

WEST VIRGINIA BOARD OF MEDICINE
Legislative Committee Minutes
April 9, 2025

The West Virginia Board of Medicine's Legislative Committee met via Zoom at 5:00 pm on April 9, 2025.

The following committee members attended the meeting:

Ashish P. Sheth, MD, Legislative Committee Chair
Jonathan P. Lilly, MD
Douglas S. Dockery, DPM
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

In Dr. Sheth's absence, Dr. Lilly chaired the meeting. Dr. Lilly called the meeting to order. **CALL TO ORDER**

Mr. Spangler reported that as amended **Senate Bill 460**, relating to vaccine requirements, would have updated the medical exemption process for immunizations, required reporting of those medically exempt, provided for a religious exemption, and would have allowed allow private schools to set their own policies. This bill passed the Senate but was rejected in the House. Mr. Spangler further reported that **House Bill 2776**, requiring the Department of Health to report positive Alpha Gal tests to the Centers for Disease Control, passed the House and was single referenced to the Senate Health and Human Resources Committee, where the vaccine language contained in Senate Bill 460 was amended into the House bill. House Bill 2776 was laid over on third reading in the Senate today, April 9, 2025, with the right to amend.

Dr. Sheth joined the meeting at this time and assumed chairmanship of the meeting.

Mr. Spangler provided an update on **Senate Bill 526**, Creating Pharmacist Prescribing Authority Act. This bill would permit pharmacists to prescribe medication, excluding controlled substances, after conducting a waived Clinical Laboratory Improvement Amendments test for

influenza, SARS-COV-2, and/or RSV. The bill would also permit a pharmacist to refill an expired epinephrine injection device prescription. Additionally, the bill would require pharmacists to notify the patient's primary care physician within 72 hours of conducting a test and prescribing medication. Prescriptions are restricted to a 30-day supply within six months, and if the prescription exceeds 10 days, the pharmacist must inform the primary care physician. If no primary care physician is identified, the pharmacist must attempt to refer the patient to a primary care physician. The Committee continues to oppose Senate Bill 526. Board staff will continue to monitor this bill.

Mr. Spangler provided an update regarding **Senate Bill 810**, clarifying requirements for administration of anesthesia and chronic pain practice by certain licensed nurses. A Committee Substitute was passed which removed advanced practice registered nurses and physician assistants from the list of providers for whom the certified registered nurse anesthetist can cooperate with. Additionally, the term "nurse anesthesiologist" was stricken from the bill, and the bill clarifies that certified registered nurse anesthetists do not have independent practice and provides limitations on chronic pain practice. Senate Bill 810 has completed the legislative process and is awaiting the Governor's signature.

Mr. Spangler provided an update on **Senate Bill 565**, relating generally to the practice of optometry. This bill was amended by the House Health and Human Resources Committee to decrease the number of proctored procedures that must be performed prior to receiving certification. Additionally, as currently written, there are concerns that the procedures could be performed on a nonhuman eye. Senate Bill 565 passed the House today, April 9, 2025, and will be communicated back to the Senate. The Committee continues to oppose Senate Bill 565.

Mr. Spangler reported that **Senate Bill 557**, relating to licensing by the West Virginia Board of Medicine, was not placed on an agenda for consideration during the 2025 legislative session.

Mr. Spangler reported that **Senate Bill 458**, Universal Professional and Occupational Licensing Act of 2025, has completed the legislative process and has been signed by the Governor. The bill becomes effective on July 1, 2025.

Mr. Spangler reported that **Senate Bill 369**, authorizing miscellaneous boards and agencies to promulgate legislative rules, completed the legislative process and thereafter was vetoed by the Governor. Senate Bill 369 was reintroduced, has again completed the legislative process, and is awaiting the Governor's signature.

ADJOURNMENT

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



Ashish P. Sheth, MD
Legislative Committee Chair