WEST VIRGINIA BOARD OF MEDICINE MEETING MINUTES

Meeting Information	
Committee	Legislative
Meeting Date	April 21, 2026
Meeting Time	5:00 pm
Location	Virtual Meeting Conducted Via Zoom

Committee Members		
Name	**Present**	**Absent**
Kishore K. Challa, MD, FACC, Chair	✓	
Douglas S. Dockery, DPM	✓	
Jonathan P. Lilly, MD		✓
Mark E. McDaniel, DO, FAAFP	✓	
Victoria L. Takubo, PA-C		✓

Staff Members		
Name	**Present**	**Absent**
Mark A. Spangler, Executive Director	✓	
Jamie S. Alley, Esq.	✓	
Greg S. Foster, Esq.		✓
Jamie C. Frame	✓	

Guests / Public Members
No guests / public members attended the meeting.

Call to Order

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

Board of Medicine Rules that Completed the 2026 Legislative Process

Mr. Spangler reported that **House Bill 4265**, a bundled bill authorizing miscellaneous boards and agencies to promulgate legislative rules, which contains the Board's proposed modifications to W. Va. Code R. § 11-1B-1 *et seq., Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*, and W. Va. Code R. § 11-6-1 *et seq., Continuing Education for Physicians and Podiatric Physicians*, completed the legislative process and has been signed by the Governor. Board staff will file the final version of the two rules with the West Virginia Secretary of State's Office. The rules will become effective July 1, 2026.

Board of Medicine Rules for Consideration of Action

Proposed Rules for Repeal

Mr. Spangler reported that during the 2026 session of the West Virginia Legislature**, House Bill 5458**, *Relating to professionals to be licensed by the West Virginia Board of Medicine*, completed the legislative process and was signed by the Governor. Among other things, this bill repealed W. Va. Code § 30-3-7a, which authorized the Board of Medicine to regulate the practice of radiologist assistants, and W. Va. Code § 30-3-11b, which authorized the Board to issue a limited license to practice medicine and surgery at certain designated state veterans nursing home facilities. As a result, W. Va. Code R. § 11-9-1 *et seq., Certification, Disciplinary and Complaint Procedures, Continuing Education, Radiologist Assistants*, and W. Va. Code R. § 11-11-1 *et seq., Establishment and Regulation of Limited License to Practice Medicine and Surgery at Certain State Veterans Nursing Home Facilities*, are ripe for repeal. Dr. Dockery moved that the Committee authorize Board staff to move forward with the repeal process for W. Va. Code R. § 11-9-1 *et seq.* and W. Va. Code R. § 11-11-1 *et seq.* Dr. McDaniel seconded the motion and the motion carried without opposition.

Proposed Rules for Sunset Reauthorization

Mr. Spangler reported that the following rules are set to sunset on August 1, 2027:

- W. Va. Code R. § 11-5-1 *et seq., Dispensing of Prescription Drugs by Practitioners*
- W. Va. Code R. § 11-10-1 *et seq., Practitioners Requirements for Accessing the West Virginia Controlled Substances Monitoring Program Database*
- W. Va. Code R. § 11-14-1- *et seq., Registration to Practice During Declared State of Emergency*
- W. Va. Code R. § 11-15-1 *et seq., Telehealth and Interstate Telehealth Registration for Physicians, Podiatric Physicians and Physician Assistants*

Committee members did not feel that the sunsetting rules need to be modified at this time. Dr. Dockery moved that the Committee authorize Board staff to file a Sunset Extension Request with the West Virginia Secretary of State's Office for each of the rules for the maximum number of years permitted and maintain the remainder of the rule without modification. Dr. McDaniel seconded the motion, and the motion carried without opposition.

Consideration of Rulemaking for the 2027 Legislative Session

Mr. Spangler reported that as a result of legislation passed during the 2026 session of the West Virginia Legislature, the following rules will need to be amended:

- W. Va. Code R. § 11-1A-1 *et seq., Licensing of Physicians and Podiatric Physicians and Disciplinary Procedures for Applicants, Licensees, Credential Holders*
- W. Va. Code R. § 11-1B-1 *et seq., Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants*
- W. Va. Code R. § 11-6-1 *et seq., Relating to Continuing Education for Physician and Podiatric Physicians*
- W. Va. Code R. § 11-7-1 *et seq., Formation and Approval of Professional Limited Liability Companies*

Additionally, the Board will need to promulgate a new rule related to licensing genetic counselors and active candidate status permitees.

Dr. McDaniel moved that the Committee authorize Board staff to draft a proposed new rule and proposed amendments to four existing rules. Dr. Dockery seconded the motion, and the motion carried without opposition. The proposed amendments to existing rules and the proposed new rule will be presented to the Committee at a future meeting for review and consideration.

Adjournment

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

Kishore K. Challa, MD, FACC
Legislative Committee Chair