

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #3

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: West Virginia State Board of Examiners
for Licensed Practical Nurses TITLE NUMBER: 10

CITE AUTHORITY WV Code 30-7A-5 & 64-9-17(e)

AMENDMENT TO AN EXISTING RULE: YES NO

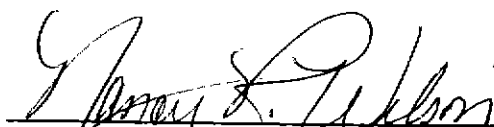
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2

TITLE OF RULE BEING AMENDED: Policies Regulating Licensure
of the Licensed Practical Nurse

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



Nancy R. Wilson, Executive Secretary

WEST VIRGINIA
STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES

NANCY R. WILSON, R.N.
EXECUTIVE SECRETARY



LANETTE L. ANDERSON, J.D., R.N.
ASSISTANT EXECUTIVE SECRETARY

101 DEE DRIVE
CHARLESTON, WEST VIRGINIA 25311-1688

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558-LPNS

March 21, 2000

Ms. Judy Cooper, Director
Administrative Law Division
Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

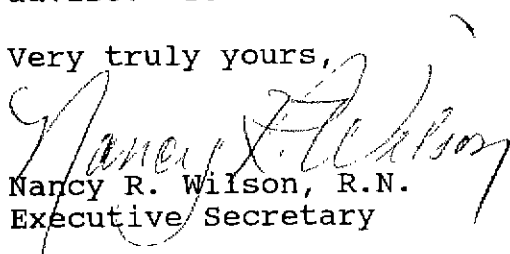
Dear Ms. Cooper:

Enclosed please find the appropriate documentation required in the filing of an approved Rule with the Secretary of State.

These proposed amendments to Legislative Rules, 10 C.S.R. 2, Policies Regulating Licensure of the Licensed Practical Nurse, were previously filed with your office on November 29, 1999. The comment period on said rules ended on January 7, 2000. The proposed Rules were approved as revised by the Board during its regular meeting on February 17, 2000.

If any irregularities exist with what is submitted herein, please advise. Your assistance in this matter is appreciated.

Very truly yours,


Nancy R. Wilson, R.N.
Executive Secretary

NRW/a

Enclosures:

WEST VIRGINIA
STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES

NANCY R. WILSON, R N
EXECUTIVE SECRETARY



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CHARLESTON AREA
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March 21, 2000

Legislative Rule-Making Review Committee
Building 1, Suite 152
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

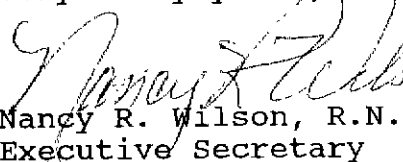
To All Interested Persons:

The enclosed documentation is hereby respectfully submitted in accordance with the requirements for Notice of Agency Approval of a Proposed Rule and Filing with the Legislative Rule-Making Review Committee.

These proposed amendments to Legislative Rules 10 C.S.R. 2, Policies Regulating Licensure of the Licensed Practical Nurse, were previously filed with the Office of the Secretary of State on November 29, 1994. The comment period on said Rules ended on January 7, 2000. The proposed Rules were approved as revised by the Board during its regular meeting on February 17, 2000.

If any irregularities exist with what is submitted herein, please advise. Your assistance in this matter is appreciated.

Very truly yours,


Nancy R. Wilson, R.N.
Executive Secretary

NRW/a

Enclosures:

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

March 21, 2000

- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Nancy R. Wilson, R.N., Executive Secretary

101 Dee Drive, Charleston, West Virginia 25311-1688

(304) 558-3572 Fax (304) 558-4367 e-mail lpnboard@state.wv.us

- g. **IF DIFFERENT FROM ITEM 'f', please give Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

d. Attach findings and determinations and reasons:

Attached _____

**TITLE 10
LEGISLATIVE RULES
WEST VIRGINIA STATE BOARD OF
EXAMINERS FOR LICENSED PRACTICAL NURSES**

**SERIES 2 - POLICIES REGULATING LICENSURE OF THE LICENSED
PRACTICAL NURSE**

SUMMARY OF PROPOSAL

Proposed changes are primarily editorial in nature with the exception of the addition of state and national criminal history records checks for applicants to the Board and for licensees under investigation by the Board. A statement regarding disciplinary procedure was also added for compliance with H.B. 4062, passed by the Legislature on February 15, 2000.

**TITLE 10
LEGISLATIVE RULES
WEST VIRGINIA STATE BOARD OF
EXAMINERS FOR LICENSED PRACTICAL NURSES**

**SERIES 2 - POLICIES REGULATING LICENSURE OF THE LICENSED
PRACTICAL NURSE**

STATEMENT OF CIRCUMSTANCES REQUIRING RULE

Proposed changes to this Rule are primarily editorial in nature. In response to an increasing number of applicants and licensees of the Board who have criminal convictions, statements are included which permit the Board to conduct state and national criminal history records checks on all applicants and on licensees under investigation.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Policies Regulating Licensure of the Licensed Practical Nurse

Type of Rule: X Legislative Interpretive Procedural

Agency West Virginia State Board of Examiners for LPNs

Address 101 Dee Drive

Charleston, WV 25311-1688

1. Effect of Proposed Rule

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	RECY	HEREAFTER
<u>ESTIMATED TOTAL COST</u>	\$ NONE	\$ NONE	\$ NONE	\$ NONE	\$ NONE
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates:

3. Objectives of these rules:

Primarily editorial changes reflecting requirements for licensure as a licensed practical nurse in West Virginia.

Rule Title: Policies Regulating Licensure of the Licensed Practical Nurse

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

None

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

None

C. Economic Impact on Citizens/Public at Large.

None

Date:

3/21/2000

Signature of Agency Head or Authorized Representative

Mary R. Wilson

TITLE 10
LEGISLATIVE RULES
WEST VIRGINIA STATE BOARD OF
EXAMINERS FOR LICENSED PRACTICAL NURSES
SERIES 2
POLICIES REGULATING LICENSURE OF THE
LICENSED PRACTICAL NURSE

FILED

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

§10-2-1. General.

1.1. Scope. -- This legislative rule establishes the Policies Regulating Licensure of the Licensed Practical Nurse.

1.2. Authority. -- W.V. Code §30-7A-5 & §64-9-17(e)

1.3. Filing Date. --

1.4. Effective Date. --

§10-2-2. Qualifications for Licensure

2.1. Any person who wishes to obtain a license to practice practical nursing ~~shall~~ submits to the Board satisfactory evidence that he or she:

2.1.a. is of good moral character;

2.1.b. ~~has acquired~~ at least a tenth grade education or it's equivalent;

2.1.c. ~~has~~ completed a course of study in an accredited school of practical nursing as defined by the Board, in 10 CSR 1, Policies and Procedures for Development and Maintenance of Educational Programs in Practical Nursing, and holds a diploma therefrom; and

2.1.d. ~~has~~ completed such other general education requirements as may be prescribed by the Board.

2.2. Any person who ~~has~~ served on active duty in the medical corps of any of the Armed Forces of the United States for at least one (1) year within the three (3) year period immediately preceding the date of application, ~~shall~~ submits satisfactory evidence that he or she:

2.2.a. ~~has~~ successfully completed the course of instruction required to qualify him or her for rating as a medical specialist advanced, medical service technician, advanced hospital corpsman, medical service specialist, Class "A" hospital corpsman, or other equivalent rating in his or her branch of the armed forces; and,

2.2.b. ~~has~~ received an "honorable" discharge.

§10-2-3. Examination for Licensure

3.1. All applicants pass an examination prior to ~~for~~ licensure ~~shall pass an examination.~~

3.2. The board ~~shall~~ contracts with the National Council of State Boards of Nursing, Inc. for use of the National licensure examination.

3.3. The board ~~shall~~ uses the national passing standard established by the National Council of State Boards of Nursing, Inc. as the passing score for the licensure examination.

RULES AND REGULATIONS - BPN - LICENSURE

§10-2-4. Licensure by Examination

4.1. An applicant for licensure by examination ~~shall~~ obtains an application for examination from the board and returns it to the board office with the fee required in 10 CSR 4, Fees for Services Rendered by the Board, prior to the licensure examination.

4.1.a. A graduate of an accredited program of practical nursing ~~shall~~ causes the program of practical nursing from which he or she graduated to send a copy of his or her official transcript directly to the Board office.

