



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Health TITLE-SERIES: 64-115
RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No
RULE NAME: DIABETES SELF-MANAGEMENT EDUCATION
CITE STATUTORY AUTHORITY: 33-59-1(k) and 16-1-4

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 2427

Section 64-5-1(i) Passed On 4/6/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

July 1, 2021

This rule shall terminate and have no further force or effect from the following date:

August 01, 2026

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

April L Robertson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 64
LEGISLATIVE RULE
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

SERIES 115
DIABETES SELF-MANAGEMENT EDUCATION

§64-115-1. General.

1.1. Scope -- This rule establishes the training requirements and procedures necessary for diabetes self-management education to be provided by properly trained health care practitioners in West Virginia.

1.2. Authority -- W. Va. Code §33-59-1(k) and §16-1-4.

1.3. Filing Date -- April 30, 2021.

1.4. Effective Date -- July 1, 2021.

1.5. Sunset Provision -- This rule shall terminate and have no further force or effect upon August 1, 2026.

§64-115-2. Definitions.

2.1. Commissioner -- The commissioner of the Bureau for Public Health of the West Virginia Department of Health and Human Resources.

2.2. Diabetes self-management education -- A diabetes self-management program currently recognized by the commissioner to educate patients diagnosed with diabetes in order to self-manage their condition.

2.3. Health care practitioner -- "Health care practitioner" or "practitioner" means a physician, pharmacist, nurse, registered dietitian, certified diabetes care and education specialist, or other health care practitioner who is licensed to perform specified medical or ancillary services within the scope of his or her license.

§64-115-3. Diabetes Self-Management Education.

3.1. Persons diagnosed with diabetes shall be provided the opportunity to receive diabetes self-management education in accordance with W. Va. Code §33-53-1.

3.2. Diabetes self-management education will be offered to persons diagnosed with diabetes as follows:

3.2.a. At diagnosis;

3.2.b. Annually and/or when not meeting treatment targets;

3.2.c. When complicating factors develop; and

3.2.d. When transitions in life and care occur.

3.3. Diabetes self-management education may be provided to a person diagnosed with diabetes individually or in a group as currently allowed by that educational program.

3.4. Diabetes self-management education shall be provided by a health care practitioner that has completed training as currently recognized by the sponsoring or accrediting institution of the educational program that is provided.

3.5. A current list of all diabetes self-management programs recognized by the commissioner shall be maintained by the Bureau for Public Health at www.wvchronicdisease.org, which shall include the name of the diabetes self-management program, the sponsoring or accrediting institution, and contact information for the program.

3.5.a. Diabetes self-management programs may offer telehealth education when resources are limited, and may otherwise communicate by telephone when patients lack access to broadband internet.

3.5.b. Diabetes self-management programs shall recommend one or more methods for the measurement of patient success, which may be used by the referring provider to evaluate patient success.

3.6. The Coalition for Diabetes Management may make recommendations to the Bureau for Public Health regarding the recognition of diabetes self-management programs by the commissioner.

3.7. The Bureau for Public Health shall review the list of diabetes self-management programs recognized by the commissioner at least annually.

§64-115-4. Amendment.

Amendments to this rule may be made after consultation with the Coalition for Diabetes Management.