

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Minutes**  
**July 26, 2023**

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The West Virginia Board of Medicine's Legislative Committee met via teleconference at 12:00 pm on July 26, 2023.

The following committee members attended the meeting:

Ashish P. Sheth, MD, Acting Legislative Committee Chair  
Kishore K. Challa, MD, FACC  
Douglas S. Dockery, DPM  
Jonathan P. Lilly, MD  
Victoria L. Takubo, PA-C

The following committee member did not attend the meeting:

Mustafa Rahim, MD, Legislative Committee Chair

The following staff members attended the meeting:

Jamie S. Alley, 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**

Ms. Alley reported that Mr. Spangler is currently out of the office and is unable to attend today's meeting.

House Bill 2754 was enacted during the 2023 regular session of the West Virginia Legislature. This bill authorizes pharmacy technicians to administer immunizations in some circumstances, and includes joint rulemaking for the Board of Medicine, the Board of Osteopathic Medicine and the Board of Pharmacy. In advance of the June 14, 2023 legislative committee meeting, the West Virginia Board of Pharmacy provided proposed amendments to W. Va. Code R. § 15-12-1 *et. seq.*, *Board of Pharmacy Rules for Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians*, for consideration. The Committee had no

modifications to the proposed rule as submitted. Ms. Alley reported that on June 27, 2023 the Board of Pharmacy filed Notice of Public Comment Period with the West Virginia Secretary of State's Office with regard to W. Va. Code R. § 15-12-1 *et seq.* The comment period is scheduled to conclude at 4:00 pm on July 27, 2023. To date, no comments have been received. Dr. Challa moved that the Committee authorize final approval of W. Va. Code R. § 15-12-1 *et seq.* as originally presented so long as no comments are received regarding the proposed amendments to the rule. Dr. Dockery seconded the motion, and the motion carried without opposition. If comments are received with regard to W. Va. Code R. § 15-12-1 *et seq.*, the Legislative Committee will meet to consider such on Friday, July 28, 2023.

Ms. Alley reported that on June 21, 2023, Board staff filed Notice of Public Comment Period with the West Virginia Secretary of State's Office regarding proposed amendments to two existing Board of Medicine rules, W. Va. Code R. § 11-1B-1 *et seq.*, *Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, and W. Va. Code R. § 11-6-1 *et seq.*, *Continuing Education for Physicians and Podiatric Physicians*. The comment period for these two rules concluded at 4:30 pm on July 21, 2023.

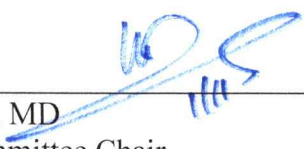
Ms. Alley reported that the Board did not receive any substantive comments with regard to the proposed amendments to W. Va. Code R. § 11-1B-1 *et seq.*, *Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*. Board staff have incorporated a technical modification related to numbering. Dr. Dockery moved that the Committee authorize Board staff to file the agency-approved version of W. Va. Code R. § 11-1B-1 *et seq.* with the technical numbering corrections, with the West Virginia Secretary of State's Office. Dr. Challa seconded the motion, and the motion carried without opposition.

Ms. Alley reported that the Board did not receive any substantive comments with regard to the proposed amendments to W. Va. Code R. § 11-6-1 *et seq.*, *Continuing Education for Physicians and Podiatric Physicians*. Dr. Lilly moved that the Committee authorize Board staff to file the agency-approved version of W. Va. Code R. § 11-6-1 *et seq.* with the West Virginia

Secretary of State's Office. Ms. Takubo seconded the motion, and the motion carried without opposition.

ADJOURNMENT

There being no further business to consider, the meeting adjourned by consensus.



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Mustafa Rahim, MD  
Legislative Committee Chair