4.1.b. A veteran ~~shall~~ submits to the board office a photostatic copy of the certificate issued to him or her upon completion of his or her course of instruction and a copy of his or her discharge from the armed forces and ~~shall~~ causes the Personnel Records Division of the Armed Forces to provide copies of training and discharge records directly to the Board office.

4.2. Each applicant for licensure by examination is subject to a criminal history records check. Each applicant furnishes to the agency a full set of fingerprints for purposes of conducting criminal history record checks. Records are checked through the criminal identification bureau of the West Virginia State Police, a similar agency within the applicant's state of residence, and the United State Federal Bureau of Investigation. An applicant is exempt from this requirement if a criminal history records check was conducted within the 24 months preceding the date of application to the board, providing the results were unremarkable and are verified by a source acceptable to the board other than the applicant.

4.2.3. An applicant for licensure by examination who ~~is a graduate of graduates from~~ an accredited program in practical nursing, ~~may~~ works under qualified supervision and renders nursing services during the period between ~~completion of his or her education program graduation~~ and notification of the results of the first licensing examination following graduation. The board ~~shall~~ issues a temporary permit, valid for up to ninety (90) days from the date of graduation, ~~to~~ covering the period of time between graduation and notification of the results of the first licensing examination. A candidate who does not pass the licensure examination on the first attempt ~~shall~~ returns the temporary permit to the board office within three (3) days of receipt of the notice that he or she did not pass the examination. ~~The board shall not extend the temporary permit. The temporary permit is not extendable.~~

§10-2-5. Notification of Examination Results

5.1. The board ~~shall~~ notifies~~sy~~, in writing, each applicant who ~~has~~ passed the licensure examination and ~~shall~~ sends to the applicant a certificate of original licensure and a license to practice as a licensed practical nurse in West Virginia for the current year.

5.2. The board ~~shall~~ notifies~~sy~~, in writing, each applicant who ~~has~~ does not passed the licensure examination. Such applicant ~~shall not accept employment in the practice is not employable as a~~ practical nurse, except as provided for in subsection 4.2.3 of this rule, until he or she passes the licensure examination.

5.3. The board notifies the school of practical nursing from which the candidate graduated indicating whether the candidate passed or failed the licensure examination, providing the candidate authorizes release of examination results to the school.

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5.3.4. An applicant who ~~has~~ does not passed the licensure examination for practical nurses and wishes to take the licensure examination for a second time ~~shall notify~~ sy the board office, in writing. The board fee for the second licensure examination ~~will be~~ is the same as for the first time applicant. ~~There is no board~~ does not charge a fee to take the examination for the third time. The board fee for successive licensure examinations is the same as for the first time applicant (§30-1-6).

§10-2-6. Licensure by Waiver

6.1 The board ~~shall~~ does not issue a license by waiver.

6.2. Any person who obtained a license by waiver prior to June 30, 1968, and ~~has completed~~ extension courses equal in theory to that of a graduate of an approved practical nursing program, as determined by the Board, ~~may at any time after completion of the course,~~ takes the licensure examination prescribed by the Board for graduate practical nurses and obtains a license without the designation "Waiver" thereon.

§10-2-7. Licensure by Endorsement

7.1. The Board ~~shall~~ issues a license by endorsement to any applicant who is duly licensed or registered as a practical nurse, or who is entitled to perform similar services under the same or a different title in any other state, territory or foreign country, if the applicant meets other requirements for licensed practical nurses in this State. ~~including those continuing competence requirements contained in 10 CSR 6, Continuing Competence~~

7.2. Each applicant for endorsement is subject to a criminal history records check. Each applicant furnishes to the agency a full set of fingerprints for purposes of conducting criminal history record checks. Records are checked through the criminal identification bureau of the West Virginia State Police, a similar agency within the applicant's state of residence, and the United States Federal Bureau of Investigation. An applicant is exempt from this requirement if a criminal history records check was conducted within the 12 months preceding the date of application to the board, providing the results were unremarkable and are verified by a source acceptable to the board other than the applicant.

7.23. An applicant for endorsement ~~shall~~ completes an endorsement application and submits the fee required in 10 CSR 4, Fees for Services of the Board. The applicant for endorsement ~~shall have~~ has the board of nursing in the state of original licensure send verification of original licensure to the board office. Upon receipt of the application for endorsement, the fee, and verification of current licensure in another state, the board ~~may~~ issues a letter of intent to endorse. The applicant for endorsement ~~may~~ uses the letter of intent to endorse, in conjunction with a current license from another state, for employment as a licensed practical nurse in West Virginia for a maximum of six (6) months. ~~The board shall not renew~~ The letter of intent is not renewable.

§10-2-8. Endorsement to Another State

The Board ~~shall~~ provides verification of original licensure and verification of current licensure to another state upon receipt of a written request from the licensee, a request from a board of nursing in another state, and payment of the fee required in 10 CSR 4, Fees for Services Rendered by the Board.

§10-2-9. Annual Renewal of License

9.1. Each license issued by this Board expires on June 30 of each year. In order to continue practicing a licensee ~~must~~ renews his or her license annually.

10 CSR 2

RULES AND REGULATIONS - BPN - LICENSURE

9.1.a. The Board ~~shall~~ renews the license of each licensee upon receipt of:

9.1.a.1. a completed application for renewal of the license,

9.1.a.2. a statement in each even year from the renewal applicant that he or she meets the continuing competence requirements specified in 10 CSR 6, Continuing Competence; and

9.1.a.3. the fee for renewal of a license as provided in 10 CSR 4, Fees for Services Rendered by the Board.

9.2. A license for which a renewal application is postmarked after June 30 is lapsed.

9.2.a. The board ~~may~~ reinstates a lapsed license ~~which has lapsed~~ upon receipt of:

9.2.a.1. a completed application for reinstatement of the lapsed license ~~which has lapsed~~,

9.2.a.2. verification that the reinstatement applicant meets the continuing competence requirements specified in 10 CSR 6, Continuing Competence, and

9.2.a.3. the fee for reinstatement of a lapsed license ~~which has lapsed~~ as provided in 10 CSR 4, Fees for Services Rendered by the Board.

9.3. Any person practicing practical nursing ~~who does not hold without~~ a current license, valid temporary permit or current letter of intent to endorse is considered an illegal practitioner and is subject to the penalties provided for in WV Code §30-7A-10.

§10-2-10. Non-Practicing Status

Any person ~~who holds with~~ a current West Virginia license may request ~~to be placed on the non-practicing list with the board non-practicing status~~. While on the non-practicing status list, the person ~~may not be employed is not employable~~ as a licensed practical nurse and is not subject to the payment of licensing fees. A person requesting non-practicing status is not subject to the continuing competence requirements in 10 CSR 6, Continuing Competence.

10.1 The board ~~may~~ reinstates a license from non-practicing status upon receipt of:

10.1.a. a completed application for reinstatement of the license from non-practicing status,

10.1.b. verification that the reinstatement applicant meets the continuing competence requirements specified in 10 CSR 6, Continuing Competence, and

10.1.c. the fee for reinstatement of a license from non-practicing status as provided in 10 CSR 4, Fees for Services Rendered by the Board.

§10.2.11. Duplicate License

A licensee ~~shall~~ notifies the board of a change in his or her name or address.

RULES AND REGULATIONS - BPN - LICENSURE

11.1. A licensee ~~may~~ requests a duplicate license if he or she ~~has a~~ changes ~~in~~ his or her name or address. The board ~~shall~~ issues the duplicate license providing the current license is returned to the board office with the current fee required in 10 CSR 4, Fees for Services Rendered by the Board. There is no fee for name or address changes requested at the time a license is renewed or reinstated.

11.2. A licensee ~~may~~ requests a duplicate license in the event of loss of the original license. The licensee ~~must~~ completes an affidavit verifying loss and submits the affidavit to the Board with the current fee required in 10 CSR 4, Fees for Services Rendered by the Board, prior to the board issuing a duplicate license.

