

# WEST VIRGINIA LEGISLATURE

FISCAL  
NOTE

## 2024 REGULAR SESSION

Introduced

# Senate Bill 723

By Senator Rucker

[Introduced February 8, 2024; referred  
to the Committee on Health and Human Resources;  
and then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §18B-1B-14, relating to creating the Unmatched Medical Graduate Advisory  
 3 Council; establishing findings and purpose; establishing membership of advisory council;  
 4 setting forth subjects to be addressed by advisory council in reporting; providing for  
 5 selection of chair and vice chair; establishing quorum; providing that administrative support  
 6 be provided by the Higher Education Policy Commission; and requiring reporting of  
 7 findings and recommendations by December 31, 2024.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 1B. HIGHER EDUCATION POLICY COMMISSION.**

**§18B-1B-14. Unmatched Medical Graduate Advisory Council.**

1 (a) The Legislature recognizes that the State of West Virginia has traditionally faced  
 2 shortages of medical professionals, especially in its most rural areas. The Legislature also  
 3 recognizes that the entire country is facing a shortage of physicians that is expected to grow in the  
 4 next 10 years, which could further inhibit West Virginians access to medical care. Despite a  
 5 shortage of physicians throughout the country, the number of medical school graduate applicants  
 6 for residency programs has steadily grown in the last 20 years. The number of residency programs  
 7 in the country has not grown adequately to keep pace with the number of new graduates, and  
 8 there is a significant number of medical school graduates who remain unmatched with a residency  
 9 program each year, which can stymie their progress to fulfilling the requirements to practice  
 10 medicine.

11 (b) The Legislature believes that it is in the best interests of the citizens of the state to work  
 12 cooperatively to attempt to address this issue either through ensuring more residency programs  
 13 are available to medical school graduates, or other means to assist unmatched medical school  
 14 graduates to enable them to contribute to the health care system in a meaningful way while  
 15 working towards fulfilling their residency requirements.

16 (c) There is created the Unmatched Medical Graduate Advisory Council to examine the

17 issue of medical school graduates who are not placed in a residency program, and to provide  
18 recommendations regarding how to assist these individuals to continue their medical training while  
19 also filling critical need for medical professionals within the state. The advisory council shall create  
20 a report of its findings and recommendations that includes the following:

21 (1) Allowing medical school graduates who do not match to a residency program to intern  
22 with a licensed physician; and

23 (2) Exploring ways to counter the funding shortage from the federal Centers for Medicare &  
24 Medicaid Services for hospital residency programs, including raising the cap, requiring hospitals to  
25 pay more for resident's cost, and allowing doctors to contribute toward the cost of their residency  
26 training; and

27 (3) Any other recommendations determined by the advisory council to be viable options to  
28 alleviating this nationwide issue.

29 (d) The Unmatched Medical Graduate Advisory Council consists of the following voting  
30 members:

31 (1) The Chancellor for Higher Education or his or her designee;

32 (2) The President of the West Virginia Board of Medicine or his or her designee; and

33 (3) The President of the West Virginia Board of Osteopathic Medicine, or his or her  
34 designee.

35 (e) The members of the council shall select the chairperson and vice chairperson. The  
36 council shall hold its first meeting not later than 30 days after the effective date of this section. For  
37 purposes of the first meeting, the Chancellor for Higher Education shall call and preside over the  
38 first meeting until a chair is selected. Thereafter, the council shall meet at the call of the  
39 chairperson at least once per quarter. Additional meetings shall be by the call of the chair or by a  
40 majority of the members of the council.

41 (f) A majority of the voting members shall constitute a quorum for the conduct of meetings.

42 (g) The Higher Education Policy Commission shall provide the advisory council with

43 administrative support reasonably necessary for the advisory council to carry out its duties. In  
44 addition, the Chancellor of Higher Education may make and sign any agreements and may do and  
45 perform any acts that are necessary to receive, accept, or secure gifts, grants, and bequests of  
46 funds in the name of the advisory council.

47 (h) The Higher Education Policy Commission shall finance any costs of the advisory  
48 council with existing funds.

49 (i) The advisory council shall prepare a report of its findings and recommendations on or  
50 before December 31, 2024.

NOTE: The purpose of this bill is to create the Unmatched Medical Graduate Advisory Council; establishing findings and purpose; establishing membership of advisory council; setting forth subjects to be addressed by advisory council in reporting; providing for selection of chair and vice chair; establishing quorum; providing that administrative support be provided by the Higher Education Policy Commission; and requiring reporting of findings and recommendations by December 31, 2024.

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