

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

Senate Bill 585

BY SENATORS TAKUBO AND STOLLINGS

[Originating in the Committee on Health and Human
Resources; reported on February 17, 2022]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §30-3-11c, relating to administrative licenses; and granting rule-making
3 authority related thereto.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.

§30-3-11c. Administrative medicine license.

1 (a) For purposes of this section:

2 (1) "Administrative medicine" means administration or management related to the practice
3 of medicine or to the delivery of health care services using the medical knowledge, skill, and
4 judgment of a licensed physician that may affect the health of the public or medical research,
5 excluding clinical trials on humans. Administrative medicine does not include the authority to
6 practice clinical medicine; examine, care for, or treat patients; prescribe medications, including
7 controlled substances; or direct or delegate medical acts or prescriptive authority to others.

8 (2) "Administrative medicine license" means a medical license restricted to the practice of
9 administrative medicine. A physician with an administrative medicine license may manage the
10 integration of clinical medicine, strategy, operations, and other business activities related to the
11 delivery of health care services, advise organizations, both public and private, on health care
12 matters; authorize and deny financial payments for care; organize and direct research programs;
13 review care provided for quality; and perform other similar duties that do not require or involve
14 direct patient care.

15 (3) "Clinical medicine" includes, but is not limited to:

16 (A) Direct involvement in patient evaluation, diagnosis, and treatment;

17 (B) Prescribing, administering, or dispensing any medication;

18 (C) Delegating medical acts, service, or prescriptive authority; and

19 (D) Supervision of physicians and/or podiatric physicians who practice clinical medicine,
20 physician assistants who render medical services in collaboration with physicians, or the clinical
21 practice of any other medical professional.

22 (b) The board may issue an administrative medicine license to a physician who:

23 (1) Files a complete application;

24 (2) Pays the applicable fee;

25 (3) Meets all qualifications and criteria for licensure set forth in §30-3-10 of this code and
26 the board's legislative rules; and

27 (4) Demonstrates competency to practice administrative medicine.

28 (c) Administrative medicine licensees may not practice clinical medicine.

29 (d) A physician applying to renew an administrative medicine license must pay the same
30 fees and meet the same requirements for renewing an active status license, including submission
31 of certification of participation in and successful completion of a minimum of 50 hours of continuing
32 medical education satisfactory to the board during the preceding two-year period.

33 (e) The board may deny an application for an administrative medicine and may discipline
34 an administrative medicine licensee who, after a hearing, has been adjudged by the board as
35 unqualified due to any reason set forth in §30-3-14 of this code or the board's rules and pursuant
36 to the processes set forth therein.

37 (f) The board shall propose emergency rules pursuant to the provisions of §29A-3-1 et
38 seq. of this code to implement the provisions of this section.