§10-2.12. Disciplinary Proceedings: Grounds for Discipline

12.1. The Board ~~may~~ takes disciplinary action in accordance with Chapter 29A WV Code, upon satisfactory proof that an applicant for endorsement or examination, or a licensee:

12.1.a. is guilty of fraud or deceit in procuring or attempting to procure a license to practice practical nursing which includes;

12.1.a.1. ~~has~~ represents ~~ing~~ facts on an application for licensure by examination or licensure by endorsement or on an application for renewal or reinstatement of a license; or

12.1.a.2. ~~has~~ impersonates ~~ing~~ another person appear in his or her place or ~~impersonat~~es ~~ing~~ an applicant for examination, endorsement or renewal or reinstatement of a license;

12.1.b. ~~has been~~ is convicted of a felony;

12.1.c. is habitually intemperate or is addicted to the use of habit-forming drugs;

12.1.d. is mentally incompetent;

12.1.e. is guilty of professional misconduct, which includes but is not limited to:

12.1.e.1. ~~impersonat~~es ~~ing~~ another licensed practitioner, ~~permi~~tting another person to use his or her license for the purpose of nursing for compensation,

12.1.e.2. ~~provid~~es ~~ing~~ false or incorrect information to an employer regarding the status of a license,

12.1.e.3. ~~practic~~es ~~ing~~ practical nursing in the State of West Virginia without a current West Virginia license, a valid temporary permit, or a letter of intent to endorse, except as provided in WV Code §30-7A-9.

12.1.e.4. ~~fail~~ing to report through proper channels the incompetent, unethical, or illegal practice of another person who is providing health care,

12.1.e.5. ~~practic~~es ~~ing~~ practical nursing with gross incompetence or gross negligence on a particular occasion, or incompetence or negligence on more than one occasion,

RULES AND REGULATIONS - BPN - LICENSURE

12.1.e.6. ~~practicesing~~ practical nursing while the ability to practice is impaired by alcohol, drugs, physical disability, or mental disability,

12.1.e.7. ~~a finding of guilt is found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state or territory where the conduct upon which the finding was is based would, if committed in this state, constitute professional misconduct under the laws of this state,~~

12.1.e.8. ~~permitsting, aidesing, or abetsting~~ an unlicensed, uncertified, or unregistered person to perform activities requiring a license, certificate or registration,

12.1.e.9. ~~practicesing~~ practical nursing while the license is suspended,

12.1.e.10. willfully ~~failsing~~ to register or notify the Board of any changes of name or mailing address,

12.1.e.11. ~~is convicted conviction~~ of a felony or a misdemeanor with substantial relationship to the practice of practical nursing in a court of competent jurisdiction.

12.1.e.12. ~~failsing~~ to follow established policies and procedures in the practice setting to safeguard patient care,

12.1.e.13. ~~abandonsing~~ patients by terminating responsibility for nursing care, intervention, or observation without properly notifying appropriate personnel and ensuring the safety of patients,

12.1.e.14. ~~commitsting~~ an intentional act which could adversely affect the physical or psychological welfare of a patient,

12.1.e.15. physically or verbally ~~abusesing~~, or ~~failsing~~ to provide adequate protection or safety for an individual in the context of a nurse/patient relationship;

12.1.e.16. ~~usesing~~ the nurse/patient relationship to exploit or influence a patient.

12.1.e.17. ~~refusesing~~ or ~~failsing~~ to report for a physical or mental examination, including but not limited to laboratory or other tests, requested by the board.

12.1.e.18. ~~failsing~~ to exercise technical competence in carrying out nursing care,

12.1.e.19. ~~misappropriatesing~~ medications, supplies, or personal items of a patient or the employer,

12.1.e.20. ~~self-administersing, administersing~~ to another, knowingly ~~participatesing~~ in or ~~permitsting~~ the administration of, any prescription drug without a legal, valid prescription, or the use or administration of any illegal drug;

12.1.e.21. ~~falsifiesing~~ patient records or intentionally ~~chartsing~~ incorrectly,

12.1.e.22. knowingly ~~falsifiesing~~ an application for employment,

RULES AND REGULATIONS - BPN - LICENSURE

12.1.e.23. ~~fail~~ing to conform to standards of nursing practice as defined in 10 CSR 3, Standards of Nursing Practice for the Licensed Practical Nurse.

12.1.e.24. knowingly ~~provid~~ing false information regarding completion of continuing competency requirements for renewal, reinstatement or endorsement of a license,

12.1.e.25. ~~fail~~ing to comply with terms and conditions as may be imposed by the board based on previous disciplinary action of the Board.

12.1.e.26. ~~impede~~ing or ~~obstruct~~ing an investigation by the board by failing to comply or respond to requests for action or information, whether such failure is intentional or merely negligent; and

12.1.e.27. other acts, which in the opinion of the Board, constitute professional misconduct.

12.1.f. ~~is~~ ~~Practicing~~ or ~~attempting~~ to practice without a license or ~~continues~~ to violate any of the provisions of WV Code §30-7A-1 et seq.

§10-2-13. Investigations

13.1. Upon complaint ~~or~~ and on its own initiative, the board or its employees or designees may investigate conduct which is occurring or has occurred which violates West Virginia Code §30-7A-1 et seq., or rules governing the practice of licensed practical nursing.

13.2. For the purpose of conducting investigations:

13.2.a. The executive secretary or chairperson of the board may subpoenas documents or witnesses;

13.2.b. The board deposes witnesses ~~may be deposed~~, takes sworn statements ~~taken~~, and collects other evidence ~~collected~~;

13.2.c. The board may require a criminal history records check. The licensee under investigation furnishes to the agency a full set of fingerprints for purposes of conducting criminal history record checks. Records are checked through the criminal identification bureau of the West Virginia State Police, a similar agency within the licensee's state of residence, and the United States Federal Bureau of Investigation.

13.2.3.d. The board may institutes proceedings in the courts of this state to enforce its subpoenas for the production of documents and witnesses and its orders and to restrain and enjoin violations of West Virginia Code §30-7A-1 et seq., or rules governing the practice of licensed practical nursing;

13.2.4.e. The board ~~shall~~ reviews medical records during the course of its investigation, and ~~shall~~ removes patient identifying information from records which are introduced as evidence at any disciplinary hearing;

13.2.5.f. The board, or its employees or designees within the limits of authority granted by the board, may employ investigators, consultants and other such employees as ~~may be~~ necessary to assist in an investigation;

13.2.6.g. All powers of the board and its employees or designees may ~~be~~ are exercised to investigate a matter, even if a hearing or disciplinary action does not result from the investigative findings; and

RULES AND REGULATIONS - BPN - LICENSURE

13.2.7.h. Upon a finding of probable cause that a basis for disciplinary action exists, the board may require a licensed practical nurse to submit to a physical or mental examination by a practitioner approved by the board. Any individual who applies for or accepts the privilege of practicing as a licensed practical nurse in this state is considered to have given consent to submit to all such examinations when requested to do so in writing by the board and to have waived all objections to the admissibility of the testimony or examination report of any examining practitioner on the grounds that the testimony or report is privileged communication. If an applicant or licensee fails or refuses to submit to an examination under circumstances which the board finds are not beyond his or her control, such failure is prima facie evidence of his or her inability to practice as a licensed practical nurse competently and in accordance with accepted standards of practical nursing practice. A licensed practical nurse or person applying for licensure as a licensed practical nurse who is adversely affected by this provision may request a hearing before the board within thirty days of any action taken by the board.

§10-2-14. Disciplinary Proceedings: Disciplinary Action

The board ~~shall~~ affords every person subject to disciplinary proceedings an opportunity for a hearing.

If an applicant for licensure or a licensee fails to appear at a scheduled hearing or fails to reply to the notification of hearing, the charges specified ~~may be~~ are taken as true and the board may proceed with disciplinary actions.

The board may impose a single penalty or a combination of penalties upon any person found guilty of any of the grounds for discipline, set forth in subsection 12 of this rule, in the follow manner:

14.1. For applicants for examination or endorsement

14.1.a. The board may refuse to admit an applicant for the licensure examination, or

14.1.b. The board may deny licensure by endorsement.

14.2. For licensees

14.2.a. The board may revoke a license.

The board may specify the minimum length of time the revocation shall remain in effect in the final order of revocation. If the board does not specify a minimum length of time for the revocation in the final order of revocation the revocation ~~shall be~~ is effective for a minimum of five years.

An individual whose ~~has had his or her~~ license is revoked and who wishes to again become licensed as a licensed practical nurse ~~shall apply~~ as a new applicant for licensure and is subject to the same rules for original licensure as other applicants ~~who have not been~~ previously licensed. The Board ~~shall~~ considers all records pertaining to the revocation of the previously held license when considering the applicant for licensure.

14.2.b. The board may suspend a license

The board may suspend a license for a period of not less than thirty (30) days, nor more than ~~two~~ five (5) years. The board ~~shall~~ returns the license to the licensee after the period of suspension ~~has expired~~, provided ~~that~~ the licensee ~~has met~~ meets all conditions set forth by the Board at the time of the suspension.

