

WEST VIRGINIA BOARD OF MEDICINE MEETING MINUTES

Meeting Information

Committee	Executive / Management
Meeting Date	November 9, 2025
Meeting Time	11:00 am
Location	West Virginia Board of Medicine 101 Dee Drive, Suite 103 Charleston, West Virginia 25311

Committee Members

Name	Present	Absent
Jonathan P. Lilly, MD, Chair	X	
Kishore K. Challa, MD, FACC	X	
Mark E. McDaniel, DO, FAAFP	X	
Victoria L. Takubo, PA-C	X	

Staff Members

Name	Present	Absent
Mark A. Spangler, Executive Director	X	
Jamie S. Alley, Esq.	X	
Evelyn R. Bush	X	
Greg S. Foster, Esq.	X	
Jamie C. Frame	X	

Guests / Public Members

Board member, Kristen D. Statler, MD was present for a portion of the meeting.

Call to Order

With a quorum of members present, Dr. Lilly called the meeting to order.

Approval of Minutes

Prior to today's meeting a copy of the draft September 7, 2025 meeting minutes were made available for members to review.

Dr. Challa moved that the September 7, 2025 meeting minutes be approved as presented. Ms. Takubo seconded the motion, and the motion carried without opposition.

Fiscal Reports and Purchasing Card Transactions

Prior to today's meeting a copy of the fiscal reports and purchasing card transactions for the months of August and September 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. Ms. Takubo moved that the August and September 2025 fiscal reports and purchasing card transactions be approved. Dr. Challa seconded the motion, and the motion carried without opposition.

Upcoming 2025 Purchasing Card Audit

Mr. Spangler reported that the Board is scheduled to undergo a purchasing card audit this week. The results of the audit will be reported to the Committee at a future meeting.

Inquiry Regarding Requirements for Independent Contractors Working for a Veterans Affairs Hospital

Prior to today's meeting an inquiry seeking clarification regarding West Virginia licensure requirements for teleradiologists who work as independent contractors for the Department of Veterans Affairs (VA) Hospitals was made available for members to review.

Mr. Spangler reported that federal employees of the VA may be exempt from West Virginia licensure when practicing medicine or telemedicine to VA patients in West Virginia if they hold a valid license in another state. Mr. Foster reported that 38 C.F.R. §17.417 defines "Health care professional" and specifically excludes VA-contracted health care professionals from the definition. Ms. Takubo moved that the Committee direct Board staff to respond to the inquirer and provide that nothing in the West Virginia Medical Practice Act exempts federal contractors, as opposed to federal employees, from licensure in West Virginia if they are practicing in this state. Dr. Challa seconded the motion, and the motion carried without opposition.

Consideration of an Inquiry Regarding Licensure Eligibility for Canadian Medical Graduates Pre- and Post- July 1, 2025

Prior to today's meeting an inquiry seeking clarification regarding licensure eligibility for Canadian Medical Graduates Pre- and Post- July 1, 2025 was made available for members to review.

Mr. Spangler reported that effective July 1, 2025 Canadian medical schools ceased being accredited by the Liaison Committee on Medical Education (LCME) and began being solely accredited by the Committee on Accreditation of Canadian Medical Schools (CACMS). Pursuant to W. Va. Code §30-3-10(b), the Board is authorized to accept medical education for applicants who have “graduated and received the degree of doctor of medicine or its equivalent from a school of medicine located within the United States, the Commonwealth of Puerto Rico, or Canada and is approved by the Liaison Committee on Medical Education or by the board.” Ms. Takubo moved that the Committee recommend that the Board accept education from Canadian Medical Schools that are accredited by the CACMS. Dr. Challa seconded the motion, and the motion carried without opposition.

Discussion and/or Action Regarding the Use of Artificial Intelligence in Healthcare

Prior to today’s meeting an article published by Stateline entitled “*As AI enters exam rooms, states step up oversight*” was made available for members to review.

Mr. Spangler reported that some states have begun introducing legislation to regulate the use of Artificial Intelligence (AI) in healthcare. At this time, Board staff will continue to monitor the regulation of the use of AI in healthcare and will keep the Committee apprised.

Request for the Board to Email a Survey Link to Credential Holders on Behalf of the West Virginia Office of Epidemiology and Prevention Services

Prior to today’s meeting a request that was received from the West Virginia Office of Epidemiology and Prevention Services was made available for members to review.

Mr. Spangler reported that the Office of Epidemiology and Prevention Services has asked that the Board email a survey link to Board of Medicine credential holders. The survey relates to antimicrobial resistance. Ms. Takubo moved that the Committee authorize Board staff to email the survey link to credential holders on behalf of the Office of Epidemiology and Prevention Services. Dr. Challa seconded the motion, and the motion carried without opposition.

Dr. Statler joined the meeting as a guest at this time.

Consideration of a Proposed Business Entity Name Which Contains Medical Terminology but does not Meet the Requirements for Authorization by the Board

Prior to today’s meeting correspondence related to the proposed name of a business was made available for members to review.

