

**WV 79<sup>th</sup> Legislature**  
**Legislation Impacting Older West Virginians**  
**That Was Signed Into Law By The Governor**  
**As Of May 3, 2010**

**HOUSE BILLS**

<b>HB 4176</b>	Relating to credentialing of health care practitioners
<b>Purpose</b>	This bill creates the above legislation or the purposes of reducing credentialing costs relating to each health care profession. The bill adds new sections and amends state code.
<b>Sponsors</b>	Perdue, Border, Hatfield, Staggers, Moore, Moye, Rodighiero
<b>Status</b>	>Amended >Signed by Governor >Effective 06-09-10

<b>HB 4186</b>	Relating to the practice of nursing home administration
<b>Purpose</b>	This bill updates laws pertaining to licensure of nursing home administrators and outlines the roles and responsibilities of the board governing nursing home administrators. The bill amends current code and adds several new sections.
<b>Sponsors</b>	Perdue, Border, Hatfield, Staggers, Moore, Moye, Rodighiero
<b>Status</b>	>Committee Substitute >Signed by Governor >Effective 06-11-10

<b>HB 4374</b>	Caregivers Consent Act
<b>Purpose</b>	This bill permits a caregiver to consent to health care for a minor through an affidavit in those instances where a parent or legal guardian is not available. The bill adds a new article to state code.
<b>Sponsors</b>	Moore, C Miller, Staggers, Lawrence, Phillips, T Walker, Hatfield, Manypenny, Hamilton, Moye, Perry
<b>Status</b>	>Committee Substitute >Signed by Governor >Effective 06-06-10

<b>HB 4425</b>	Authorizing pilot program for nursing home medication administration
<b>Purpose</b>	This bill authorizes the Board of Practical Nurses and the WV Health Care Association to implement a pilot program for unlicensed personnel to administer medication in a nursing home. The bill adds a new section to state code.
<b>Sponsors</b>	Perdue, Hatfield, Border, Hartman, Marshall, Michael, Moore, Phillips, Rodighiero, Staggers, Wooton
<b>Status</b>	>Committee Substitute >Signed by Governor >Effective 06-09-10

<b>HB 4457</b>	Relating to access and protection of cemeteries
<b>Purpose</b>	This bill provides that an individual wishing to visit, maintain or bury someone at a grave site on private property has the right to do so, provided adequate notice is given to the property owner. The bill further specifies that graves are protected from harm and vandalism. The bill amends current code.
<b>Sponsors</b>	Brown, Talbott, Fragale, Caputo, Hatfield, Wells, Fleischauer, Marshall, Perdue
<b>Status</b>	>Committee Substitute >Signed by Governor >Effective 06-09-10

## SENATE BILLS

<b>SB 290 SB 286</b>	Authorizing DHHR to promulgate legislative rule relating to nurse aid abuse registry
<b>Purpose</b>	This is a rule bill. You must access the Secretary of State's Office to review this rule. The address below will provide a link to this office. As part of the rule making process this bill has been amended into SB 286. <a href="http://www.sos.wv.gov/administrative-law/modified/Pages/default.aspx">http://www.sos.wv.gov/administrative-law/modified/Pages/default.aspx</a>
<b>Sponsors</b>	Minard, Snyder, Prezioso, Unger, Boley, K Facemyer
<b>Status</b>	>Amended >Signed by Governor >Effective from passage

<b>SB 294 SB 407</b>	Authorizing the Insurance Commissioner to promulgate legislative rules relating to mental health parity.
<b>Purpose</b>	This is a rule bill. You must access the Secretary of State's Office to review this rule. The address below will provide a link to this office. This bill has been amended into SB 407. <a href="http://www.sos.wv.gov/administrative-law/modified/Pages/default.aspx">http://www.sos.wv.gov/administrative-law/modified/Pages/default.aspx</a>
<b>Sponsors</b>	Minard, Snyder, Prezioso, Unger, Boley, K Facemyer
<b>Status</b>	>Amended >>Signed by Governor >Effective from passage

<b>SB 296 SB 407</b>	Authorizing the Insurance Commissioner to promulgate legislative rule relating to the use of senior-specific certifications and professional designations in sale of life insurance and annuities
<b>Purpose</b>	This is a rule bill. You must access the Secretary of State's Office to review this rule. The address below will provide a link to this office. This bill has been amended into SB 407. <a href="http://www.sos.wv.gov/administrative-law/modified/Pages/default.aspx">http://www.sos.wv.gov/administrative-law/modified/Pages/default.aspx</a>
<b>Sponsors</b>	Minard, Snyder, Prezioso, Unger, Boley, K Facemyer
<b>Status</b>	>Amended >Signed by Governor >Effective from passage

