

**WEST VIRGINIA BOARD OF MEDICINE**  
**Executive/Management Committee Minutes**  
**May 4, 2025**

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The West Virginia Board of Medicine's Executive/Management Committee met at 11:00 am on May 4, 2025 at the Board Office.

The following committee members attended the meeting:

Jonathan P. Lilly, MD, Executive/Management Committee Chair  
Angela A. Mayfield  
Ashish P. Sheth, MD  
Victoria L. Takubo, PA-C

The following committee member did not attend the meeting:

Peter S. Martin, MD

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. Lilly called the meeting to order.

**CALL TO  
ORDER**

Prior to today's meeting, a copy of the draft March 9, 2025 meeting minutes were made available for members to review. Ms. Mayfield moved that the March 9, 2025 meeting minutes be approved as presented. Ms. Takubo 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 February and March 2025 were made available for members to review. Mr. Spangler provided an overview of the Board's financial status and reported that the Board continues to maintain a good financial position. Dr. Sheth moved that the February and March 2025 fiscal reports and purchasing card transactions be approved. Ms. Takubo seconded the motion, and the motion carried without opposition.

Prior to today's meeting, correspondence related to the proposed name of a medical corporation was made available for members to review. Ms. Frame reported that Unbound Medicine, Inc. is currently incorporated in Delaware. The shareholders of the corporation are not practicing medical doctors, podiatric physicians or physician assistants. The shareholders are seeking to foreign qualify the corporation in West Virginia and in doing so, the West Virginia Secretary of State's Office referred the corporation to the Board of Medicine since the business name contains medical terminology. The business develops software that converts medical texts into mobile and web formats, which are designed solely for reference and educational purposes by medical practitioners, educators and students. The corporation does not engage in the practice of medicine. Based upon the information provided, Ms. Takubo moved that the Committee direct Board staff to advise the corporation and the West Virginia Secretary of State's Office that the Board does not oppose the business name so long as the entity does not engage in any activities that constitute the practice of medicine. Ms. Mayfield seconded the motion, and the motion carried without opposition.

Prior to today's meeting, correspondence related to the proposed name of a limited liability company was made available for members to review. Ms. Frame reported that Ventra Health Radiology, LLC is currently registered in Ohio. The sole member of the company is not a medical doctor, podiatric physician or physician assistant. The member is seeking to foreign qualify the company in West Virginia and in doing so, the West Virginia Secretary of State's Office referred the company to the Board of Medicine since the business name contains medical terminology. The business provides medical billing, practice management, and other related services. The company does not engage in the practice of medicine. Based upon the information provided, Ms. Takubo moved that the Committee direct Board staff to advise the company and the West Virginia Secretary of State's Office that the Board does not oppose the business name so long as the entity does not engage in any activities that constitute the practice of medicine. Dr. Sheth seconded the motion, and the motion carried without opposition.

Prior to today's meeting, a request for an advisory opinion regarding a medical office practice involving the use of GLP-1 receptor agonists which are being split and administered in the office setting was made available for members to review. Mr. Spangler reported that the request has been forwarded to the West Virginia Board of Pharmacy.

Prior to today's meeting, an inquiry that was received which relates to the potential use of an automated medication dispensing device in an office setting was made available for members to review. Mr. Spangler reported that the automated dispensing device is stocked with medications, e-prescriptions are sent to the device and then subsequently dispensed to the patient. This inquiry has been forwarded to the West Virginia Board of Pharmacy.

Prior to today's meeting, correspondence that was received which alleges that an individual may be engaging in the unauthorized practice of medicine was made available for members to review. Mr. Spangler reported that the correspondence identifies an esthetician who is allegedly performing procedures that the reporting individual is "concerned about", including "Face and Lip Fillers as well as other procedures." Ms. Mayfield moved that the Committee recommend that Board authorize staff to investigate the allegations set forth in the correspondence, with full investigative authority, in order to assist the Committee in making a determination as to what, if any, steps need to be taken to ensure public protection. Dr. Sheth seconded the motion, and the motion carried without opposition.

Prior to today's meeting, correspondence that was received from the Executive Director of the West Virginia Medical Imaging & Radiation Therapy Technology Board of Examiners was made available for members to review. Mr. Spangler reported that W. Va. Code R. § 11-9-1 *et seq.*, *Certification, Disciplinary and Complaint Procedures, Continuing Education, Radiologist Assistants*, which became effective July 1, 2008, authorizes the Board of Medicine to issue a certification to individuals that the Board approves to serve as a radiologist assistant. To date, the Board has not issued a certification for this credential type. The West Virginia Medical Imaging & Radiation Therapy Technology Board of Examiners has inquired whether the Board of Medicine is amenable to introducing legislation to transfer the regulation of radiologist assistants to the said Board. Ms. Takubo moved that the Committee recommend that the Board take the position that since the Board has never issued a certification for a radiologist assistant there may be no particularized need for this professional credential particular, and that the Board does not oppose eliminating regulation of this credential type or transferring regulation of this credential type to the West Virginia Medical Imaging & Radiation Therapy Technology Board of Examiners. Dr. Sheth seconded the motion, and the motion carried without opposition.

