

Dr. Sue Painter, DNP RN
Executive Director



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STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
90 MacCorkie Avenue, SW
Suite 203
South Charleston, WV 25303-1443

April 9, 2020

Mac Warner, The Honorable Secretary of State,
Secretary of State's Office — Administrative Law
Bldg. 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

2020 APR 10 A 8:31
FILED
OFFICE WEST VIRGINIA
SECRETARY OF STATE

RE: West Virginia Code of State Rules
Administrative Notice of Suspension of 19 CSR 13-6.1.f.1.; 19 CSR 13-14.1.c.; 14.2.; 14.8.e.

The Honorable Governor of the State of West Virginia, Jim Justice, declared a State of Emergency on March 16, 2020, to address the emergency created by the worldwide COVID-19 pandemic, or more commonly known as the novel coronavirus. With surrounding states having confirmed COVID-19 cases and now West Virginia having multiple confirmed case, the Governor, in accordance with emergency powers granted to the Governor pursuant to W. Va. Code §15-5-6, and more specifically W. Va. Code §15-5-6(c)(7) and as stated in the Governor's Proclamation Declaring a State of Emergency issued on March 16, 2020, the West Virginia Board of Examiners for Registered Professional Nurses (Board) at the direction of the Governor seeks to temporarily suspend the requirements of certain rules as set forth below.

§19-13-6. Minimum Standards of a Dialysis Technician Training Programs.

6.1.f.1. Classroom instruction, which may be supported by audio visuals, shall include can be met utilizing any available mechanism including, simulation, telecommunications or by any other acceptable form as determined by the school. Board approved programs shall file a report with the Board at least thirty days prior to its October Board meeting outlining how the clinical requirements were met during the declared state of emergency.

§19-13-14. Application for Certification; Temporary Permit and Endorsement of Certification.

14.1.c. The applicant shall submit to a state and a national electronic criminal history records check for the purpose of determining whether the applicant has been charged with, indicted for, or convicted of a crime that may have bearing upon the applicant's fitness to hold a license. Provided that, if the facility where the applicant is to submit finger prints for the purposes set forth in this rule is closed due to the emergency caused by the COVID-19 crisis and the applicant cannot report to a different facility within a 50 mile radius of the applicant's home, the applicant shall submit to the requirements of this rule as soon as the state of emergency is lifted by the Governor in West Virginia or as soon as other fingerprinting resources have become made available to the applicant, which ever comes first. In no such case shall applicants submit to criminal history records checks later than thirty (30) days after the state of emergency has been lifted by the Governor.

14.2. The board may issue a temporary permit to an applicant who files a completed "Application for Credential" following completion of a board approved training program. The temporary permit is effective from the date of issuance until ~~three (3) days following receipt by the applicant and the board of the results of the first written certification examination or after 18 months whichever is sooner~~ the declared state of emergency is lifted and testing is available. In no such case shall applicants submit to testing later than thirty (30) days after the state of emergency has been lifted by the Governor and testing is available.

14.8.e. The results of a local and Federal criminal background check completed with the previous six (6) months, Provided that, if the facility where the applicant is to submit finger prints for the purposes set forth in this rule is closed due to the emergency caused by the COVID-19 crisis and the applicant cannot report to a different facility within a 50 mile radius of the applicant's home, the applicant shall submit to the requirements of this rule as soon as the state of emergency is lifted by the Governor in West Virginia or as soon as other fingerprinting resources have become made available to the applicant, which ever comes first. In no such case shall applicants submit to criminal history records checks later than thirty (30) days after the state of emergency has been lifted by the Governor.

Suspension of the above rules shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first.

If you have any questions, please feel free to contact the Board at:

West Virginia Board of Examiners for
Registered Professional Nurses
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Web Address: www.wvrnboard.wv.gov
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Sincerely, .

A handwritten signature in black ink that reads "Sue Painter". The signature is written in a cursive, flowing style.

Sue Painter, DNP, RN
Executive Director