<b>SB 320 SB 407</b>	Authorizing the State Tax Department to promulgate legislative rules relating to consumers Sales and Service Tax and Use Tax – drugs, durable medical goods, mobility enhancing equipment and prosthetic devices per se exemption; and motor vehicles per se exemption.
<b>Purpose</b>	This is a rule bill. You must access the Secretary of State’s Office to review this rule. The address below will provide a link to this office. This bill has been amended into SB 407. <a href="http://www.sos.wv.gov/administrative-law/modified/Pages/default.aspx">http://www.sos.wv.gov/administrative-law/modified/Pages/default.aspx</a>
<b>Sponsors</b>	Minard, Snyder, Prezioso, Unger, Boley, K Facemyer
<b>Status</b>	>Amended >Signed by Governor >Effective 03-13-10

<b>SB 422</b>	Limiting liability for non-health care provider defibrillator users
<b>Purpose</b>	This bill limits liability for a non-health care provider when using an automatic external defibrillator, excluding those instances of gross negligence. The bill amends current code.
<b>Sponsors</b>	Foster
<b>Status</b>	>Committee Substitute >Signed by Governor >Effective 06-11-10

<b>SB 483</b>	Authorizing HMOs offer point of service option
<b>Purpose</b>	This bill permits a HMO to offer a point of service option to their members. The bill amends current code.
<b>Sponsors</b>	Minard
<b>Status</b>	>Committee Substitute >>Signed by Governor >Effective 06-18-10

<b>SB 494</b>	Providing fiduciary commissioner oversight
<b>Purpose</b>	This bill increases oversight of fiduciary commissioner responsibility in settling the accounts by requiring increased reporting to both the county clerk and county commissioner. This bill amends current code.
<b>Sponsors</b>	Kessler
<b>Status</b>	>Committee Substitute >House amendment >Signed by Governor >Effective 03-13-10

<b>SB 498</b>	Amending the civil definition of “neglect” Title changed to Updating language relating to adult social services
<b>Purpose</b>	This bill changes the definition to state, “failure to provide care necessary to assure the physical safety or health of an incapacitated adult.” The bill amends current code.
<b>Sponsors</b>	Kessler
<b>Status</b>	>Committee Substitute >House amendment >Signed by Governor >Effective 06-11-10

<b>SB 577</b>	Clarifying definition of charitable raffle
<b>Purpose</b>	This bill clarifies that raffles must be conducted to paper products without the use of electronic or mechanical ticket dispensers, readers or other electronic/mechanical devices. The bill imposes civil and criminal penalties for failure to comply with the law. The bill amends current code.
<b>Sponsors</b>	Kessler
<b>Status</b>	>Committee Substitute >House amendment >Signed by Governor >Effective 03-13-10

<b>SB 584</b>	Relating to Center for Nursing's data collection policy
<b>Purpose</b>	This bill requires the center to collect data regarding nursing in WV for the purpose of determining long range needs and issues relating to the nursing field. The bill requires that all data be held in a confidential manner. The bill amends current code.
<b>Sponsors</b>	Bowman
<b>Status</b>	>Signed by Governor >Effective 06-18-10

<b>SB 664</b>	Relating to duties of protected person's guardian
<b>Purpose</b>	This bill requires a guardian to address the social needs of the person they oversee. The bill requires the guardian to visit the protected person at least every six months and direct Mental Hygiene Commissioner to intervene when necessary. The bill amends current code.
<b>Sponsors</b>	Palumbo
<b>Status</b>	>Signed by Governor >Effective 06-11-10

<b>SB 665</b>	Transferring certain Health Care Authority's duties to Insurance Commissioner
<b>Purpose</b>	This bill transfers from the Health Care Authority to the Insurance Commissioner those duties regarding the creation of uniform health care forms and to develop an all-payer database. The bill further directs the Insurance Commissioner to work with the Secretary of DHHR to assist the Insurance Commissioner in managing and analyzing health care data. The bill amends current code.
<b>Sponsors</b>	Prezioso
<b>Status</b>	>Committee Substitute >Signed by Governor >Effective 06-09-10