sciences, such as responsible supervision of a patient requiring skill in  
19 observation of symptoms and reactions and the accurate recording of the facts, or the supervision  
20 and teaching of other persons with respect to such principles of nursing, or in the administration of  
21 medications and treatments as prescribed by a licensed physician, a licensed dentist or a licensed

22 advanced practice registered nurse, or the application of such nursing procedures as involve  
23 understanding of cause and effect in order to safeguard life and health of a patient and others; and  
24 a registered nurse may administer an anesthetic under the order of a physician in an acute care  
25 setting; and

26 "Temporary permit" means a permit authorizing the holder to practice registered  
27 professional nursing in this state until such permit is no longer effective or the holder is granted a  
28 license by the West Virginia State Board of Examiners for Registered Professional Nurses.

NOTE: The purpose of this bill is to allow a registered nurse to administer an anesthetic when ordered by a physician.

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