

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5343

By Delegates Summers and Tully

[Introduced January 30, 2024; Referred to the
Committee on Health and Human Resources then
Government Organization]

1 A BILL to amend and reenact §30-20-4 of the Code of West Virginia, 1931, as amended, relating to
2 adding an athletic trainer to the Board of Physical Therapy.

Be it enacted by the Legislature of West Virginia:

ARTICLE 20. PHYSICAL THERAPISTS.

§30-20-4. West Virginia Board of Physical Therapy.

1 (a) The West Virginia Board of Physical Therapy is continued. The members of the board in
2 office ~~on July 1, 2010,~~ shall, unless sooner removed, continue to serve until their respective terms
3 expire and until their successors have been appointed and qualified.

4 (b) ~~To be effective July 1, 2010, the Governor shall appoint, by and with the advice and~~
5 ~~consent of the Senate:~~

6 (1) ~~One person who is a physical therapist assistant for a term of five years; and~~

7 (2) ~~One citizen member, who is not licensed under the provisions of this article and who~~
8 ~~does not perform any services related to the practice of the professions regulated under the~~
9 ~~provisions of this article or have a financial interest in any health care profession, for a term of~~
10 ~~three years.~~

11 (c) ~~Commencing July 1, 2010,~~ The board shall consist of the following seven members:

12 (1) ~~Five~~ Four physical therapists;

13 (2) One physical therapist assistant; ~~and~~

14 (3) One solely licensed Athletic Trainer, who shall be immediately appointed to replace, the
15 physical therapist whose term expires next; and

16 (4) One citizen member.

17 (d) ~~(c)~~ After the initial appointment term, the term shall be for five years. All appointments to
18 the board shall be made by the Governor by and with the advice and consent of the Senate.

19 (e) ~~(d)~~ Each licensed member of the board, at the time of his or her appointment, must have
20 held a license in this state for a period of not less than five years immediately preceding the
21 appointment.

22 ~~(f)~~ (e) Each member of the board must be a resident of this state during the appointment
23 term.

24 ~~(g)~~ (f) A member may not serve more than two consecutive full terms. A member may
25 continue to serve until a successor has been appointed and has qualified.

26 ~~(h)~~ (g) A vacancy on the board shall be filled by appointment by the Governor for the
27 unexpired term of the member whose office is vacant and the appointment shall be made within
28 sixty days of the vacancy.

29 ~~(i)~~ (h) The Governor may remove any member from the board for neglect of duty,
30 incompetency or official misconduct.

31 ~~(j)~~ (i) A licensed member of the board immediately and automatically forfeits membership
32 to the board if his or her license to practice is suspended or revoked.

33 ~~(k)~~ (j) Any member of the board immediately and automatically forfeits membership to the
34 board if he or she is convicted of a felony under the laws of any jurisdiction or becomes a
35 nonresident of this state.

36 ~~(l)~~ (k) The board shall elect annually one of its members as chairperson who serves at the
37 will of the board.

38 ~~(m)~~ (l) Each member of the board is entitled to compensation and expense reimbursement
39 in accordance with article one of this chapter.

40 ~~(n)~~ (m) A majority of the members of the board constitutes a quorum.

41 ~~(o)~~ (n) The board shall hold at least two annual meetings. Other meetings may be held at
42 the call of the chairperson or upon the written request of two members, at the time and place as
43 designated in the call or request.

44 ~~(p)~~ (o) Prior to commencing his or her duties as a member of the board, each member shall
45 take and subscribe to the oath required by section five, article four of the Constitution of this state.

NOTE: The purpose of this bill is to add a solely licensed athletic trainer to the board.

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