WEST VIRGINIA CODE: §30-3-4

§30-3-4. Definitions.

As used in this article:

"ABMS" means the American Board of Medical Specialties.

"ACGME" means the Accreditation Council of Graduate Medical Education.

"Administrative medicine" means administration or management related to the practice of medicine or to the delivery of health care services using the medical knowledge, skill, and judgment of a licensed physician that may affect the health of the public or medical research, excluding clinical trials on humans. Administrative medicine does not include the authority to practice clinical medicine; examine, care for, or treat patients; prescribe medications, including controlled substances; or direct or delegate medical acts or prescriptive authority to others.

"Administrative medicine license" means a medical license restricted to the practice of administrative medicine. A physician with an administrative medicine license may manage the integration of clinical medicine, strategy, operations, and other business activities related to the delivery of health care services, advise organizations, both public and private, on health care matters; authorize and deny financial payments for care; organize and direct research programs; review care provided for quality; and perform other similar duties that do not require or involve direct patient care.

"APMLE" means the American Podiatric Medical Licensing Examination.

"Approved graduate medical education" means education received through: (1) an internship, residency, or clinical fellowship program conducted in the United States and accredited by either the ACGME or AOA; or (2) a residency program conducted in Canada and accredited by RCPSC.

"Approved medical school" means an allopathic school of medicine approved by the LCME or the board and which confers the degree of medical doctor or its equivalent upon graduation.

"Board" means the West Virginia Board of Medicine established in §30-3-5 of this code.

"Clinical medicine" includes, but is not limited to:

(A) Direct involvement in patient evaluation, diagnosis, and treatment;

(B) Prescribing, administering, or dispensing any medication;

(C) Delegating medical acts, service, or prescriptive authority; and

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(D) Supervision of physicians or podiatrists who practice clinical medicine, physicians and podiatrists engaged in graduate medical education, physician assistants who render medical services in collaboration with physicians, and/or the clinical practice of any other medical professional.

"ECFMG" means the Educational Commission for Foreign Medical Graduates.

"LCME" means the Liaison Committee on Medical Education.

"License" means the legal authorization issued by the board to: a fully qualified allopathic physician to engage in the regular practice of medicine and surgery; a fully qualified podiatrist to engage in the practice of podiatric medicine and surgery; or a fully qualified physician assistant to practice in collaboration with physicians licensed under this article or §30-14-1 *et seq.* of this code.

"Medical peer review committee" means a committee of, or appointed by, a state or local professional medical society, or a committee of, or appointed by, a medical staff of a licensed hospital, long-term care facility or other health care facility, or any health care peer review organization as defined in §30-3C-1 of this code, or any other organization of professionals in this state formed pursuant to state or federal law and authorized to evaluate medical and health care services.

"Practice of medicine and surgery" means the diagnosis or treatment of, or operation or prescription for, any human disease, pain, injury, deformity or other physical or mental condition. "Surgery" includes the use on humans of lasers, ionizing radiation, pulsed light and radiofrequency devices. The provisions of this section do not apply to any person who is a duly licensed health care provider under other pertinent provisions of this code and who is acting within the scope of his or her license.

"Practice of podiatry" means the examination, diagnosis, treatment, prevention and care of conditions and functions of the human foot and ankle by medical, surgical and other scientific knowledge and methods; with surgical treatment of the ankle authorized only when a podiatrist has been granted privileges to perform ankle surgery by a hospital's medical staff credentialing committee based on the training and experience of the podiatrist; and medical and surgical treatment of warts and other dermatological lesions of the hand which similarly occur in the foot. When a podiatrist uses other than local anesthesia, in surgical treatment of the foot, the anesthesia must be administered by, or under the direction of, an anesthesiologist or certified registered nurse anesthetist authorized under the State of West Virginia to administer anesthesia. A medical evaluation shall be made by a physician of every patient prior to the administration of other than local anesthesia.

"Practice credential" or "credential" means any permit, certification, registration, or authorization, other than a license, issued by this Board which authorizes the credential holder to practice allopathic or podiatric medicine and surgery, or to practice as a physician assistant, to patients in West Virginia within the limits established for the specific credential

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type.

"RCPSC" means the Royal College of Physicians and Surgeons of Canada.

"State health officer" means a physician licensed to practice in this state who has been appointed pursuant to §16-1-5 of this code. The state health officer or, in the absence of an appointed state health officer, the West Virginia licensed physician designated by the appointing authority to serve as interim state health officer, shall serve as secretary of the board and shall carry out any and all responsibilities assigned in this article to the secretary of the board.

"USMLE" means the United States Medical Licensing Examination.

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