

WEST VIRGINIA CODE: §30-3-10b

§30-3-10b. Special license types.

(a) The special license types set forth in this section may be issued by the board without examination. "Without examination" means that the board may not require an applicant to sit for the USMLE or any prior examination or examination series approved by the board to be eligible for licensure. However, "without examination" does not include failure of any step of the USMLE or any prior examination series approved by the board examination to be eligible for a license. Individuals who have failed one or more steps of an approved licensing examination are not eligible for licensure pursuant to this section until such time as the failed test attempt has been superseded by a successful exam attempt.

(b) Restricted License Issued in Extraordinary Circumstances. - A restricted license issued in extraordinary circumstances may be limited as directed by the board based upon the facts and circumstances of the application. Notwithstanding any of the provisions of this article, the board may, without examination, issue a restricted license to an allopathic physician applicant in extraordinary circumstances who submits a complete application and pays the applicable fee under the following conditions:

(1) Upon a finding by the board that based on the applicant's exceptional education, training, and practice credentials, the applicant's practice in the state would be beneficial to the public welfare;

(2) Upon a finding by the board that the applicant's education, training, and practice credentials are substantially equivalent to the requirements of licensure established in this article;

(3) Upon a finding by the board that the applicant received his or her post-graduate medical training outside of the United States and its territories;

(4) That the restricted license issued under extraordinary circumstances is approved by a vote of three fourths of the members of the board; and

(5) That orders denying applications for a restricted license under this subsection are not appealable.

(c) Medical School Faculty License. - The medical practice of a physician licensed under this subsection is limited to the medical center of the medical school to where the physician holds an academic faculty member appointment. A limited license issued under this section is valid for a term of one year from the effective date of the faculty appointment.

(1) The board shall issue a limited license to practice allopathic medicine and surgery, without examination, to an individual appointed to a West Virginia medical school faculty

who holds a valid license to practice medicine and surgery from another state, the District of Columbia, the Commonwealth of Puerto Rico, or Canada and who:

(A) Submits a complete application;

(B) Pays the applicable fees;

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

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

(ii) Is able to communicate in English;

(iii) Is a graduate of an international school of medicine which is approved by the LCME or by the World Health Organization or by the board with the degree of doctor of medicine or its equivalent;

(iv) Has successfully completed one year of approved graduate medical education or has received other training which the board determines to be substantially equivalent or in excess of this requirement;

(v) Has not committed any act in this or any other jurisdiction which would constitute the basis for disciplining a physician under §30-3-14 of this code; and

(vi) Has been offered and has accepted a faculty appointment to teach in a medical school in this state.

(2) A medical school faculty license issued pursuant to this section shall automatically expire and be void, without notice to the physician, when the physician's faculty appointment is terminated. The dean of the medical school shall notify the board within five days of the termination of a faculty appointment of a physician licensed pursuant to this section.

(3) A physician issued a medical school faculty license under this section shall keep all medical licenses issued by other jurisdictions in good standing and shall notify the board, within 15 days of its occurrence, of any denial, suspension or revocation of or any limitation placed on a medical license issued by another jurisdiction.

(d) Summer Camp License. - The board shall process, without fee, an allopathic or podiatric physician application for a license to provide services at a children's summer camp for not more than one specifically designated three-week period annually. Applicants shall hold unrestricted medical licensure in a U.S. state, Puerto Rico or Canada and provide evidence of graduation from an approved medical school. The license shall be issued for a period of the specifically designated three weeks only, on an annual basis.

(e) The board shall investigate applicants seeking special license types set forth in this section and may require a personal interview to review the applicant's qualifications and

professional credentials.

(f) The board may propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code that establish and regulate the special license types set forth herein, pursuant to the provisions of this section.

(g) A physician licensed under subsections (b) and (c) of this section may apply for license renewal. The board may propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code that establish and regulate the renewal and continuing education requirements for licenses issued pursuant to this section.