

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 2703

BY DELEGATES ROHRBACH AND PACK

[Introduced February 23, 2021; Referred to the
Committee on Health and Human Resources]

A BILL to amend and reenact §30-3-11 of the code of West Virginia, 1931, as amended, relating to a temporary license to practice medicine and surgery and podiatry.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.

§30-3-11. Endorsement of licenses to practice medicine and surgery and podiatry; fees; temporary license; summer camp doctors.

1 (a) (1) Any person seeking to be licensed to practice medicine and surgery in this state
2 who holds a valid license to practice medicine and surgery attained under requirements
3 ~~substantially similar to the requirement of section ten of this article from another state, the District~~
4 ~~of Columbia, the Commonwealth of Puerto Rico or Canada~~ jurisdiction; and or

5 (2) Any person seeking to be licensed to practice podiatry in this state who holds a valid
6 license to practice podiatry attained under requirements ~~substantially similar to the requirements~~
7 ~~in section ten of this article from another state, territory or foreign country or the District of~~
8 ~~Columbia~~ jurisdiction shall be issued a license to practice ~~medicine and surgery or~~ podiatry, as
9 appropriate, in this state if he or she meets the following requirements:

10 ~~(1)~~ (A) He or she must submit an application to the board on forms provided by the board
11 and remit a ~~reasonable~~ licensure fee, ~~the amount of such reasonable fee to be set by the board~~
12 as provided in legislative rule. The application must, as a minimum, require a statement that the
13 applicant is a licensed physician or podiatrist in good standing and indicate whether any medical
14 disciplinary action has been taken against him or her in the past; and

15 ~~(2)~~ (B) He or she must demonstrate to the satisfaction of the board that he or she has the
16 requisite qualifications to provide the same standard of care as a physician or podiatrist initially
17 licensed in this state.

18 (b) The board may investigate the applicant and may request a personal interview to
19 review the applicant's qualifications and professional credentials.

20 (c) The board may ~~at its discretion,~~ grant a temporary license to an individual applying for

21 licensure under this section if the individual meets the requirements of ~~subdivision (1), subsection~~
22 ~~(a) of this section~~ of this section. ~~Such~~ The temporary license provides a temporary license holder
23 the same authority as a permanent licensee, including prescriptive authority. The temporary
24 license ~~shall only be~~ is valid until its holder has either been granted or denied a license at the next
25 regular meeting of the board. ~~until the board is able to meet and consider the endorsement request~~
26 The board may fix and collect a ~~reasonable~~ fee for a temporary license, ~~the amount of such~~
27 ~~reasonable fee to be set by the board~~ as provided in legislative rule.

28 (d) The application fee shall be waived, and to the extent consistent with the integrity of
29 the licensure process and the requirements for licensure as set forth in this section and in the
30 relevant legislative rules, the board shall expedite its processing of an individual's application to
31 practice medicine and surgery, or practice podiatry: *Provided*, That the sole purpose for licensure
32 is to provide services at a children's summer camp for not more than one specifically designated
33 three week period annually. The license shall be issued for a period of the specifically designated
34 three weeks only, on an annual basis.

NOTE: The purpose of this bill is to clarify that a temporary permit to practice medicine conveys the same authority unto the holder as a license.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.