WEST VIRGINIA CODE: §30-3-10

§30-3-10. Licenses to practice allopathic and podiatric medicine and surgery.

(a) License to Practice Allopathic Medicine and Surgery. – Graduates of approved medical schools located in the United States, Canada, or Puerto Rico. The board may grant a license to practice allopathic medicine and surgery to an applicant who has 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 LCME or by the board, and who:

(1) Submits a complete application;

(2) Pays the applicable fees;

(3) Demonstrates to the board's satisfaction that the applicant:

(A) Is physically and mentally capable of engaging in the practice of medicine and surgery;

(B) Has, within 10 consecutive years, passed all component parts of the USMLE or any prior examination or examination series approved by the board which relates to a national standard, is administered in the English language, and is designed to ascertain an applicant's fitness to practice medicine and surgery: *Provided*, That the board may accept an examination sequence which was successfully completed in more than 10 consecutive years if the applicant holds current specialty board certification from a member board of ABMS;

(C) Has successfully completed one year of approved graduate medical education; and

(D) Meets any other criteria for licensure set forth in this article or in rules promulgated by the board pursuant to §30-3-7 of this code and in accordance with §29A-3-1 *et seq.* of this code.

(b) License to Practice Allopathic Medicine and Surgery – International Medical Graduates who have completed approved graduate medical education.

The board may grant a license to practice allopathic medicine and surgery to an applicant who has received the degree of doctor of medicine or its equivalent from an approved school of medicine located outside of the United States, the Commonwealth of Puerto Rico, and Canada, who:

(1) Submits a complete application;

(2) Pays the applicable fees;

(3) Demonstrates to the board's satisfaction that the applicant:

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(A) Is physically and mentally capable of engaging in the practice of medicine and surgery;

(B) Has, within 10 consecutive years, passed all component parts of the USMLE or any prior examination or examination series approved by the board which relates to a national standard, is administered in the English language, and is designed to ascertain an applicant's fitness to practice medicine and surgery: *Provided*, That the board may accept an examination sequence which was successfully completed in more than 10 consecutive years if the applicant holds current specialty board certification from a member board of ABMS;

(C) Has successfully completed:

(i) Two years of approved graduate medical education; or (ii) One year of approved graduate medical education and the applicant holds a current certification by a member board of the ABMS;

(D) Holds a valid ECFMG certification or:

(i) Holds a full, unrestricted, and unconditional license to practice medicine and surgery under the laws of another state, the District of Columbia, Canada, or the Commonwealth of Puerto Rico;

(ii) Has been engaged in the practice of medicine on a full-time professional basis within the state or jurisdiction where the applicant is fully licensed for a period of at least five years; and

(iii) Is not the subject of any pending disciplinary action by a medical licensing board and has not been the subject of professional discipline reportable to the National Practitioner Data Bank by a medical licensing board in any jurisdiction;

(E) Can communicate in the English language; and

(F) Meets any other criteria for licensure set forth in this article or in rules promulgated by the board pursuant to §30-3-7 of this code and in accordance with §29A-3-1 *et seq.* of this code.

(c) License to Practice Allopathic Medicine and Surgery – International Medical Graduates who have not completed two years of approved graduate medical education.

The board may grant a license to practice allopathic medicine and surgery to an applicant who has received the degree of doctor of medicine or its equivalent from an approved school of medicine located outside of the United States, the Commonwealth of Puerto Rico, and Canada and who has not completed approved graduate medical education in the United States or Canada if the applicant:

(1) Satisfies all the requirements of §30-3-10(b) of this code except for the completion of approved graduate medical education;

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(2) Has successfully completed all requirements of an international graduate medical education residency training program;

(3) Has successfully completed a minimum of two complete years of non-accredited fellowship training in the United States in a clinical field related to the applicant's international residency training. *Provided*, That the training was completed at an institution that sponsors or operates an ACGME-accredited residency program in the same clinical field or a related clinical field. One complete year of approved graduate medical education may be substituted for one year of non-accredited training;

(4) The applicant submits evidence that he or she has an offer of employment to practice medicine and surgery in this state; and

(5) The proposed employer submits a letter of sponsorship identifying the physician's proposed practice plans and endorsing the physician for licensure.

(d) Administrative medicine license - Administrative medicine licensees may not practice clinical medicine.

(1) The board may issue an administrative medicine license to a physician who:

(A) Files a complete application;

(B) Pays the applicable fees;

(C) Meets all qualifications and criteria for licensure set forth in §30-3-10(a) or §30-3-10 (b) of this code and the board's legislative rules; and

(D) Demonstrates competency to practice administrative medicine.

(2) A physician applying to renew an administrative medicine license must pay the same fees and meet the same requirements for renewing an active status license, including submission of certification of participation in and successful completion of a minimum of 50 hours of continuing medical education satisfactory to the board during the preceding two-year period.

(3) The board may deny an application for an administrative medicine license and may discipline an administrative medicine licensee who, after a hearing, has been adjudged by the board as unqualified due to any reason set forth in §30-3-14 of this code or the board's rules and pursuant to the processes set forth therein.

(4) The board shall propose legislative rules pursuant to the provisions of §29A-3-1 *et seq.* of this code to implement the provisions of this section and to regulate the practice of administrative medicine.

(e) License to practice podiatric medicine and surgery - The board may grant a license to

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practice podiatric medicine and surgery to an applicant who:

(1) Submits a complete application;

(2) Pays the applicable fees;

(3) Demonstrates to the board's satisfaction that the applicant:

(A) Is physically and mentally capable of engaging in the practice of podiatric medicine and surgery;

(B) Has graduated and received the degree of doctor of podiatric medicine or its equivalent from a school of podiatric medicine approved by the Council of Podiatric Medical Education or by the board;

(C) Has, within 10 consecutive years, passed all component parts of the APMLE, or any prior examination or examination series approved by the board which relates to a national standard, is administered in the English language, and is designed to ascertain an applicant's fitness to practice podiatric medicine;

(D) Has successfully completed a minimum of one year of graduate clinical training in a program approved by the Council on Podiatric Medical Education or the Colleges of Podiatric Medicine. The board may consider a minimum of two years of graduate podiatric clinical training in the United States armed forces or three years' private podiatric clinical experience in lieu of this requirement; and

(E) Meets any other reasonable criteria for licensure set forth in this article or in legislative rules promulgated by the board.

(f) An applicant for a license may be required by the board, in its discretion, to appear for a personal interview and may be required to produce original documents for review by the board.

(g) All licenses to practice medicine and surgery granted prior to July 1, 2008, and valid on that date shall continue in full effect for the term and under the conditions provided by law at the time of the granting of the license.

(h) The board may not issue a license to a person not previously licensed in West Virginia whose license has been revoked or suspended in another state until reinstatement of his or her license in that state.

(i) The board may not issue an initial license, reinstate, or reactivate a license, to any individual whose license has been revoked, suspended, surrendered, or deactivated in another state based upon conduct which is substantially equivalent to an act of unprofessional conduct prohibited by §30-3-14(c) of this code or the board's legislative rules, until reinstatement of his or her license in that state.

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(j) The board need not reject a candidate for a nonmaterial technical or administrative error or omission in the application process that is unrelated to the candidate's professional qualifications as long as there is sufficient information available to the board to determine the eligibility and qualifications of the candidate for licensure.

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