RULES AND REGULATIONS - BPN - LICENSURE

14.2.c. The board may request voluntary surrender of a license.

The board may ask a licensee to voluntarily surrender his or her license and provide to the Board a statement concerning reasons for the surrender. The person ~~may~~ petitions for a formal hearing for reinstatement of the license one (1) year from the date of original surrender. The person ~~must~~ furnishes proof, at the hearing, that conditions leading to the voluntary surrender no longer exist.

14.2.d. The board may issue a restricted license.

The board may permit a licensee to keep his or her license under a ~~limited~~ restricted license and to work within specified guidelines. The board ~~shall~~ notes specific restrictions regarding practice on the license.

14.2.e. The board may place a licensee on probation.

The board may permit a licensee to keep his or her license and continue to work. However, the licensee ~~shall~~ is required to adhere to specific probationary conditions and the board ~~shall~~ closely monitors the licensee during the probationary period.

14.2.f. The board may issue a reprimand.

The board may issue a reprimand in writing and retain a copy in the file of the licensee.

14.2.g. The board may informally dispose of charges against a licensee by Consent Agreement.

The board may negotiate a settlement with the licensee, in the form of a consent agreement, for any charges pending against a licensee. The licensee, in accepting a consent agreement waives his or her right to a formal hearing on the charges, and accepts the terms and conditions set forth in the consent agreement. Any single penalty or a combination of penalties provided in this section may be imposed through consent between the board and the licensee.

14.2.h. The board may assess fees for monitoring a licensee's compliance with terms and conditions set forth in a consent agreement or order of the board.

Monitoring fees may be payable on a quarterly basis or may be assessed as a part of the annual renewal fee. A licensee who fails to pay monitoring fees levied by the board as a part of a disciplinary proceeding, within the time period contained in this rule or as otherwise agreed upon between the parties, is not eligible for renewal of the license until the fee is paid.

14.2.i. The Board may order a summary suspension.

If the board finds that public health, safety and welfare requires emergency action and incorporates a finding to that effect in its order, it may order summary suspension of a license, prohibiting the further practice of practical nursing, pending a hearing for revocation or other action. The board shall promptly institute and determine further disciplinary action.

14.2.j. The Board may order a suspension without hearing when a prior hearing or plea agreement has occurred in another state or federal agency, or in a court of law.

