WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1972

ENROLLED

SENATE BILL NO. 261

(By Mr. ................ ..................)

PASSED ........... .................. 1972

In Effect .................. 50 Days from Passage

FILED IN THE OFFICE
OF THE SECRETARY OF STATE

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SECRETARY OF STATE

THIS DATE 3-29-72
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 and surgery in this state, with the exception of an assistant to a licensed physician, licensed podiatrist or mobile intensive care paramedic, shall be required to submit evidence that he is qualified to practice and shall be licensed as hereinafter provided.

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

1 The term “practice medicine and surgery”, as used in this article, shall be construed to mean the treatment of any human ailment or infirmity by any method. To open an office for such purpose or to announce to the public in any way a readiness to treat the sick or afflicted shall be deemed to engage in the practice of medicine and surgery within the meaning of this article: Provided, That the provisions of this article, with the exceptions of sections eight and ten, shall not apply to dentists, dental hy-
gienists, nurses, optometrists, osteopathic physicians and surgeons, midwives, or chiropractors, regularly licensed or registered as such under the provisions of this chapter applicable to such professions and occupations, in the practice of their respective professions and occupations; nor to assistants to physicians, podiatrists or mobile intensive care paramedics; nor to physicians or surgeons living in other states and duly qualified to practice medicine therein who shall be called in consultation into this state by a physician or surgeon legally entitled to practice medicine and surgery in this state; nor to commissioned officers of the United States army, navy or marine hospital service when in the actual discharge of their duties as such; nor to the practice of the religious tenets of any church in the administration to the sick or suffering by mental or spiritual means, whether gratuitously or for compensation: Provided, however, That sanitary and public health laws shall be complied with: Provided further, That no practices shall be used which may be dangerous or detrimental to life or health and that no person shall be denied the benefits of accepted medical and surgical practices.

ARTICLE 3B. MOBILE INTENSIVE CARE PARAMEDICS.

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

Any company, partnership, individual or governmental body operating an ambulance service or rescue squad may conduct a program utilizing mobile intensive care paramedics for the delivery of emergency care to the sick and injured at the scene of an emergency and during transport to a hospital, while in the hospital emergency quarters, and until care responsibility is assumed by the hospital staff.

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

As used in this article, “mobile intensive care paramedics” means personnel who have been specially trained in emergency care in a training program certified and supervised by the unit of emergency health services of the West Virginia state department of health, and who are certified by the West Virginia medical licensing board.
as qualified to render the services enumerated in this article.

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

Notwithstanding any other provision of law, mobile intensive care paramedics may do any of the following:

(1) Render rescue, first aid and resuscitation services;
(2) Perform cardiopulmonary resuscitation and defibrillation in a pulseless patient; and
(3) Where voice contact is maintained with a physician or surgeon, may, upon order of such physician, administer parenteral or intravenous solutions and injections of any of the following drugs:
   (a) Lidocaine,
   (b) Atropine,
   (c) Pentazocine,
   (d) Any other drug or solution approved by the applicable bureaus or divisions of the state department of health.

Each paramedic must be individually certified to administer each specific drug or solution.

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

No physician or surgeon, who in good faith gives emergency instructions to such paramedic, nor any such paramedic who renders such emergency treatment as provided for herein, shall be liable for any civil damages resulting from such emergency treatment.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Russell B. Peck
Chairman Senate Committee

Charles M. Ludlom
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Howard J. Peterson
Clerk of the Senate

C. W. Blankenship
Clerk of the House of Delegates

Cherkash
President of the Senate

Lewis F. Freeman
Speaker House of Delegates

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

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

Date 3/17/72
Time 12:30 p.m.