

**WEST VIRGINIA BOARD OF MEDICINE**  
**Legislative Committee Minutes**  
**January 12, 2025**

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The West Virginia Board of Medicine's Legislative Committee met at 9:30 am on January 12, 2025 at the Board Office.

The following committee members attended the meeting:

Ashish P. Sheth, MD, Legislative Committee Chair  
Douglas S. Dockery, DPM  
Jonathan P. Lilly, MD  
Victoria L. Takubo, PA-C  
Sherri A. Young, DO, MBA, FAAFP

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

Angela A. Mayfield

The following staff members attended the meeting:

Mark A. Spangler  
Jamie S. Alley, Esq.  
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**

Dr. Sheth welcomed Sherri A. Young, DO, MBA, FAAFP, who is the Cabinet Secretary of West Virginia Department of Health. Dr. Young has been appointed to serve as Secretary of the Board of Medicine until a State Health Officer is appointed by incoming Governor Patrick Morrissey.

Prior to today's meeting, a copy of the draft September 8, 2024 meeting minutes were made available for members to review. Dr. Dockery moved that the September 8, 2024 meeting minutes be approved. Ms. Takubo seconded the motion, and the motion carried without opposition.

**APPROVAL  
OF MINUTES**

Mr. Spangler reported that in April 2024 Board staff filed a *Notice of Agency Approval of a Proposed Rule* with the West Virginia Secretary of State's Office with regard to W. Va. Code R. § 11-13-1 *et. seq.*, *Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants*. The proposed modification to this rule updates the sunset provision from August 2025 to August 2030. The Legislative Rule-Making Review Committee has approved the rule as originally filed. The rule will be considered by the West Virginia Legislature during the 2025 session, which will convene on February 12, 2025.

Mr. Spangler reminded members that at the September 8, 2024 meeting, the Committee authorized Board staff to pursue introduction of a proposed bill which would incorporate the modifications to the West Virginia Medical Practice Act that were included in Senate Bill 714, from the 2024 regular session of the West Virginia Legislature, except for the provisions related to transferring the duties and licensing from the West Virginia Board of Osteopathic Medicine to the West Virginia Board of Medicine. Additionally, Mr. Spangler reported that at the recommendation of legislative staff, the proposed bill which would authorize the Board to license and regulate genetic counselors has been incorporated into the Medical Practice Act bill. Mr. Spangler will continue to seek sponsorship for this bill.

Mr. Spangler reminded members that at the September 8, 2024 meeting, the Committee authorized Board staff to pursue the introduction of a proposed bill which would authorize physician assistant ownership of professional limited liability companies. Mr. Spangler will continue to seek sponsorship for this bill.

Mr. Spangler reported that the proposed bill that was introduced during the 2024 legislative session, which would transfer the duties and licensing from the Board of Osteopathic Medicine to the Board of Medicine may be reintroduced during the 2025 legislative session. Committee members expressed preliminary interest in consolidation, but indicated that they would want to reevaluate the specifics.

Mr. Spangler asked Ms. Alley to speak with regard to the next agenda item, which relates to W. Va. Code § 30-3-11a, *Endorsement of Licenses to Practice Medicine and Surgery as Medical School Faculty*. Ms. Alley reported that a medical school faculty license limits the licensee's practice to the medical center of the medical school which appointed them to faculty. Representatives of a medical school initially expressed interest in legislative changes which would provide a pathway to convert a medical school faculty license to an unrestricted license after a minimum number of years in practice. During conversation with board staff, they subsequently indicated potential interest in a modification to the West Virginia Medical Practice Act which would permit medical school faculty licensees to practice within a broader geographical area under certain circumstances. Legislation may be introduced during the upcoming session to modify existing licensure pathways and/or allow for alternate pathways to licensure. Board staff will closely monitor legislation introduced during the 2025 legislative session and will keep the Committee apprised of bills which seek to modify Board of Medicine statutes and will seek to maintain lines of open communication with interested stakeholders.

Mr. Spangler reported that there may be legislation introduced during the upcoming session related to medical school graduates who remain unmatched with a residency program following graduation. Board staff will monitor legislation introduced during the 2025 legislative session and will keep the Committee apprised of such bill, if introduced.

Ms. Mayfield joined the meeting at this time.

The Committee next considered other matters of legislative interest to the Committee, and Dr. Sheth expressed concern with regard to the possible over-utilization of mid-level practitioners and/or telehealth by specialist physicians for initial visits and assessments. Dr. Sheth explained that his concern arises in the context of primary care physician referrals to specialists, where the referring physician has determined that the patient needs specialty care and evaluation by a specialist physician. The Committee directed Board staff to engage in outreach, including to the Federation of State Medical Boards, on the subject of seeking interest in a national survey or research initiative to evaluate specialist referrals, specifically the length of time it takes from specialist referral to the initial appointment and the incidence of such referrals being scheduled at the initial visit with the specialist physician or with non-physician health care staff.

Mr. Spangler reported that the 2025 legislative session will begin on February 12, 2025 and will conclude on April 12, 2025. The Committee established the following interim meeting dates:

February 26, 2025

March 26, 2025

April 9, 2025

The interim meetings will be conducted via virtual platform and will begin at 5 pm.

**ADJOURNMENT**

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



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Ashish P. Sheth, MD  
Legislative Committee Chair