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ROMNEY, WV 26757

WESTBROOK HEALTH SERVICES
16TH STREET GROUP HOME
2126 16TH STREET
PARKERSBURG, WV 26101

CHURCH LANE GROUP HOME
226 CHURCH LANE
PRINCETON, WV 24740

VOCA CORPORATION OF WV
811 S KANAWHA STREET
BECKLEY, WV 25801

COLIN ANDERSON CENTER
PO BOX 106
ST MARYS, WV 26170

ARC GROUP HOME
523 24TH STREET
DUNBAR, WV 25064

CORNELL STREET GROUP HOME
1600 CORNELL STREET
KEYSER, WV 26726

ACCOVILLE GROUP HOME
PO BOX 300
ACCOVILLE, WV 25606

CROSS LANES GROUP HOME
5202 LINDA VISTA DRIVE
CROSS LANES, WV 25313

VOCA CORPORATION OF WV
1325 W PIKE STREET
CLARKSBURG, WV 26301

CURTIS AVENUE GROUP HOME
904 CURTIS AVENUE
MORGANTOWN, WV 26505

AMHERSTDALE GROUP HOME
165 PROCTOR BOTTOM
AMHERSTDALE, WV 25607

DAVIS STREET GROUP HOME
26 DAVIS STREET
PETERSBURG, WV 26847

EIGHTH AVENUE GROUP HOME
1519 8TH AVENUE
HUNTINGTON, WV 25701

HUDSON STREET GROUP HOME
222 HUDSON STREET
ST ALBANS, WV 25177

FAIRMONT GROUP HOME
1542 MARY LOU RETTON DR
FAIRMONT, WV 26554

JACKSON AVENUE GROUP HOME
330 JACKSON AVENUE
MADISON, WV 25130

FOWLER GROUP HOME
408 FOWLER AVENUE
CLARKSBURG, WV 26301

JUDYVILLE GROUP HOME
308 JUDYVILLE ROAD
LEWISBURG, WV 24901

FRANKLIN GROUP HOME
300 OLD PIKE ROAD
FRANKLIN, WV 26807

KENOVA GROUP HOME
1802 BEECH STREET
KENOVA, WV 25530

SABOYA PLACE GROUP HOME
201 S WATER STREET
MARTINSBURG, WV 25401

LAKEVIEW GROUP HOME
826 LAKEVIEW DRIVE
PARKERSBURG, WV 26101

GIHON ROAD GROUP HOME
2240 GIHON ROAD
PARKERSBURG, WV 26101

MCMECHEN GROUP HOME
102 12TH STREET
MCMECHEN, WV 26040

GREEN ACRES REGIONAL CENTER
PO BOX 240, ROUTE 2
LESAGE, WV 25537

VOCA CORPORATION OF WV
MONTICELLO APARTMENTS
281 MONTICELLO AVENUE
CLARKSBURG, WV 26301

GUYANDOTTE GROUP HOME
209 RICHMOND STREET
HUNTINGTON, WV 25702

MONTVUE GROUP HOME
205 MONTVUE DRIVE
LEWISBURG, WV 24901

HANSFORD STREET GROUP HOME
637 HANSFORD STREET
ST ALBANS, WV 25177

NORTHSIDE GROUP HOME
1200 THIRD STREET
MARTINSBURG, WV 25401

NUTTER FORT GROUP HOME
218 INDIANA AVENUE
NUTTER FORT, WV 26301

REM-WV, INC
170 PADUCAH DRIVE
NEW MARTINSVILLE, WV 26155

OAK HILL GROUP HOME
134 BEECH AVENUE
OAK HILL, WV 25901

REM-WV, INC
131 ROCKDALE ROAD
FOLLANSBEE, WV 26037

OLD BLUEFIELD GROUP HOME
216 OLD BLUEFIELD ROAD
PRINCETON, WV 24740

REM-WV, INC
1040 WHITE AVENUE
MORGANTOWN, WV 26505

PIETRO STREET GROUP HOME
10 PIETRO STREET
MORGANTOWN, WV 26505

REM-WV, INC
201 WOODCREST DRIVE
FOLLANSBEE, WV 26037

POTOMAC CENTER
ONE BLUE STREET
ROMNEY, WV 26757

RAVEN AVENUE GROUP HOME
26 RAVEN AVENUE
WHEELING, WV 26003

REM-WV, INC
843 BROOKHAVEN ROAD
MORGANTOWN, WV 26505

RITZ AVENUE GROUP HOME
2302 RITZ AVENUE
WHEELING, WV 26003

REM-WV, INC
1501 FLYNN AVENUE
WHEELING, WV 26003

NORTHWOOD HEALTH SYSTEMS
RUSSELL NESBITT APARTMENTS
501 N MAIN STREET
WHEELING, WV 26003

REM-WV, INC
147 G. C. & P. ROAD
WHEELING, WV 26003

SALEM GROUP HOME
272 W MAIN STREET
SALEM, WV 26426

REM-WV, INC
115 ARLINGTON AVENUE
MOUNDSVILLE, WV 26041

SIXTH AVENUE GROUP HOME
1625 SIXTH AVENUE
HUNTINGTON, WV 25701

SOUTHSIDE GROUP HOME
1207 WEST VIRGINIA AVENUE
MARTINSBURG, WV 25401

ACTION YOUTH CARE
PO BOX 510
RIPLEY, WV 25271

SPRING STREET GROUP HOME
1615 SPRING STREET
PARKERSBURG, WV 26101

APPALACHIAN COMMUNITY MENTAL
HEALTH CENTER
725 YOKUM ST, PO BOX 1170
ELKINS, WV 26241

STONEWOOD GROUP HOME
314 SECOND STREET
STONEWOOD, WV 26301

ARC IN KANAWHA-PUTNAM COUNTIES
MEDICAL ARTS BUILDING
1021 QUARRIER ST., SUITE 200
CHARLESTON, WV 25301

SUMMERSVILLE GROUP HOME
509 DUFFY STREET
SUMMERSVILLE, WV 26651

ARC OF HARRISON COUNTY
179 HICKMAN STREET
PO BOX 764
CLARKSBURG, WV 26302-0764

TEMPLE STREET GROUP HOME
510 TEMPLE STREET
BECKLEY, WV 25801

AUTISM SERVICES CENTER
605 9TH STREET, PO BOX 507
HUNTINGTON, WV 25710-0507

THOMPSON GROUP HOME
ROUTE 6, BOX 365
PRINCETON, WV 24740

C/O COMMUNITY ALTERNATIVES
PO BOX 8239
NUTTER FORT, WV 26302

VALLEY VIEW GROUP HOME
129 VALLEY VIEW DRIVE
PRINCETON, WV 24740

BARBOUR COUNTY HEALTH DEPARTMENT
CIRCLE OF CARING
23 WABASH AVENUE
PHILIPPI, WV 26416

VIRGINIA AVENUE GROUP HOME
321 VIRGINIA AVENUE
HUNTINGTON, WV 25701

BRALEY & THOMPSON
PO BOX 1396
ST ALBANS, WV 25177

WASHINGTON STREET GROUP HOME
400 WASHINGTON STREET
ROMNEY, WV 26757

BRAXTON CO SCHOOL HEALTH SERVICES
411 NORTH HILL ROAD
SUTTON, WV 26601

BURLINGTON UNITED METHODIST HOMES
ONE RAINBOW LANE
PO BOX 96
BURLINGTON, WV 26710

DAVIS-STUART
ROUTE 2, BOX 188A
LEWISBURG, WV 24901

CHARLES W. CAMMACK CHILDREN'S CTR
64 WEST 6TH AVENUE
HUNTINGTON, WV 25701

DAYMARK
1598-C WASHINGTON STREET, E.
CHARLESTON, WV 25311

CHESTNUT RIDGE DAY HOSPITAL
900 CHESTNUT RIDGE ROAD
MORGANTOWN, WV 26505

DEAF OF WV, INC.
PO BOX 157
DUNBAR, WV 25064-0157

CHILDREN AND YOUTH BEHAVIORAL
HEALTH CENTER
PROFESSIONAL ARTS PLAZA, PQ BOX 498
BUCKHANNON, WV 26201

DEVELOPMENT CENTER & WORKSHOP
50 CLARY STREET
KEYSER, WV 26726

CHILDREN'S HOME SOCIETY OF WV
1422 KANAWHA BLVD., EAST
PO BOX 2942
CHARLESTON, WV 25330

DODDRIDGE COUNTY DAY TREATMENT CTR
PO BOX 33
WEST UNION, WV 26456

CHILDREN'S HOME OF WHEELING
14 ORCHARD ROAD
WHEELING, WV 26003

EASTRIDGE HEALTH SYSTEMS
235 S. WATER STREET
MARTINSBURG, WV 25401

CHILDREN'S THERAPY CLINIC
2345 CHESTERFIELD AVENUE
CHARLESTON, WV 25304

EASTER SEAL REHAB CENTER
1305 NATIONAL ROAD
WHEELING, WV 26003

COLIN ANDERSON CENTER
PO BOX 106
ST. MARYS, WV 26170

EASTERN PANHANDLE TRAINING CTR
2000 AIKENS CENTER
MARTINSBURG, WV 25401

COORDINATING COUNCIL FOR INDEPENDENT
LIVING
1130 GREENBAG ROAD
MORGANTOWN, WV 26505

ELKINS FAMILY COUNSELING CTR
PO BOX 2016
ELKINS, WV 26241

ELKINS MOUNTAIN SCHOOL
100 BELL STREET
ELKINS, WV 26241

GREEN ACRES REGIONAL CTR
PO BOX 240, ROUTE 2
LESAGE, WV 25537-0240

EVERGREEN BEHAVIORAL HEALTH CTR
PO BOX 247
MEW MARTINSVILLE, WV 26155

HAMPSHIRE COUNTY SPECIAL SERVICES CTR
9 INDUSTRIAL PARK
ROMNEY, WV 26757-1101

EXODUS HOUSE
ROUTE 1, BOX 602
HIGHVIEW, WV 26808

HANCOCK-BROOKE BEHAVIORAL HEALTH
SERVICE
501 COLLIERS WAY
WEIRTON, WV 26062

FMRS MENTAL HEALTH COUNCIL
101 S. EISENHOWER DRIVE
BECKLEY, WV 25801

HORIZONS CTR FOR INDEPENDENT LIVING
934 WILLIAMS STREET
PARKERSBURG, WV 26101

FAMILY SERVICES-UPPER OHIO VLY
51 11TH STREET
WHEELING, WV 26003

KANAWHA VALLEY SENIOR SERVICES
600 CLENDENIN STREET
CHARLESTON, WV 25301

FAMILY SERVICE ASSOC, INC.
OF MORGANTOWN
1431 UNIVERSITY AVENUE
MORGANTOWN, WV 26505

LOGAN-MINGO AREA MENTAL HEALTH
ROUTE 10, THREE MILE CURVE
PO BOX 176
LOGAN, WV 25601

FLORENCE CRITTENTON HOME OF WV
2606 NATIONAL ROAD, PO BOX 7061
WHEELING, WV 26003

MONONGALIA CO YOUTH SERVICES CTR
440 ELMER PRINCE DRIVE
MORGANTOWN, WV 26505

GENESIS YOUTH CENTER
PO BOX 546
CLARKSBURG, WV 26302

NEW RIVER RANCH
SUGAR CREEK RD, PO BOX 178
FAYETTEVILLE, WV 25840

GOLDEN GIRL
999 B STREET, PO BOX 876
CEREDO, WV 25507

NORTHERN TIER YOUTH SERVICES
706 CENTRAL AVENUE
CHARLESTON, WV 25302

NORTHWOOD HEALTH SYSTEMS
111 9TH STREET
WHEELING, WV 26003

RSCR WEST VIRGINIA
ROUTE 259, PO BOX 130
YELLOW SPRING, WV 26865

OLYMPIC CENTER
PO BOX 158
KINGWOOD, WV 26537

RIVER VLY CHILD DEVELOPMENT
SERVICES
1448 TENTH AVENUE
HUNTINGTON, WV 25701

OPEN DOORS FOR THE DEVELOPMENTALLY
CHALLENGED
211 EAST WASHINGTON STREET
LEWISBURG, WV 24901

RUSSELL NESBITT SERVICES
519 FULTON STREET
WHEELING, WV 26003

PACE TRAINING & EVALUATION CTR
PO BOX 4241
STAR CITY, WV 26504-4241

SENECA MENTAL HEALTH
MENTAL RETARDATION COUNCIL
1305 WEBSTER ROAD
SUMMERSVILLE, WV 26651

POTOMAC HIGHLANDS GUILD
PO BOX 1119
PETERSBURG, WV 26847

SHAWNEE HILLS
PO BOX 3698
CHARLESTON, WV 25336-3698

PRESTERA CENTER FOR MENTAL
HEALTH SERVICES
3375 U.S. ROUTE 60, EAST
HUNTINGTON, WV 25705

SOUTHERN HIGHLANDS COMMUNITY
MENTAL HEALTH CENTER
200 12TH STREET EXTENSION
PRINCETON, WV 24740

PSYCHIATRIC DAY PROGRAM
OF APPALACHIAN - REG HEALTHCARE
306 STANAFORD ROAD
BECKLEY, WV 25801-3186

SOUTHWAY
1097 FLEDDERJOHN ROAD
CHARLESTON, WV 25314

REM-WEST VIRGINIA
203 S. FRONT STREET
WHEELING, WV 26003

SOUTHWESTERN COMMUNITY
ACTION COUNCIL
540 5TH AVENUE
HUNTINGTON, WV 25701

RESA VIII - CHILD DEVELOPMENT
SERVICES
109 S. COLLEGE STREET
MARTINSBURG, WV 25401

ST. JOHN'S HOME FOR CHILDREN
141 KEY AVENUE
WHEELING, WV 26003

STEPPING STONES
PO BOX 539
LAVALETTE, WV 25535

WESTBROOK HEALTH SERVICES
2121 SEVENTH STREET
PARKERSBURG, WV 26101

STONEBROOK
PO BOX 388
HEDGESVILLE, WV 25427

WORTHINGTON CENTER
3199 CORE ROAD
PARKERSBURG, WV 26104

SUGAR CREEK CHILDREN'S CENTER
ROUTE 2, BOX 127A
PHILIPPI, WV 26416

YOUTH HEALTH SERVICE
971 HARRISON AVENUE
ELKINS, WV 26241

TIMBERLINE HEALTH GROUP
PO DRAWER 871
LEWISBURG, WV 24901

YOUTH SERVICES SYSTEM
LINCOLN CENTER
1000 CHAPLINE STREET
WHEELING, WV 26003

TRY-AGAIN HOMES
1800 LOCUST AVENUE, SUITE 1
FAIRMONT, WV 26554-1294

Director of Nursing
MonPointe Continuous Care
995 Maple Drive
Morgantown, WV 26505

