

# WEST VIRGINIA CODE: §30-34-3

## **§30-34-3. Board of respiratory care.**

(a) There is hereby created the West Virginia board of respiratory care. The board shall consist of seven members, appointed by the Governor with the advice and consent of the Senate, and shall consist of one lay citizen member; one practicing physician member currently licensed in West Virginia with board certification, clinical training and experience in the management of pulmonary disease; and five members licensed under the provisions of this article and engaged in the practice of respiratory care for the five years immediately preceding their appointment. One of the respiratory practitioners appointed shall be employed full time in home respiratory care by a home medical equipment supplier. All appointees shall be citizens of the United States and residents of this state. The West Virginia society for respiratory care or its successor organization shall make recommendations to the Governor regarding individuals to be considered for initial and subsequent appointments.

(b) The members of the board shall each serve terms that commence on July 1, 1995. Of the initial appointments to the board, one physician and one respiratory care practitioner shall serve for two-year terms, one public member and two respiratory care practitioners shall serve for three-year terms, and two respiratory care practitioners shall serve for four-year terms. Thereafter, each appointment shall be for a four-year term commencing upon the expiration of the term of his or her previous term or of his or her predecessor's term. No member may be appointed for more than three consecutive terms. Vacancies shall be appointed in a like manner for the balance of an unexpired term.

(c) The West Virginia medical association, or other organizations if requested by the Governor, may submit the names of three physicians qualified to serve in that designated position on the board.

(d) The Governor may remove any member from the board for neglect of any duty required by law or for incompetence or unethical or dishonorable conduct.