

COMMITTEE SUBSTITUTE

for

H. B. 2098

(BY DELEGATE(S) HAMRICK, HOUSEHOLDER,
COOPER, ARVON, J. NELSON, HOWELL, WAXMAN, ELLINGTON,
TRECOST, BLAIR AND KESSINGER)

[Originating in the Committee on Health and Human Resources.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-3-11b; and to amend said code by adding thereto a new section, designated §30-14-12c, all relating to health care professionals providing services in federal veterans' affairs facilities in this state; authorizing those health care professionals to provide services to patients or residents of state-run veterans' facilities without obtaining an authorization to practice from the appropriate licensing agency of this state.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §30-3-11b; and to further amend said code by adding thereto a new section, designated §30-14-12c, all to read as follows:

ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.

§30-3-11b. License to practice medicine and surgery at certain state veterans nursing home facilities.

- 1 (a) The board shall issue a license to practice medicine and
- 2 surgery in this state without examination to a physician that
- 3 currently holds a license to practice medicine and surgery at a
- 4 Federal Veterans Administration Hospital upon completion of an
- 5 application form prescribed by the board and who presents
- 6 satisfactory proof to the board that he or she is currently em-
- 7 ployed and practicing in a Federal Veterans Administration
- 8 Hospital that is located in a county in which a nursing home
- 9 operated by the West Virginia Department of Veteran's Assis-
- 10 tance is located: *Provided*, That the physician shall maintain an
- 11 valid, unrestricted license to practice medicine in another state.
- 12 (b) The medical practice for which a physician is licensed
- 13 under this section is limited to practice in a nursing home

14 operated by the West Virginia Department of Veteran's Assis-
15 tance that is located in the same county in which the Federal
16 Veterans Administration Hospital where the individual is
17 employed.

18 (c) No fee may be assessed to an individual licensed or
19 seeking licensure pursuant to this section.

20 (d) The board shall propose emergency rules pursuant to the
21 provisions of section fifteen, article three, chapter twenty-nine-a
22 of this code to implement the provisions of this section.

23 (e) The board shall report to the Legislative Oversight
24 Commission on Health and Human Resources Accountability
25 and the Legislative Oversight Commission on Education
26 Accountability by July 1, 2016 on the implementation of this
27 section including the number of licenses issued, number of
28 complaints, and any other pertinent legislation.

ARTICLE 14. OSTEOPATHIC PHYSICIANS AND SURGEONS.

§30-14-12c. License to practice as an osteopathic physician and
surgeon at certain state veterans nursing home
facilities.

1 (a) The board shall issue a license to practice as an osteo-
2 pathic physician and surgeon in this state without examination

3 to a physician that currently holds a license to practice as an
4 osteopathic physician and surgeon at a Federal Veterans Admin-
5 istration Hospital upon completion of an application form
6 prescribed by the board and who presents satisfactory proof to
7 the board that he or she is currently employed and practicing in
8 a Federal Veterans Administration Hospital that is located in a
9 county in which a nursing home operated by the West Virginia
10 Department of Veteran's Assistance is located: *Provided, That*
11 the osteopathic physician shall maintain an valid, unrestricted
12 license to practice osteopathic medicine in another state.

13 (b) The practice for which an osteopathic physician and
14 surgeon is licensed under this section is limited to practice in a
15 nursing home operated by the West Virginia Department of
16 Veteran's Assistance that is located in the same county in which
17 the Federal Veterans Administration Hospital where the individ-
18 ual is employed.

19 (c) No fee may be assessed to an individual licensed or
20 seeking licensure pursuant to this section.

21 (d) The board shall propose emergency rules pursuant to the
22 provisions of section fifteen, article three, chapter twenty-nine-a
23 of this code to implement the provisions of this section.

24 (e) The board shall report to the Legislative Oversight
25 Commission on Health and Human Resources Accountability
26 and the Legislative Oversight Commission on Education
27 Accountability by July 1, 2016 on the implementation of this
28 section including the number of licenses issued, number of
29 complaints, and any other pertinent legislation.