UNITED SUMMIT CENTER
PO BOX 1680
CLARKSBURG, WV 26302-1680

Director/Nursing Service
Aivert Nursing Home
953 Airport Road
Ceredo, WV 25507

VOCA CORPORATION OF WV
1206 VIRGINIA STREET, EAST
CHARLESTON, WV 25301

Director/Nursing Service
Sunbridge Arlington Nsg & Rehab
1716 Gihon Road
Parkersburg, WV 26101

VALLEY COMPREHENSIVE COMMUNITY
MENTAL HEALTH CENTER
301 SCOTT AVENUE
MORGANTOWN, WV 26505

Director/Nursing Service
Boone Health Care Center
PO Box 605, Lick Creek Rd
Danville, WV 25053

WEST VIRGINIA YOUTH ADVOCATE
PROGRAM
400 S. FRONT STREET
WHEELING, WV 26003

Director/Nursing Service
Sunbridge Dunbar Nsg Ctr
501 Caldwell Lane
Dunbar, WV 25064

Director/Nursing Service
Sunbridge Glenville Nsg Ctr
46 Fairground Road
Glenville, WV 26351

Director/Nursing Service
Barbour Co Good Sam Ctr
Rt 3, Box 15C
Belington, WV 26250

Director/Nursing Service
Sunbridge Morgantown Nsg Ctr
995 Maple Drive
Morgantown, WV 26505

Director/Nursing Service
Beverly Health Care Ctr
P. O. Box 350 Melrose Dr
Glasgow, WV 25086

Director/Nursing Service
Sunbridge Pine Lodge Nsg Ctr
405 Stanaford Road
Beckley, WV 25801

Director/Nursing Service
Bishop J. Hodges Cont Ctr
Medical Park
Wheeling, WV 26003

Director/Nursing Service
Sunbridge Putnam Nsg Ctr
300 Seville Road
Hurricane, WV 25526

Director/Nursing Service
Braxton Health Care Ctr
200 Days Drive
Sutton, WV 26601

Director/Nursing Service
Sunbridge Salem Nsg Ctr
146 Water Street
Salem, WV 26426

Director/Nursing Service
Brightwood Nsg Home
840 Lee Road
Follansbee, WV 26037

Director/Nursing Service
Ansted Health Care Ctr
P.O. Drawer 400
Ansted, WV 25812

Director/Nursing Service
Cameron Health Care Ctr
P. O. Box 216
Cameron, WV 26033

Appalachian Regional Health Care
306 Stanaford Road
Beckley, WV 25801-3186

Director/Nursing Service
Capitol City Nsg Home
1301 Virginia Street, E
Charleston, WV 25301

Director/Nursing Service
Arbors at Fairmont
130 Kaufman Drive
Fairmont, WV 26554

Director/Nursing Service
Care Haven of Berkeley
Route 5, Box A-167
Martinsburg, WV 25401

Director/Nursing Service
Arthur B. Hodges Ctr
500 Morris Street
Charleston, WV 25301

Director/Nursing Service
Care Haven of Pleasants
P. O. Box 625
Belmont, WV 26134

Director/Nursing Service
Point Pleasant Nursing & Rehab
Route 1, Box 326
Point Pleasant, WV 25550

Director/Nursing Service
Cumberland Care Ctr, Inc.
PO Box 410
Bluefield, WV 24701-0410

Director/Nursing Service
Raleigh Nursing & Rehab Ctr
P. O. Drawer HH
Daniels, WV 25832

Director/Nursing Service
EA Hawes Cont. Care Ctr
P. O. Box 70
Baker, WV 26801-0070

Director/Nursing Service
Sistersville Nursing & Rehab
201 Wood Street
Sistersville, WV 26175

Elder Care of WV
107 Miller Drive
Ripley,
WV 25271

Director/Nursing Service
Teays Valley Nursing & Rehab
590 Poplar Fork Road
Hurricane, WV 25526

Director/Nursing Service
Fairhaven Rest Home
302 Adams Avenue
Huntington, WV 25701

Director/Nursing Service
Cedar Ridge Health Care Ctr
302 Cedar Ridge Road
Sissonville, WV 25360

Director/Nursing Service
Fayette Cont. Care Ctr
100 Bresan Blvd
Fayetteville, WV 25840

Director/Nursing Service
Clarksburg Cont. Care Ctr
Route 5, Box 360
Clarksburg, WV 26301

Director/Nursing Service
Fox Nursing Home
RD 1, Box 2
Chester, WV 26034

Director/Nursing Service
Cortland Acres Nursing Home
P. O. Box 98
Thomas, WV 26292

Director/Nursing Service
Glenwood Park United Meth Home
Route 1, Box 464
Princeton, WV 24740

Director/Nursing Service
Crestview Manor
P. O. Box 40
Jane Lew, WV 26378

Director/Nursing Service
Good Shepard Nursing Home
159 Edgington Lane
Wheeling, WV 26003

Director/Nursing Service
Dawn View Manor
PO BOX 686, Diane Drive
Fort Ashby, WV 26719

Director/Nursing Service
Grant Count Nsg Home
27 Early Avenue
Petersburg, WV 26847

Director/Nursing Service
Greenbrier Manor
RT 2, BOX 15-A
Lewisburg, WV 24901

Kathy Chiovare, Administrator
Heartland of Preston County
300 Miller Road
Kingwood, WV 26537

Director/Nursing Service
Greystone Landing
331 Holt Lane
Lewisburg, WV 24901

Director/Nursing Service
Heartland of Rainelle
606 Pennsylvania Avenue
Rainelle, WV 25962

Director/Nursing Service
HCS Health Care Services
2800 First Ave
Huntington, WV 25702

Director/Nursing Service
Heritage, Inc.
Route 3, Box 17
Bridgeport, WV 26330

Director/Nursing Service
Heartland of Beckley
300 Dry Hill Road
Beckley, WV 25801

Director/Nursing Service
Hilltop Health Care Ctr
P. O. Box 125
Hilltop, WV 25855

Director/Nursing Service
Heartland of Charleston
3819 Chesterfield Avenue
Charleston, WV 25304

Director/Nursing Service
Mariner Health Care #36
1720 17th Street
Huntington, WV 25701

Director/Nursing Service
Heartland of Clarksburg
100 Parkway Drive
Clarksburg, WV 26301

Director/Nursing Service
Holbrook on the Hill
346 S. Florida Street
Buckhannon, WV 26201

Director/Nursing Service
Heartland of Keyser
135 Southern Drive
Keyser, WV 26726

Director/Nursing Service
Jeffersonian Manor
Route 9, Box 220
Charles Town, WV 25414

Director/Nursing Service
Heartland of Martinsburg
210 Clover Street
Martinsburg, WV 25401

Olsten Quality Care
100 Kan. Blvd W
Charleston, WV 25302

Director/Nursing Service
Heartland of Preston County
300 Miller Road
Kingwood, WV 26537

Director/Nursing Service
Lincoln Cont. Care Ctr
200 Monday Drive
Hamlin, WV 25523

Director/Nursing Service
Logan Park Care Ctr
1000 W Park Ave
Logan, WV 25601

Director/Nursing Service
Morgan Manor Conv. Ctr
1379 Van Voorhis Road
Morgantown, WV 26505

Director/Nursing Service
The Maples
1600 Bland Street
Bluefield, WV 24701

Director/Nursing Service
Morris Memorial Nsg & Conv Home
P. O. Box 6
Milton, WV 25541

Director/Nursing Service
Marmet Health Care Center
#1 Sutphin Drive
Marmet, WV 25315

Director/Nursing Service
Mound View Health Care, Inc.
2200 Floral Street
Moundsville, WV 26041

Director/Nursing Service
McDowell Cont. Care Center
P. O. Box 220, Route 103
Gary, WV 24836

Director/Nursing Service
Nella's Nursing Home
PO Box 1399
Elkins, WV 26241

Director/Nursing Service
Meadowbrook Acres
2149 Greenbrier St.
Charleston, WV 25311

