

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1972

ENROLLED

SENATE BILL NO. 281

(By Mr. Wallace)

PASSED March 10th 1972

In Effect 90 Days From Passage

OFFICE OF STATE SECRETARY OF STATE
STATE OF WEST VIRGINIA

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FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE

THIS DATE 3-29-72

281

ENROLLED
Senate Bill No. 281

(By MR. WALLACE)

[Passed March 10, 1972; in effect ninety days from passage.]

AN ACT to amend and reenact sections one and two, article three, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said chapter by adding thereto a new article, designated article three-b, all relating to the practice of medicine and surgery in the state of West Virginia, and mobile intensive care paramedics.

Be it enacted by the Legislature of West Virginia:

That sections one and two, article three, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said chapter be further amended by adding thereto a new article, designated article three-b, all to read as follows:

ARTICLE 3. PHYSICIANS AND SURGEONS.

§30-3-1. Evidence of qualification to practice; license required.

1 Any person practicing or offering to practice medicine
2 and surgery in this state, with the exception of an assist-
3 ant to a licensed physician, licensed podiatrist or mobile
4 intensive care paramedic, shall be required to submit evi-
5 dence that he is qualified to practice and shall be licensed
6 as hereinafter provided.

§30-3-2. Who deemed practioner; limitations of article.

1 The term "practice medicine and surgery", as used in
2 this article, shall be construed to mean the treatment of
3 any human ailment or infirmity by any method. To open
4 an office for such purpose or to announce to the public in
5 any way a readiness to treat the sick or afflicted shall be
6 deemed to engage in the practice of medicine and surgery
7 within the meaning of this article: *Provided*, That the
8 provisions of this article, with the exceptions of sections
9 eight and ten, shall not apply to dentists, dental hy-

10 gienists, nurses, optometrists, osteopathic physicians and
11 surgeons, midwives, or chiropractors, regularly licensed
12 or registered as such under the provisions of this chapter
13 applicable to such professions and occupations, in the
14 practice of their respective professions and occupations;
15 nor to assistants to physicians, podiatrists or mobile in-
16 tensive care paramedics; nor to physicians or surgeons
17 living in other states and duly qualified to practice medi-
18 cine therein who shall be called in consultation into this
19 state by a physician or surgeon legally entitled to practice
20 medicine and surgery in this state; nor to commissioned
21 officers of the United States army, navy or marine hos-
22 pital service when in the actual discharge of their duties
23 as such; nor to the practice of the religious tenets of any
24 church in the administration to the sick or suffering by
25 mental or spiritual means, whether gratuitously or for
26 compensation: *Provided, however,* That sanitary and
27 public health laws shall be complied with: *Provided*
28 *further,* That no practices shall be used which may be
29 dangerous or detrimental to life or health and that no
30 person shall be denied the benefits of accepted medical
31 and surgical practices.

ARTICLE 3B. MOBILE INTENSIVE CARE PARAMEDICS.

§30-38-1. Programs for ambulance and rescue squad personnel.

1 Any company, partnership, individual or governmental
2 body operating an ambulance service or rescue squad may
3 conduct a program utilizing mobile intensive care para-
4 medics for the delivery of emergency care to the sick and
5 injured at the scene of an emergency and during transport
6 to a hospital, while in the hospital emergency quarters,
7 and until care responsibility is assumed by the hospital
8 staff.

§30-3B-2. Definition of mobile intensive care paramedics.

1 As used in this article, "mobile intensive care para-
2 medics" means personnel who have been specially trained
3 in emergency care in a training program certified and
4 supervised by the unit of emergency health services of
5 the West Virginia state department of health, and who
6 are certified by the West Virginia medical licensing board

7 as qualified to render the services enumerated in this
8 article.

§30-3B-3. Services that may be performed.

1 Notwithstanding any other provision of law, mobile
2 intensive care paramedics may do any of the fol-
3 lowing:

4 (1) Render rescue, first aid and resuscitation services;

5 (2) Perform cardiopulmonary resuscitation and de-
6 fibrillation in a pulseless patient; and

7 (3) Where voice contact is maintained with a physi-
8 cian or surgeon, may, upon order of such physician, ad-
9 minister parenteral or intravenous solutions and injec-
10 tions of any of the following drugs:

11 (a) Lidocaine,

12 (b) Atropine,

13 (c) Pentazocine,

14 (d) Any other drug or solution approved by the ap-
15 plicable bureaus or divisions of the state department of
16 health.

17 Each paramedic must be individually certified to ad-
18 minister each specific drug or solution.

§30-3B-4. Immunity from civil liability.

1 No physician or surgeon, who in good faith gives
2 emergency instructions to such paramedic, nor any such
3 paramedic who renders such emergency treatment as
4 provided for herein, shall be liable for any civil damages
5 resulting from such emergency treatment.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Russell G. Beall
Chairman Senate Committee

Thyler J. Rutledge
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Howard W. Carson
Clerk of the Senate

W. A. Blankenship
Clerk of the House of Delegates

George B. Cant
President of the Senate

Lewis T. McMillan
Speaker House of Delegates

The within approved this the 27th
day of March, 1972.

Arha. Shaver, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/17/72

Time 12:30 p.m.