WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1969

ENROLLED

SENATE BILL NO. 188

(By Mr. Jackson, Mr. Sundlot, and Mr. Garni)

PASSED Feb. 25, 1969

In Effect Passage

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
 THIS DATE 3-7-69

# 188
ENROLLED

Senate Bill No. 188

(By MR. JACKSON, MR. PRESIDENT, and MR. GAINER)

[Passed February 22, 1969; in effect from passage.]

AN ACT to amend and reenact sections four, four-a, five and seven, article three, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the practice of medicine and surgery in the state of West Virginia, the licensing of licensed practitioners of other states, examinations by the medical licensing board, the licensing of foreign medical school graduates, and to the increasing of fees to cover the expenses of the medical licensing board.

Be it enacted by the Legislature of West Virginia:

That sections four, four-a, five and seven, article three, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:
ARTICLE 3. PHYSICIANS AND SURGEONS.

§30-3-4. Who permitted to practice medicine and surgery in this state; licensing of licensed practitioners from other states; permit to practice in prescribed areas.

The following persons and no others shall hereafter be permitted to practice medicine and surgery in this state:

(a) All such persons as shall be legally entitled to practice medicine and surgery in this state including those persons holding temporary permits to practice in prescribed areas as of the effective date of this act; (b) all such persons as shall be graduates of Class A medical schools, as classified by the council on medical education and hospitals of the American Medical Association, and then only from such schools, when so classified, as require, as a condition to entrance upon the study of medicine, at least two years of academic work of collegiate grade in a standard college of arts and sciences of equal rank with the college of arts and sciences of West Virginia University, and who shall pass an examination before the medical licensing board and shall receive a certificate therefrom as hereinafter provided; and (c) all such persons as shall be graduates of foreign
medical schools whose diplomas have been authenticated by the medical licensing board, and whose premedical education shall meet the requirements of subdivision (b) above, and who have become citizens of the United States or who have presented evidence of their declaration of intention and show progress toward becoming citizens of the United States, and who shall pass an examination before the medical licensing board and shall receive a certificate therefrom as hereinafter provided: Provided, however, That the said board, or a majority of them, may accept in lieu of an examination of applicants under subdivision (b) above, the certificate of the national board of medical examiners, or the certificate of license to practice medicine and surgery legally granted by the state board of registration or examination or licensing board of another state or territory, whose standard of qualification for the practice of medicine and surgery is equivalent to that of this state, and grant to such applicant a certificate of license to practice medicine and surgery in this state, provided such state or territory accords like privileges to licentiates of this
Provided further, That whenever in the judgment
of the medical licensing board a condition exists in which
medical service may be required, the said board is au-
thorized to grant permits for the practice of medicine
to qualified physicians in prescribed areas, and such per-
mits shall be subject to revocation when the agreement,
under which they were issued, has been violated. A
fee of one hundred dollars shall accompany each appli-
cation for licensure by examination or reciprocity, twenty-
five dollars of which shall be retained by the board in
the event an application is withdrawn or rejected. A
fee of twenty-five dollars shall accompany each appli-
cation for temporary licensure and a fee of ten dollars
shall accompany each application for an extension thereof.

§30-3-4a. Biennial registration of physicians and surgeons.
1 Every person who, on or before the thirty-first day
2 of August, one thousand nine hundred forty-nine, is
3 licensed as a physician or surgeon to practice medicine
4 and surgery in this state, shall, on or before the said
5 thirty-first day of August, one thousand nine hundred
6 forty-nine, make application to the medical licensing
7 board for registration, and shall be registered by the said
board, as the holder of such license, which registration shall be for the period ending on the thirtieth day of June, one thousand nine hundred fifty-one. On or before the said thirtieth day of June, one thousand nine hundred fifty-one, and biennially thereafter, on or before the thirtieth day of June of each biennial period, every person licensed as a physician or surgeon in this state shall apply to the said board for registration, or a renewal of registration, as such license holder: Provided, that no registration shall be required of any holder of a certificate of licensure for the biennial period, or any portion thereof, during which such certificate is issued. Each applicant for registration or renewal thereof shall remit to the board, with his application, a fee of ten dollars. The failure of any person to comply with the provisions of this section shall operate automatically, and without further proceedings, to cancel the certificate of such person, and the license issued thereunder. Continued practice by any such person after such cancellation of his certificate and license shall constitute prac-
ticing without a license, and any person so practicing shall be subject to all of the penalties provided by law for practicing without a license.

Any certificate and license cancelled pursuant to the provisions of this section, and not for any other reason, shall be reinstated by the said board upon submission to it of an application for registration by the person whose certificate has been cancelled, together with current and delinquent fees, and ten dollars reinstatement fee.

§30-3-5. Examinations; certificates; adherents of particular schools or theories of medicine.

The medical licensing board shall, at such times as a majority of them deem proper, hold examinations for the licensing of applicants for license to practice medicine and surgery in this state. No fewer than two examinations shall be held during the year, at such place in the state as may be determined by the medical licensing board. At such examination written questions shall be submitted to the applicants, covering all the essential branches of the sciences of medicine and surgery, and
the examination shall be a thorough and decisive test of the knowledge and ability of the applicant. The chairman and secretary of the board shall issue certificates to all who successfully pass the said examination and to all whose certificates said board, or a majority of them, shall accept in lieu of an examination, as here-\[image\]before provided. Such certificates shall be deemed licenses to practice medicine and surgery in all their branches in this state. The medical licensing board shall give reasonable notice of the time and place of holding such examinations, and all such persons wishing to present themselves for examination shall notify the secretary and comply with the rules of the board. No applicant for license to practice medicine and surgery in this state shall be rejected because of his adherence to any particular school or theory of medicine.

§30-3-7. Fees.

1 The medical licensing board shall be entitled to charge and collect the following fee, in addition to those provided in article one and this article three of this chapter:

4 The sum of ten dollars for a reciprocal endorsement.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William T. Trogan
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Homeroo Kepp
Clerk of the Senate

C. B. Blankenship
Clerk of the House of Delegates

L. L. Tower
President of the Senate

Jim F. Barnes
Speaker House of Delegates

The within is approved this the 4th day of March, 1969.

Arch A. Shane, Jr.
Governor
PRESENTED TO THE GOVERNOR

Date 2/28/69
Time 10:00 A.M.