

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 2672**

By Delegate E. Pritt

[Introduced February 20, 2025; referred to the  
Committee on Health and Human Resources then the  
Judiciary]

1 A BILL to amend and reenact §30-3-7 of the Code of West Virginia, 1931, as amended, relating to  
2 requiring persons or entities rendering medical services to patients who were under the  
3 age of 18 years at the time of the services to notify these patients after they reach 18 years  
4 of age to contact the providers of any adverse or negative effects experienced from the  
5 services.

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

**ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.**

**§30-3-7. Powers and duties of West Virginia Board of Medicine.**

1 (a) The board is autonomous and, in accordance with this article, shall determine  
2 qualifications of applicants for licenses to practice medicine and surgery, to practice podiatry, and  
3 to practice as a physician assistant for a physician licensed under this article, and shall issue  
4 licenses to qualified applicants and shall regulate the professional conduct and discipline of such  
5 individuals. In carrying out its functions, the board may:

6 (1) Adopt such rules as are necessary to carry out the purposes of this article;

7 (2) Hold hearings and conduct investigations, subpoena witnesses and documents and  
8 administer oaths;

9 (3) Institute proceedings in the courts of this state to enforce its subpoenas for the  
10 production of witnesses and documents and its orders and to restrain and enjoin violations of this  
11 article and of any rules promulgated under it;

12 (4) Employ investigators, attorneys, hearing examiners, consultants and such other  
13 employees as may be necessary, who shall be exempt from the classified service of the Division of  
14 Personnel and who shall serve at the will and pleasure of the board. In addition, all personnel  
15 employed through the Department of Health and Human Resources on June 30, 2009, to provide  
16 services for the board are hereby transferred to the board effective July 1, 2009. However, the  
17 employment, salary, benefits or position classification of any person transferred under this section  
18 may not be reduced or diminished by reason of this section. All persons transferred shall retain

19 their coverage under the classified service of the Division of Personnel and all matters relating to  
20 job classification, job tenure and conditions of employment shall remain in force and effect from  
21 and after the date of this section, to the same extent as if this section had not been reenacted.

22 Also, nothing herein shall prohibit the disciplining or dismissal of any employee for cause.

23 (5) Enter into contracts and receive and disburse funds according to law;

24 (6) Establish and certify standards for the supervision and certification of physician  
25 assistants;

26 (7) Authorize medical and podiatry corporations in accordance with the limitations of  
27 section fifteen of this article to practice medicine and surgery or podiatry through duly licensed  
28 physicians or podiatrists; and

29 (8) Perform such other duties as are set forth in this article or otherwise provided for in this  
30 code.

31 (b) The board shall submit an annual report of its activities to the Legislature. The report  
32 shall include a statistical analysis of complaints received, charges investigated, charges  
33 dismissed after investigation, the grounds for each such dismissal and disciplinary proceedings  
34 and disposition.

35 (c) The board shall promulgate and adopt rules that, in cooperation with hospitals and  
36 health care facilities subject to §16-5B-1 et seq., require notices be sent to all current or former  
37 patients, who were under the age of 18 years when undergoing a medical or surgical procedure,  
38 and advising these persons that if, after reaching the age 18 years, they experience any negative  
39 or adverse effects from the medical or surgical procedure, they should notify the provider of the  
40 issue.

NOTE: The purpose of this bill is to requires persons or entities rendering medical services to patients who were under the age of 18 years at the time of the services to notify these patients after they reach 18 years of age to contact the providers of any adverse or negative effects experienced from the services.

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