

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Minutes**  
**November 5, 2023**

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The West Virginia Board of Medicine's Executive/Management Committee met at 10:00 am on November 5, 2023, at the Board Office.

The following committee members attended the meeting:

Ashish P. Sheth, MD, Executive/Management Committee Chair  
Matthew Q. Christiansen, MD, MPH  
Jonathan P. Lilly, MD  
Angela A. Mayfield

The following committee member did not attend the meeting:

Kishore K. Challa, MD, FACC

The following staff members attended the meeting:

Mark A. Spangler  
Jamie S. Alley, Esq.  
Evelyn R. Bush  
Greg S. Foster, Esq.  
Jamie C. Frame

With a quorum of members present, Dr. Sheth called the meeting to order, and attendance was documented by Ms. Frame.

**CALL TO  
ORDER**

Prior to today's meeting, a copy of the draft September 10, 2023 meeting minutes were made available for members to review. Ms. Mayfield moved that the September 10, 2023 meeting minutes be approved. Dr. Christiansen seconded the motion, and the motion carried without opposition.

**APPROVAL  
OF MINUTES**

Prior to today's meeting, a copy of the fiscal reports and purchasing card transactions for the months of August and September 2023 were made available for members to review. Dr. Lilly joined the meeting as Mr. Spangler provided an overview of the Board's financial status and reported that the Board continues to maintain a good financial position. Dr. Christiansen moved

that the August and September 2023 fiscal reports and purchasing card transactions be accepted. Ms. Mayfield seconded the motion, and the motion carried without opposition.

Prior to today's meeting a proposed Agreement between the Board of Medicine (BOM) and the West Virginia Medical Professionals Health Program (WVMPHP) was made available for members to review. Mr. Spangler reported that the current Agreement between the BOM and the WVMPHP, designating the WVMPHP as a physician health program, is scheduled to terminate on January 1, 2024. The proposed Agreement mirrors the current agreement. Dr. Lilly moved that the Committee recommend that the Board enter into the proposed Agreement with the WVPHP. Dr. Christiansen seconded the motion, and the motion carried without opposition.

Prior to today's meeting, a copy of the Interstate Medical Licensure Compact Commission (IMLCC) report entitled *New License Volume Data Report* was made available for members to review. Mr. Spangler reported that in September 2023, the IMLCC published the *New License Volume Data Report*, which contains statistical information related to Interstate Medical Licensure Compact (IMLC) licensure for 2019 through 2022. Licensure via the IMLC pathway continues to increase in West Virginia and across member states. In 2022, the Board of Medicine issued 1,084 licenses, of which 453 licenses were issued via the IMLC pathway. Nationally, in 2022, 31% of initial licenses were issued via the IMLC pathway.

Prior to today's meeting draft proposed legislation aimed at establishing an Interstate Podiatric Medical Licensure Compact (IPMLC) was made available for members to review. Mr. Spangler reported that the Federation of Podiatric Medical Boards is in the process of establishing an IPMLC, which would function similar to how the Interstate Medical Licensure Compact functions for physicians. The IPMLC would streamline the licensure process for eligible podiatrists who seek to practice in multiple states. An IPMLC Task Force has been created, for which Dr. Dockery and Mr. Spangler are members. It was brought to the Committee's attention that based upon draft IPMLC legislation, a number of currently practicing podiatric physicians would not be eligible to participate in the IPMLC due to the eligibility criteria associated with accredited training. The Committee will continue to monitor the progress of the compact development. accreditation requirements as they are currently written.

Prior to today's meeting a copy of the slide show presentation that was presented at the Physician Assistant Compact Legislative Summit, which was held on October 24, 2023, was made available for members to review. Ms. Alley reported that a physician assistant compact has been created, which would facilitate licensure portability for physician assistants. The Physician Assistant Compact would differ from other licensure compacts, such as the Interstate Medical Licensure Compact and the proposed Interstate Podiatric Medical Licensure Compact, as this compact follows the "practice privilege" model rather than a licensure model. States that enact Physician Assistant Compact legislation and meet the eligibility requirements would be considered member states pending the administrative processing of the privilege request. An eligible physician assistant who participates in the Physician Assistant Compact, and who holds an active license in one of the member states, would be eligible to practice in any and/or all of the member states,. The Compact is available for state enactment but will not become operational until seven states have adopted the compact model legislation. Currently, Utah and Delaware are the only two states to adopt the legislation. Board staff will monitor legislation introduced in West Virginia during the 2024 session and will alert the Board if Physician Assistant Compact legislation is introduced.

Mr. Spangler reported that practitioners who hold an active status credential issued by the Board received an eblast in October advising them that due to legislation enacted during the 2023 session a roster containing required information, including the practitioners mailing address of record with the Board, will be published on the website in January 2024. The eblast provided practitioners with instructions for reviewing and/or updating their contact information, including their mailing address, prior to the roster being published. The eblast resulted in outreach to the Board by both practitioners and legislative staff. Legislative staff indicated that the legislation enacted was not intended to require professional licensing boards to publish preferred mailing addresses as a component of the roster, and that this is an unintended consequence of the legislative process. Legislative staff further advised that a bill has been drafted for introduction during the 2024 session, which will repeal the requirement that licensing boards publish mailing addresses on their website. Board staff continue to work with licensees to ensure that all providers have an opportunity to provide updated contact information in advance of the Board's implementation of the new roster requirement.

Mr. Spangler reported that Board staff continue to work with the Director of Information Services for the West Virginia Office of Technology regarding technology updates to the board room and the conference room. The Board must obtain three verbal bids prior to moving forward with the technology updates.

Mr. Spangler reported that it is anticipated that the database and website will be placed out for bid in the near future.

Mr. Spangler reported that in September, Board staff who are eligible, and who elected to participate in the Board of Medicine Telework Pilot Project began working from home one day a week. Thus far, the pilot project is going well.

Mr. Spangler reported that the matter of *JH, Petitioner, v. West Virginia Board of Medicine, Respondent*, remains pending before the United States Supreme Court. The West Virginia Attorney General's Office is representing the Board in this matter.

Mr. Spangler reported that in September Samantha Gutierrez, who previously served as the licensure analyst for providers whose last names begin with the letters H through O, accepted the position of interstate medical licensure compact licensure analyst and special projects coordinator. Ms. Gutierrez is excelling in her new position. Mr. Spangler further reported that Amal Khan was hired in September to fill the licensure analyst position previously filled by Ms. Gutierrez. Additionally, the Board has hired Christina Hines to fill the vacant receptionist/administrative office assistant position. Ms. Hines will begin her employment tomorrow, November 6, 2023.

**ADJOURNMENT**

There being no further business to consider, Dr. Christiansen moved that the meeting adjourn. Dr. Lilly seconded the motion, and the motion carried without opposition.

  
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Ashish P. Sheth, MD  
Executive/Management Committee Chair