WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1975

ENROLLED
SENATE BILL NO. 332

(By Mr. Jones and Mr. Darcy)

PASSED March 7, 1975

In Effect July 1, 1975
ENROLLED

Senate Bill No. 332
(By Mr. Jones and Mr. Darby)

[Passed March 7, 1975; in effect July 1, 1975.]

AN ACT to amend and reenact section four, article three, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to persons permitted to practice medicine and surgery; certain physicians not to be ineligible to practice under temporary license permit in certain facilities; additional facilities wherein certain physicians may be eligible to practice under temporary license permit; certain physicians not to be ineligible to practice under temporary license permit for failure to pass medical examination.

Be it enacted by the Legislature of West Virginia:

That section four, 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; permits to practice in prescribed areas.

1 The following persons and no others shall hereafter be permitted to practice medicine and surgery in this state:
2 (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 section; (b) all such persons as shall be graduates of medical schools,
as approved by the medical licensing board of West Virginia, and who provide their original diplomas or evidence thereof for authentication by the medical licensing board, and who shall pass an examination before the medical licensing board and shall receive a certificate therefrom as hereinafter provided: Provided, That the said board, or a majority of them, may accept in lieu of an examination of applicants, the certificate of the national board of medical examiners, or diplomate certificate from an American specialty board, such certification shall be limited to that specific specialty in the practice of medicine and surgery in this state, 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, however, That any physician who has been certified by the Educational Council for Foreign Medical Graduates or who, as of the effective date of this section, holds a temporary permit to practice in a prescribed area, shall not be ineligible for a temporary license permit to practice in any mental health or state owned facility and, when under the supervision of a licensed physician, in any hospital, clinic, physician's office and any other approved health care facility until July one, one thousand nine hundred eighty, by virtue of his failure to pass the medical examination prescribed by the board, so long as such physician shall take said examination at least once each year: Provided, That the board shall not limit the number of times a physician may take the medical examination. Whenever in the judgment of the medical licensing board a condition exists in which medical service may be required, the said board is authorized to grant permits for the practice of medicine to qualified physicians in prescribed areas, and such permits 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
application for licensure by examination, reexamination, 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 application for temporary permits and a fee of ten dollars shall accompany each application for an extension thereof.
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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1975.

J. M. Allison Jr.
Clerk of the Senate

S.C. Eiland
Clerk of the House of Delegates

Spangler
President of the Senate

Speaker House of Delegates

The within Approved this the 20th day of March, 1975.

Aubrey Spears
Governor
PRESENTED TO THE GOVERNOR

Date 3/14/75  
Time 11:45 a.m.