Director/Nursing Service
New Martinsville Health Care
225 Russell Avenue
New Martinsville, WV 26155

Director/Nursing Service
Meadowview Manor Health Care
41 Crestview Terrace
Bridgeport, WV 26330

Director/Nursing Service
Nicholas Co Health Care Ctr
18 Fourth Street
Richwood, WV 26261

Director/Nursing Service
Miletree Health Care Ctr
825 Summit Street
Spencer, WV 25276

Director/Nursing Service
Ohio Valley Health Care
Route 5, Box 146
Parkersburg, WV 26101

Director/Nursing Service
Mingo Manor
100 Hillcrest Drive
Williamson, WV 25661

Director/Nursing Service
Parkview Healthcare, Inc.
1600 - 27th Street
Parkersburg, WV 26101

Director/Nursing Service
Montgomery General Elderly Care
P. O. Box 1010
Montgomery, WV 25136

Director/Nursing Service
Pendleton Nursing Home
P. O. Box 700
Franklin, WV 26807

Director/Nursing Service
Pine View Cont Care Ctr
400 McKinley Street
Harrisville, WV 26362

Director/Nursing Service
Sheppard Health Care, Inc.
Rt 83, Box 10
Ellenboro, WV 26346

Director/Nursing Service
Pocahontas Cont Care Ctr
Rt 1, Box 500
Marlinton, WV 24954

Director/Nursing Service
Springfield Comp Care Ctr
Route 1, Box 101A
Lindside, WV 24951-9617

Director/Nursing Service
Heritage Manor & Rehab Ctr
101 13th Street
Huntington, WV 25716

Director/Nursing Service
St. Barbara's Memorial Nsg
Maple Terrace, Lady Lane
Monongah, WV 26555-9066

Director/Nursing Service
Princeton Health Care Ctr
315 Court House Road
Princeton, WV 24740

Director/Nursing Service
Summers Co Cont Care
P. O. Box 1240
Hinton, WV 25951

Director/Nursing Service
Professional Nursing Service
406 31st St
Huntington, WV 25702

Director/Nursing Service
Sundale
800 J. D. Anderson Drive
Morgantown, WV 26505

Director/Nursing Service
Riverside Nursing Home
6500 Maccorkle Avenue, S. W.
St. Albans, WV 25177

Director/Nursing Service
Valley Haven Geriatric ctr
RR 2, Box 44
Wellsburg, WV 26070

Director/Nursing Service
Rosewood Health Care Ctr
8 Rose Street
Grafton, WV 26354

Director/Nursing Service
Valley Health Village
1000 Lincoln Dr
S Charleston, WV 25309

Director/Nursing Service
Shenandoah Health Vlg Ctr
219 Prospect Ave
Charles Town, WV 25414

Director/Nursing Service
Valley View Nsg Home
Route 3, Box 277A
Berkeley Springs, WV 25411

Director/Nursing Service
Shenandoah Manor of Ronceverte
608 Greenbrier Avenue
Ronceverte, WV 24970

Director/Nursing Service
Wayne Cont Care Ctr
Route 1, Box 1372
Wayne, WV 25570

Director/Nursing Service
Webster Cont Care Ctr
P. O. Box 989
Lowen, WV 26206

ALLIANCE PERSONAL CARE HOME, INC
ROUTE 3, BOX 254
GRAFTON, WV 26354

Director/Nursing Service
Weirton Geriatric Center
1525 Pennsylvania Avenue
Weirton, WV 26062

ALTENHEIM
1387 NATIONAL ROAD
WHEELING, WV 26003

Director/Nursing Service
White Sulphur Springs Care Ctr
PO Box 249
White Sulphur Springs, WV 24986

ARLINGTON PERSONAL CARE HOME
2301 KENNEDY AVENUE
PARKERSBURG, WV 26101

Director/Nursing Service
Willows
23 Summers St
Parkersburg, WV 26103

AUTUMN WAY PERSONAL CARE HOME
ROUTE 3, BOX 277B
BERKELEY SPRINGS, WV 25411

Director/Nursing Service
Wishing Well Health Ctr
1539 Country Club Road
Fairmont, WV 26554

CEDAR GROVE PERSONAL CARE HOME
ROUTE 5, BOX 146A
PARKERSBURG, WV 26101

Director/Nursing Service
Worthington Manor
P. O. Box 4010
Parkersburg, WV 26104

CHATEAU GROVE PERSONAL CARE HOME
#6 CHATEAU LANE
BARBOURSVILLE, WV 25504

Director/Nursing Service
Wyoming Cont Care Ctr
P. O. Box 149
New Richmond, WV 24867

