

WEST VIRGINIA BOARD OF MEDICINE MEETING MINUTES

Meeting Information

Committee	Legislative
Meeting Date	November 9, 2025
Meeting Time	9:30 am
Location	101 Dee Drive, Suite 103 Charleston, West Virginia 25311

Committee Members

Name	Present	Absent
Kishore K. Challa, MD, FACC, Chair	X	
Douglas S. Dockery, DPM	X	
Jonathan P. Lilly, MD	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	
Greg S. Foster, Esq.	X	
Jamie C. Frame	X	

Guests / Public Members

None

Call to Order

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

Approval of Minutes

Prior to today's meeting a copy of the draft September 7, 2025 and September 24, 2025 meeting minutes were made available for members to review. Dr. Dockery moved that the September 7, 2025 and September 24, 2025 meeting minutes be approved as presented. Ms. Takubo seconded the motion, and the motion carried without opposition.

Board of Medicine Rules

Mr. Spangler reported that the Legislative Rule Making Review Committee has approved the proposed amendments to W. Va. Code § 11-1B-1 *et seq.*, *Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, and W. Va. Code § 11-6-1 *et seq.*, *Continuing Education Requirements for Physicians and Podiatric Physicians*, without modification. The rules will be considered by the West Virginia Legislature during the 2026 session.

Consideration Regarding the Creation of an Emeritus or Licensure Designation

At the September 7, 2025 meeting, the Committee directed Board staff to explore development of an emeritus / retirement license and to present concepts and make a recommendation to the Committee at a future meeting. Mr. Spangler reported that Board staff have researched emeritus / retirement licensure in other states and have begun drafting a proposed bill which would authorize the Board to issue, without a fee, an emeritus status license to a practitioner who holds a current, valid license issued by the board, has practiced in West Virginia for ten years and who has fully retired from practice with no pending complaints or disqualifying discipline. The bill would also provide a limited window for prior retirees to request an emeritus status license and rulemaking authority to govern standards. Dr. Dockery moved that the Committee recommend that the Board approve proceeding with a bill for development of an emeritus license as described and delegate authority to staff to make non-substantive changes as the final draft is completed. Ms. Takubo seconded the motion, and the motion carried without opposition.

Potential 2026 Legislative Topics

Mr. Spangler reminded members that during the 2025 legislative session, at the request of the Board, a bill was introduced to modify the West Virginia Medical Practice Act and permit the Board to license and regulate genetic counselors. The bill was not placed on an agenda for consideration. During today's meeting, the Committee discussed additional modifications to the proposed bill. Specifically:

- Mr. Spangler reported that the latest draft bill reintroduces the existing alternate licensure pathway for international medical graduates, which was previously amended out of the Medical Practice Act in the earlier draft bill, with a modification to require that international medical graduate applicants with acceptable unaccredited training submit a letter of sponsorship from the proposed employing institution.

- Ms. Alley reported that “State Health Officer” as defined in W. Va. Code § 16-1-5, *State health officer; Commissioner of the Bureau for Public Health; appointment; qualifications; term*, is currently inconsistent with the Medical Practice Act and the draft bill. Ms. Takubo moved that the Committee recommend that the Board authorize staff to update the definition of "State Health Officer" in the proposed bill to compliment changes made to W. Va. Code § 16-1-5. Dr. Dockery seconded the motion, and the motion carried without opposition.
- Mr. Spangler reported that the United States Medical Licensure Examination (USMLE) limitation requirements for initial licensure are state specific and vary significantly. Currently the Medical Practice Act requires an applicant to have successfully completed all steps of the USMLE within a ten-year period. Dr. Dockery moved that the Committee recommend that the Board authorize staff to update the proposed bill to allow the Board discretion to license applicants who took more than ten years to complete all steps of the USMLE if the applicant is currently certified by an American Board of Medical Specialties member board. Ms. Takubo seconded the motion, and the motion carried without opposition.
- Mr. Spangler reported that West Virginia University has established a podiatric medicine and surgery residency program and there is an interest for the Board of Medicine to establish an educational permit for podiatric physicians. Dr. Dockery moved that the Committee recommend that the Board authorize staff to draft proposed legislation which would establish an educational permit for podiatric physicians. Ms. Takubo seconded the motion, and the motion carried without opposition.
- Prior to today’s meeting, draft proposed legislation which would modify W. Va. Code § 30-23, *Radiologic Technologists*, was made available for members to review. Mr. Spangler reported that the Board of Medicine currently certifies radiologist assistants; however, the proposed revisions to the Medical Practice Act would remove radiologist assistants from the purview of the Board of Medicine. Draft proposed modifications to W. Va. Code § 30-23 expand the scope of practice for individuals licensed by the West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, and adds radiologist assistants as a profession to be regulated by that Board. No additional modifications were made to the radiologist assistant section of the proposed Medical Practice Act bill; as drafted this section will remain stricken, removing radiologist assistants from the purview of this Board.
- Mr. Spangler reported that the section of the proposed bill which would authorize the Board to license and regulate genetic counselors has not been modified from earlier versions of the bill.
- Mr. Spangler reported that W. Va. Code § 16-5G, *Open Hospital Proceedings*, sets forth the meeting requirements for hospitals. The Board has been asked to consider incorporating amendments to W. Va. Code § 16-5G into our proposed Medical Practice Act bill. The Committee directed Board staff to obtain additional information which identifies the specific amendments that are being sought.

Mr. Spangler reported that it may be necessary to hold an interim meeting to consider legislative matters between now and the January 2026 meeting. It is customary for the Board to delegate authority to the Legislative Committee to act on behalf of the Board as necessary to legislative matters at interim meetings. As such, Ms. Takubo moved that the Committee recommend that the Board delegate authority to the Legislative Committee to act on behalf of the Board as necessary with regard to legislative matters between now and the January 12, 2026 meeting. Dr. Dockery seconded the motion, and the motion carried without opposition.

Dr. McDaniel joined the meeting at this time.

Other Legislative Matters of Interest to the Committee

Mr. Spangler reported that current Federation of State Medical Boards (FSMB) bylaws prohibit a staff fellow from being elected to serve as an officer. Modifications which would permit a staff fellow to be elected to serve as an officer are being considered by the FSMB. The Committee directed Board staff to recommend that the FSMB conduct a study resolution with regard to this matter.

Adjournment

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



Kishore K. Challa, MD, FACC
Legislative Committee Chair