

The WVSMA has received several calls with questions/concerns regarding West Virginia's new law (SB 437) that requires continuing education for any prescriber/dispenser of controlled substances, and the rules being proposed by the Board of Medicine and Board of Osteopathic Medicine to meet this new statutory requirement.

Earlier this year the WV Legislature enacted SB 437, a comprehensive piece of legislation aimed at battling the prescription drug abuse, misuse and diversion problem. The new law includes a requirement that each licensing board with oversight of any health care provider with prescriptive authority to write controlled substances (physicians, physician assistants, dentists, advanced registered nurse practitioners, etc.) must adopt rules that determine the content required for the continuing education program, course approval process, number of hours required per licensure cycle, and the effective date of the new requirement.

Following the enactment of SB 437, the WV Board of Medicine and WV Board of Osteopathic Medicine developed identical proposed rules that include the following:

- (1) lists the content requirements for a continuing education course
- (2) courses must be approved by the licensing board
- (3) 3 hours continuing education credit per licensure cycle (licensees who have not prescribed/dispensed any controlled substance during their licensure period are exempt)
- (4) takes effect for licensee renewal after May 1, 2014

These rules have been submitted to the West Virginia Legislature under the regular rule making process and will be acted upon during the upcoming 2013 Legislative session. Once approved by the legislature and signed by the Governor, the rules will go into effect.

[Click Here](#) to read the Board of Medicine Rule

[Click Here](#) to read the Board of Osteopathic Medicine Rule

During the legislative process when SB 437 was being considered, the WVSMA was successful for getting the Legislature to eliminate the mandatory 2 hour CME requirement in End of Life Care and Pain Management. This provision ended in June and is no longer in effect.

In anticipation of this new requirement, the WVSMA has joined with the WV Osteopathic Medical Association and the two medical boards to develop a continuing education program that fully meets the requirements of the proposed rules. We are offering a full day statewide conference on "Best Practice Prescribing of Controlled Substances and Drug Diversion Training" on Friday, November 30, 2012 at the Embassy Suites in Charleston, WV. Any physician or physician assistant who attends this

conference may apply the continuing education hours toward the proposed 3 hour requirement upon their first licensure renewal after May 1, 2014.

The WVSMA and the WVOMA will also be producing easy to access and view on-line, on-demand continuing education programs to assist physicians in obtaining their continuing education credits.