

WEST VIRGINIA BOARD OF MEDICINE
Legislative Committee Minutes
January 7, 2024

The West Virginia Board of Medicine's Legislative Committee met at 10:30 am on January 7, 2024 at the Board office.

The following committee members attended the meeting:

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

The following staff members attended the meeting:

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

The following board member attended a portion of the meeting as a guest:

Angela A. Mayfield

With a quorum of members present, Dr. Rahim called the meeting to order, and attendance was documented by Ms. Frame. **CALL TO ORDER**

Prior to today's meeting, the draft meeting minutes for the following meetings were made available for members to review:

March 12, 2023
June 14, 2023
July 26, 2023
December 14, 2023

Dr. Sheth moved that the March 12, 2023, June 14, 2023, July 26, 2023 and December 14, 2023 meeting minutes be approved. Dr. Challa seconded the motion, and the motion carried without opposition.

Mr. Spangler reported that the proposed amendments to 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* were approved by the Legislative Rule Making Review Committee in 2023. Additionally, the Legislative Rule Making Review Committee approved extending the sunset provision date of W. Va. Code R. § 11-12-1 *et seq.*, *Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows*. The three rules will be considered by the Legislature during the upcoming session, which begins on January 10, 2024.

At the December 14, 2023 joint meeting of the Executive/Management Committee and Legislative Committee, members reviewed and considered a potential bill which would consolidate the West Virginia Board of Osteopathic Medicine with the Board of Medicine, effective January 1, 2025. At that time, committee members generally supported the bill; however, concerns were raised regarding membership eligibility and expiration of existing membership terms. Prior to today's meeting, draft proposed language which would modify section five of the potential bill was made available for members to review. Mr. Spangler reported that the proposed language would allow members whose second terms are expired or scheduled to expire in 2024 through 2026 to be appointed to a third consecutive term. Committee members were in favor of the modification.

Ms. Mayfield joined the meeting as a guest at this time and was present for the remainder of the meeting.

Mr. Spangler reported that the potential bill which would consolidate the West Virginia Board of Osteopathic Medicine with the Board of Medicine would also:

1. Repeal W. Va. Code § 30-3-7a, which relates to radiologist assistants; and
2. Authorize the Board to license and regulate genetic counselors.

Board staff will continue to research statutes and rules in other states as they relate to the licensure and regulation of genetic counselors and will bring proposed modifications/recommendations before the Committee at a future meeting.

Mr. Spangler reported that there will likely be legislation introduced during the upcoming session related to exemptions from vaccinations. Board staff will monitor such legislation if introduced and will keep the Committee apprised.

Dr. Sheth moved that the Committee establish the following interim meeting dates and times:

January 24, 2024 at 5:00 pm
February 7, 2024 at 5:00 pm
February 21, 2024 at 5:00 pm
March 6, 2024 at 5:00 pm

Dr. Lilly seconded the motion, and the motion carried without opposition.

Mr. Spangler reported that it is customary for the Board to delegate authority to the Legislative Committee to act on behalf of the Board as necessary to respond to legislative matters when the legislature is in session. Dr. Lilly moved that the Committee request that the Board delegate authority to the Legislative Committee to act on behalf of the Board as necessary throughout the 2024 legislative session. Ms. Takubo seconded the motion and the motion carried without opposition.

ADJOURNMENT

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

Mustafa Rahim, MD
Legislative Committee Chair