Mr. Spangler reported that a master clinical aesthetician and a licensed practical nurse are seeking to open an LLC named Unfiltered Medical Spa. The business purpose includes: injectables - toxins and filler, medical weight loss, vitamin injections, IV therapy, laser hair removal, facials, brow lamination/tint, lash lamination/tint, microneedling, nanoinfusion, facial waxing, chemical peels, hydrodermabrasion, massage therapy and dermaplaning. The West

Virginia Secretary of State's Office has advised the individuals that prior to processing the application that was submitted to the Secretary of State's Office, the company would need either a Letter of Authorization from the Board of Medicine or correspondence from the Board indicating that this Board does not object to the company using the business name Unfiltered Medical Spa. Mr. Spangler further reported that since the shareholders are not Board of Medicine licensees, they are not eligible to receive a Letter of Authorization from the Board. The Committee directed Board staff to obtain additional information / clarification, such as the proposed business plan with respect to the provision of medical services, who will be writing the order for vitamin injections and IV therapy, who will be ordering the components of, and compounding of, the IV medications and other components, what medication will be offered via IV therapy and what, if any, medical staff will be in physically present at the practice location.

Consideration of Proposed Amendments to Federation of State Medical Boards Bylaws

Mr. Spangler reported that Federation of State Medical Boards (FSMB) bylaws currently prohibit staff fellows, such as the Executive Director of a medical board, from being elected as an officer. Proposed modifications to the FSMB bylaws are currently being discussed among state licensing boards. Dr. Challa recommended that the Board propose that the FSMB conduct a study resolution to determine whether staff fellows should be permitted to hold an officer position. Ms. Takubo seconded the motion, and the motion carried without opposition.

Federation of State Medical Boards Update on United States Medical Licensure Examination

Prior to today's meeting, the quarterly publication entitled *Federation of State Medical Boards (FSMB) Update on United States Medical Licensure Examination* (USMLE), October 2025, Vol 6, No. 3 was made available for members to review.

Mr. Spangler reported that the publication is provided for informational purposes only.

Update and/or Action Regarding Matters that were Previously Considered by the Committee

Licensure Compact Update

Mr. Spangler reported that the Interstate Medical Licensure Compact (IMLC) continues to expand. There are currently forty-four states participating in the compact.

Mr. Spangler reported that the Interstate Podiatric Medical Licensure Compact (IPMLC) is starting to be introduced in legislatures through the country. West Virginia may seek introduction of IPMLC legislation in 2027.

Ms. Alley reported that the Physician Assistant Compact Commission continues to meet regularly and has issued a *Request for Proposal* for a data system. The Compact Commission has approved a budget for the fiscal year with generous support from the American Academy of

Physician Associates and the National Commission on Certification of Physician Assistants. Drafting of rules is ongoing.

**Update on Correspondence Previously Reviewed:
Request for an Advisory Opinion Regarding GLP-1 Medications;
Automated Medical Dispensing Devices; and
Joint Advisory Opinion Regarding Retail IV Therapy**

Mr. Spangler reported that Mr. Foster and Ms. Leslie Thornton, Supervisor of the Investigation, Complaints and Compliance Division, will meet with West Virginia Board of Pharmacy staff later this week, at which time they will obtain an update from the Board of Pharmacy related to: (1) the 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; (2) the potential use of an automated medication dispensing device in an office setting; and (3) the Joint Advisory Opinion Regarding Retail IV Therapy.

Update Regarding the Potential Unauthorized Practice of Medicine by an Individual who is not Licensed by the Board of Medicine

Mr. Spangler reported that an update regarding the potential unauthorized practice of medicine by an individual who is not licensed by the Board of Medicine will be provided at the January 11, 2026 meeting.

Update Regarding Licensure via the Universal Professional and Occupational Licensing Act of 2025

Mr. Spangler reminded members that the Universal Professional and Occupational Licensing Act of 2025 (UPOLA) allows an individual to be granted a license, registration or certificate in West Virginia if they hold an equivalent credential in another state, in the same discipline and at the same practice level and meet all other requirements prescribed by law. At the September 7, 2025 meeting, the Committee considered correspondence which inquired whether a physician licensed in Puerto Rico is eligible for licensure via the UPOLA pathway. At the Committee's direction, Board staff sought the opinion of the Attorney General's Office with regard to this matter. The Attorney General's Office has advised that territories such as Puerto Rico are included in the statutory meaning of the code section; thus applicants who hold a credential in Puerto Rico are eligible to apply for a credential in West Virginia via the UPOLA pathway. Board staff will notify the applicant of such.

Update in the Matter of *Hil Rizvi v. Mark Spangler, Director – West Virginia Board of Medicine, CC-14-2025-C-AP-1*

Mr. Spangler reminded members that the matter of *Hil Rizvi v. Mark Spangler, Director – West Virginia Board of Medicine, CC-14-2025-C-AP-1* relates to an application for relicensure. Mr. Anthony Eates of the West Virginia Attorney General's Office represented the Board in this matter, which was dismissed on jurisdictional grounds. Following dismissal, the plaintiff appealed the decision to the Circuit Court of Hampshire County, West Virginia. The Circuit Court has dismissed the matter.

Update Regarding Technology Upgrades

Mr. Spangler reported that Grandview Systems Inc. was awarded the contract to install new technology in the boardroom and the small conference room. It is anticipated that installation will commence in the coming weeks.

Update Regarding Procurement of a New Database and Website

Mr. Spangler reported that staff continue to work with the West Virginia Purchasing Division to procure a new database. The *Request for Proposal* has been published, and vendor questions have been submitted to the Board for response. The Board remains in what the Purchasing Division refers to as a “Blackout Period” which prohibits the Board from engaging in conversation with any potential database vendor.

Adjournment

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

A handwritten signature in blue ink, appearing to read "J. P. Lilly, MD". The signature is fluid and cursive, with a horizontal line extending from the end of the signature.

Jonathan P. Lilly, MD
Executive Management Committee Chair