Mr. Spangler reported that staff from the West Virginia Performance Evaluation & Research Division (PERD) recently contacted the Board to advise of a matter involving a medical student who is unhappy with the West Virginia Medical Professionals Health Program's processes and/or procedures. Mr. Spangler further reported that the medical student has contacted Board of Medicine staff expressing his concerns. Mr. Spanger reported that he will follow-up concerning this matter.

Mr. Spangler reported that the 2025 renewal period for physician assistant licenses, controlled substance dispensing practitioner registrations for physician assistants, and interstate telehealth registrations for medical doctors and physician assistants began on February 5, 2025 and concluded at 4:30 pm on March 31, 2025. The following renewal statistics were reported:

<b>Credential Type</b>	<b>Number of Credentials Renewed</b>	<b>Number of Credential Expired</b>
Physician Assistant Licenses	1328	148
Controlled Substance Dispensing Practitioner Registrations for Physician Assistants	37	21
Interstate Telehealth Registrations for Physician Assistants	18	11
Interstate Telehealth Registrations for Medical Doctors	157	34

Mr. Spangler reported that the renewal period for medical doctors whose last names begin with the letters M through Z, all podiatric physician, controlled substance dispensing practitioner registrations for medical doctors whose last names begin with the letters M through Z and all podiatric physicians, educational permits, and professional limited liability companies will begin on May 7, 2025 and will conclude at 4:30 pm on June 30, 2025.

Prior to today's meeting, the following Executive Orders that were issued by Governor Patrick J. Morrissey, and the Board's response thereto, were made available for members to review:

- Executive Order No. 1-25, Establishing an Economic Back Yard Brawl
- Executive Order No. 3-25, Ordering Cessation of Diversity, Equity and Inclusion
- Executive Order No. 4-25, Reviewing Past, Present and Projected Spending Decisions
- Executive Order No. 5-25, Directing Agencies to Develop a Plan for a More Efficient Government
- Executive Order No. 6-25 Plan to Reduce Rules, Regulatory Review

Mr. Spangler reported that Board staff have submitted a response to the five Executive Orders identified above. Mr. Spangler will keep the Committee apprised of any response that is received from the Governor's Office with regard to the Board's response to the Orders.

Mr. Spangler reported that on April 12, 2024, the Board issued a Final Decision and Order in the matter of *West Virginia Board of Medicine, Petitioner, v. Phillip Allen Peterson, MD, Respondent*, Complaint No. 22-86-W. Among other things, the Final Decision and Order required Dr. Peterson to pay the costs and expenses of the proceeding. In July 2024, the Board approved the issuance of an invoice in this matter; however, counsel for Dr. Peterson filed an appeal to the Intermediate Court of Appeals, and payment was stayed pending a ruling by the Court. The Intermediate Court of Appeals affirmed the Board's Order in this matter, and Dr. Peterson has paid the invoice.

Mr. Spangler reminded members that at the January 12, 2025 Board meeting, the Committee recommended and the Board approved, sponsoring Albaraa Abdullah M. Badawood, MD to sit for Step 3 of the United States Medical Licensing Exam (USMLE) for a final time. Following the Board meeting, Board staff submitted a letter of sponsorship to the USMLE. To date, the Board has not been notified of the USMLEs decision in this matter.

Mr. Spangler reported that at the January 12, 2025 meeting, the Committee reviewed correspondence seeking the Board's position and/or guidance or regulations which pertain to the prophylactic prescribing of medication kits via telemedicine. At the January 2025 meeting, the Committee directed Board staff to gather additional information and prepare a draft response for the Committee's consideration. Mr. Spangler reported that there is no update with regard to this matter at this time.

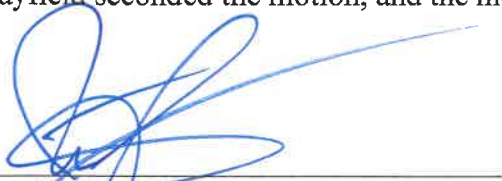
Ms. Alley reported that the Physician Assistant Compact Commission held its annual meeting in Seattle, Washington on April 25, 2025. The Compact has received interim funding from its *ex officio* partners, the American Academy of Physician Associates and the National Commission on Certification of Physician Assistants, which will support the Compact as implementation continues. The Compact has received educational presentations from database providers and will be moving forward with rulemaking throughout the summer.

Mr. Spangler reported that the Interstate Podiatric Medical Licensure Compact Commission is working with the Interstate Medical Licensure Compact Commission to develop a compact which is very similar to the Interstate Medical Licensure Compact. The Compact will provide a streamlined process for the multi-state licensing of podiatric physicians.

Mr. Spangler reported that Board staff continue to work with the West Virginia Purchasing Division to procure a new database and website. The Evaluation Committee has been established, and Board staff are working to finalize the Request for Proposal.

**ADJOURNMENT**

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



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Jonathan P. Lilly, MD  
Executive / Management Committee Chair