CLARKSBURG CONTINUOUS CARE CTR
ROUTE 5, BOX 360
CLARKSBURG, WV 25330

Fairmont Clinic
P. O. Box 1112
Fairmont, WV 26555-1112

COLONIAL HOUSE
1517 23RD STREET
PARKERSBURG, WV 26101

Sandra Martin, DON
Laurel Nursing & Rehab
HC 75, Box 153
Ivydale, WV 25113

COLONIAL PLACE
301 WILSON LANE
ELKINS, WV 26241

COUNTRY COMFORT PERSONAL CARE HOME
PO BOX 250
WOTHINGTON, WV 26591

GOLDEN AGE PARADISE, INC.
609 N TENNESSEE AVE
MARTINSBURG, WV 25401

COUNTY HAVEN REST HOME
ROUTE 2, PO BOX 10
BEECH BOTTOM, WV 26030

GRANT COUNTY NURSING HOME, PCH
27 EARLY AVENUE
PETERSBURG, WV 26847

COUNTRY LIVING OF GRAFTON
205 MCGRAW AVENUE
GRAFTON, WV 26354

GREYSTONE LANDING
HOLT LANE & US RT 219
LEWISBURG, WV 24901

CRESTVIEW MANOR PERSONAL CARE
PO BOX 40
JANE LEW, WV 26378

HALL'S PERSONAL CARE HOME
2910 THIRD AVENUE
HUNTINGTON, WV 25702

ELMHURST, THE HOUSE OF FRIENDSHIP
1228 NATIONAL ROAD
WHEELING, WV 26003

HALSTEAD CARE HOME
LEATHERWOOD ROAD, PO BOX 428
NIMITZ, WV 25978

EVERHART PERSONAL CARE HOME
828 WASHINGTON AVE
HUNTINGTON, WV 25704

HERITAGE MANOR NURSING & REHAB PCH
101 - 13TH STREET
HUNTINGTON, WV 25704

FOSTER MEMORIAL HOME
700 MADISON AVE
HUNTINGTON, WV 25701

KATE BOONE, INC.
113 SHUMATE STREET
OAK HILL, WV 25901

FOXCREST
RD 1, BOX 2
CHESTER, WV 26034

LEWIS WETZEL PERSONAL CARE HOME
PO BOX 428
NEW MARTINSVILLE, WV 26155

GLENWOOD PARK VILLAGE
ROUTE 1, BOX 464
PRINCETON, WV 24740

LIDA CLARK PERSONAL CARE HOME
960 WEST PIKE STREET
CLARKSBURG, WV 26301

LOCUST GROVE REST HOME
RT 3, BOX 136
HARPERS FERRY, WV 25425

QUARRY MANOR
699 SOUTH PARK ROAD
CHARLESTON, WV 25304

LOVE AND CARE, INC
PO BOX 1512, DUPONT RD
PARKERSBURG, WV 26101

RALPH H. BOONE PERSONAL CARE HOME
314 SOUTH WELLS STREET
SISTERSVILLE, WV 26175

LOVING TOUCH PERSONAL CARE HOME
319 SERPELL AVENUE
BELINGTON, WV 26250

RAVENSWOOD CARE CENTER
1113 WASHINGTON STREET
RAVENSWOOD, WV 26164

MAPLES PERSONAL CARE HOME
1600 BLAND STREET
BLUEFIELD, WV 24701

RAVENSWOOD REST HOME
402 SAND STREET
RAVENSWOOD, WV 26164

MULLENS MANOR
1238-A GUYANDOTTE AVE, PO BOX 302
MULLENS, WV 25882

REESE RIVERSIDE MANOR, INC.
3100 STAUNTON ROAD
HUNTINGTON, WV 25701

NEW BEGINNINGS PERSONAL CARE HOME
PO BOX 2284
BECKLEY, WV 25801

REGENCY PLACE
NO. 5, ROLLING MEADOWS DRIVE
SCOTT DEPOT, WV 25560

PHILLIPS PERSONAL CARE HOME
PO BOX 99 BROWNS RIDGE RD
LERONA, WV 25971

RIVENDALE PERSONAL CARE HOME
RD 3, BOX 80-AA
NEW CUMBERLAND, WV 26047

PLEASANT ACRES CHRISTIAN
HAVEN ASSOCIATION
ROUTE 9, BOX 212
FAIRMONT, WV 26554

SERRA RETIREMENT CENTER
100 SERRA DRIVE
WEIRTON, WV 26062

PLEASANT VIEW PERSONAL CARE HOME
PO BOX 188
HILLTOP, WV 25855

SHELTERING ARMS PERSONAL CARE
HOME, INC.
112-2ND AVENUE, PO BOX 37
FAYETTEVILLE, WV 25840

SWEET RUN PERSONAL CARE HOME
1905, ROUTE 75
KENOVA, WV 25530

WISHING WELL MANOR PERSONAL
CARE HOME
1543 COUNTY CLUB ROAD
FAIRMONT, WV 26554

SWEETBRIER
505 CALDWELL LANE
DUNBAR, WV 25064

WOOD CO SENIOR CITIZENS ASSOC
925 MARKET STREET
PARKERSBURG, WV 26101

THE MADISON
445 VAN VOORHIS ROAD
MORGANTOWN, WV 26505

WOODLANDS RETIREMENT COMMUNITY
ONE BRADLEY FOSTER DRIVE
HUNTINGTON, WV 25705

THE WELTY HOME FOR THE AGED
21 WASHINGTON AVENUE
WHEELING, WV 26003

WOODRIDGE PERSONAL CARE HOME
PO BOX 5024
VIENNA, WV 26105

TOWERING OAKS PERSONAL CARE
CENTER, INC.
PO BOX 269
FAYETTEVILLE, WV 25840

24 HOUR GOLDEN CLUB
914 MARKET STREET
PARKERSBURG, WV 26101

VALENTINE PERSONAL CARE HOME
521 DAVIS AVENUE
ELKINS, WV 26241

A CARING HEART AND HOME
2615 KNOX AVENUE
ST ALBANS, WV 25177

WE CARE PERSONAL CARE HOME
RD 2, BOX 2
CHESTER, WV 26034

BELL'S RESIDENTIAL BOARD & CARE
2619 ROOSEVELT AVENUE
ST ALBANS, WV 25177

WHITE SULPHUR SPRINGS FAMILY
CARE CENTER
BOX H
WHITE SULPHUR SPRINGS, WV 24986

BUCKHANNON BOARD & CARE, INC. 1
4 CLEVELAND AVENUE
BUCKHANNON, WV 26201

WINDY HILL MANOR
ROUTE 1, BOX 167
KINGWOOD, WV 26537

BUCKHANNON BOARD & CARE, INC. 2
79 SOUTH FLORIDA STREET
BUCKHANNON, WV 26201

BUCKHANNON BOARD & CARE, INC. 3
12 MARION STREET
BUCKHANNON, WV 26201

GREENVIEW RESIDENTIAL BOARD
AND CARE HOME
122 SCYAMORE DRIVE
SOUTH CHARLESTON, WV 25309

CARRINGTON PLACE RESIDENTIAL
BOARD AND CARE
3793 TEAYS VALLEY ROAD
HURRICANE, WV 25326

GRENICH CARE HOME
1646 GREENWICH AVENUE
BUNKER HILL, WV 25413

COUNTY VIEW HOME CARE
ROUTE 1, BOX 171-S
BEVERLY, WV 26253

HERITAGE PLACE
608 NORTH 10TH
WEIRTON, WV 26062

COUNTY VILLA CARE, INC.
3234 HIGH STREET
BUFFALO, WV 25033

JUDGES PRIVATE CARE
212 FAIR STREET
MIDDLEBOURNE, WV 26149

DECKER'S RESIDENTIAL BOARD &
CARE HOME
ROUTE 9, BOX 181
FAIRMONT, WV 26554

K & B RESIDENTIAL BOARD &
CARE HOME
113 SHURMATE STREET
OAK HILL, WV 25901

DOGWOOD COTTAGE
109 GEORGES DRIVE
MALDEN, WV 25306

NELSON'S BOARD AND CARE, INC.
140 CAMDEN AVENUE
BUCKHANNON, WV 26201

DOVIE'S RETIREMENT HOME
STAR ROUTE 1, BOX 21-A
WALTON, WV 25286

RUBY'S RESIDENTIAL BOARD &
CARE HOME
118 WEST VIRGINIA AVENUE
DUNBAR, WV 25064

EASTSIDE RESIDENTIAL BOARD &
CARE HOME
630 MINDEN AVENUE
OAK HILL, WV 25901

SERGEANTS ADULT CARE
HC 64, BOX 373
RIDGEVIEW, WV 25169

GOLDEN CIRCLE PRIVATE CARE
707 SECOND STREET
STONEWOOD, WV 26301

SHAFER'S ROOM AND BOARD
86 ELK RIVER ROAD SOUTH
CLEDENIN, WV 25045

WEST VIRGINIA STATE BOARD OF EXAMINERS FOR
LICENSED PRACTICAL NURSES

COMMENTS - PROPOSED LEGISLATIVE RULES REVISIONS

SERIES 2 - POLICIES REGULATING LICENSURE OF THE LICENSED
PRACTICAL NURSE

§10-2-2 2.1.b. Should be high school graduate

§10-2-4 4.2. Process and time frames proposed may provide too little scrutiny. It is proposed that an individual applying for initial licensure would be exempt from criminal background check if one had been done with the prior 24 month. Much can happen in two years, and a career change may in fact be motivated by an event which would disqualify the applicant from licensure.

4.3. A temporary permit is granted for a defined time period, 90 days, and as an employer, I can track by that date to assure that permanent licensure status has been achieved at that time. The rules specify that upon failure of the exam, the temporary license is to be returned. Outside of the integrity of the nurse, there is no mechanism by which I as the employer know that this individual is no longer qualified to practice.

§10-2-7 7.2. It is proposed that an applicant for initial licensure would be exempt for criminal background check if one had been done within the prior 24 months. Much can happen in two years. If the application is for licensure by endorsement, the criminal background check is proposed to be conducted in the applicant's former jurisdiction of residence, as opposed to jurisdiction of practice, or both. It is not uncommon in this area for individuals to hold licenses in multiple jurisdictions, to live in one state and practice in another, etc.

7.3. Rules regarding temporary licensure by endorsement allow for risk: the applicant may be notified at some point during the 6 months that licensure will not be granted, but an employer has no way of knowing this. An unlicensed nurse may be allowed to practice.

WEST VIRGINIA STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES

RESPONSE TO COMMENTS RECEIVED FROM COMMENT PERIOD
FOR PROPOSED RULES REVISIONS

AMENDMENTS MADE TO RULES AS A RESULT OF COMMENTS
AND REASON FOR THE AMENDMENTS

SERIES 2 - POLICIES REGULATING LICENSURE OF THE LICENSED
PRACTICAL NURSE

10-2-2 2.1.b. No amendments were made following comment. This statement as currently written is included in W. Va. Code 30-7A-3.

10-2-4 4.2 No amendments were made following comment. An individual applying for licensure as an exam applicant has been enrolled in a structured school setting for the previous twelve (12) months, therefore the time frame for criminal history records checks in this portion of the Rule is deemed acceptable.

4.3. No amendments were made following comment. The Board is not informed as to employers of new graduates, therefore the Board could not notify these entities as to whether the new graduate has passed or failed the examination. The Board does provide phone verification as to licensure status of any applicant or licensee in the event that employer calls the Board.

10-2-7 7.2. This portion of the Rule was changed to reflect that an applicant for licensure by endorsement is exempt from the requirement for criminal history records checks if verification is received that this check had been performed within the previous twelve (12) months. The Board determined that because, unlike a new graduate, an applicant for endorsement may have had legal difficulties in another state and therefore a shorter time frame than the twenty-four (24) months originally proposed is more appropriate.

7.3. No amendments were made following comment. The Rules state that an individual who is licensed as an L.P.N. in another state may be issued a letter of intent to endorse which is valid for practice in West Virginia for six (6) months. This is issued even if that person is ultimately determined ineligible under the specific Law and Rules of this state. Also, as stated above the Board is not informed as to employers of applications for licensure by endorsement and therefore would have no way to contact these entities. Employers may call at any time to verify status of applicants and licensees.