STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 17-20

By the Governor

WHEREAS, a State of Emergency was declared on the Sixteenth Day of March, Two Thousand Twenty for all counties in West Virginia (the "State of Emergency Declaration"), to allow agencies to coordinate and create nccessary measures to prepare for and respond to the outbreak of respiratory diseasc caused by a novel coronavirus now known as COVID-19; and

WHEREAS, Chapter 15, Article 5, Section 6 of the Code of West Virginia authorizes the Governor to, among other things, suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules of any state agency, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, Executive Orders 7-20, 10-20, 11-20, and 12-20 suspended certain provisions and sections of statute that strict compliance therewith would prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, there have been additional statutory regulations identified by the West Virginia Board of Nursing and thc West Virginia Board of Medicine that are preventing the state from best coping with the emergency and assisting the citizens of West Virginia; and

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provision of Chapter 15, Article 5, Section 6 of the Code of West Virginia, hereby

DECLARE and **ORDER** that, the following statutory regulations are to be suspended for the duration of the State of Emergency:

1. Requirement for certified registered nurse anesthetist (CRNA) licensure as follows: to permit the Board, in their discretion, to suspend or modify the requirement for the administration of anesthesia (W. Va. Code § 30-7-15);
2. Requirement for advanced practice registered nurse (APRN) licensure as follows: to permit the Board, in their discretion, to temporarily suspend or modify the requirements for the authorization for prescriptive authority, collaborative requirements for prescriptive authority, prescriptive formulary limitations, prescriptive refill and supply limitations, and other prescriptive limitations including continuing education and renewal requirements (W. Va. Code §§ 30-7-15a, 30-7-15b, 30-7-15c); and
3. Requirement that a practitioner is required to conduct an in-personal physical examination every 90 days prior to prescribing a refill for a Schedule II opioid medication to an existing patient for chronic pain treatment (W. Va. Code. § 16-54-4(h)), provided that the provider utilizes other appropriate tools to evaluate the patient at these intervals, and assesses whether continuing the course of treatment would be safe and effective for the patient.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this Thirty-first day of March, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-seventh year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE