WEST VIRGINIA CODE: §30-1C-2

§30-1C-2. Definitions.

In this article adopting the Interstate Medical Licensure Compact:

(a) "Bylaws" means those bylaws established by the Interstate Commission pursuant to section eleven of this article for its governance, or for directing and controlling its actions and conduct.

(b) "Commissioner" means the voting representative appointed by each member board pursuant to section eleven of this article.

(c) "Compact" means the Interstate Medical Licensure Compact.

(d) "Conviction" means a finding by a court that an individual is guilty of a criminal offense through adjudication, or entry of a plea of guilt or no contest to the charge by the offender. Evidence of an entry of a conviction of a criminal offense by the court shall be considered final for purposes of disciplinary action by a member board.

(e) "Expedited License" means a full and unrestricted medical license granted by a member state to an eligible physician through the process set forth in the Compact.

(f) "Interstate Commission" means the Interstate Medical Licensure Compact Commission created pursuant to section eleven of this article.

(g) "License" means authorization by a state for a physician to engage in the practice of medicine, which would be unlawful without the authorization.

(h) "Medical Practice Act" means laws and regulations governing the practice of allopathic and osteopathic medicine within a member state.

(i) "Member Board" means a state agency in a member state that acts in the sovereign interests of the state by protecting the public through licensure, regulation, and education of physicians as directed by the state government.

(j) "Member State" means a state that has enacted the Compact.

(k) "Practice of Medicine" means the clinical prevention, diagnosis, or treatment of human disease, injury, or condition requiring a physician to obtain and maintain a license in compliance with the Medical Practice Act of a member state.

(l) "Physician" means any person who:

(1) Is a graduate of a medical school accredited by the Liaison Committee on Medical

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Education, the Commission on Osteopathic College Accreditation, or a medical school listed in the International Medical Education Directory or its equivalent;

(2) Passed each component of the United States Medical Licensing Examination (USMLE) or the Comprehensive Osteopathic Medical Licensing Examination (COMLEX-USA) within three attempts, or any of its predecessor examinations accepted by a state medical board as an equivalent examination for licensure purposes;

(3) Successfully completed graduate medical education approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association;

(4) Holds specialty certification or a time-unlimited specialty certificate recognized by the American Board of Medical Specialties or the American Osteopathic Association's Bureau of Osteopathic Specialists;

(5) Possesses a full and unrestricted license to engage in the practice of medicine issued by a member board;

(6) Has never been convicted, received adjudication, deferred adjudication, community supervision, or deferred disposition for any offense by a court of appropriate jurisdiction;

(7) Has never held a license authorizing the practice of medicine subjected to discipline by a licensing agency in any state, federal, or foreign jurisdiction, excluding any action related to nonpayment of fees related to a license;

(8) Has never had a controlled substance license or permit suspended or revoked by a state or the United States Drug Enforcement Administration; and

(9) Is not under active investigation by a licensing agency or law-enforcement authority in any state, federal, or foreign jurisdiction.

(m) "Offense" means a felony, gross misdemeanor, or crime of moral turpitude.

(n) "Rule" means a written statement by the Interstate Commission promulgated pursuant to section twelve of this article that is of general applicability, implements, interprets, or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.

(o) "State" means any state, commonwealth, district, or territory of the United States.

(p) "State of Principal License" means a member state where a physician holds a license to practice medicine and which has been designated as such by the physician for purposes of registration and participation in the Compact.

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