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OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1975**



**ENROLLED**

**SENATE BILL NO. 332**

(By Mr. Jones and Mr. Darty)



PASSED March 7, 1975

In Effect July 1, 1975 Passage

*[Handwritten marks]*

# 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
- 2 permitted to practice medicine and surgery in this state:
- 3 (a) All such persons as shall be legally entitled to prac-
- 4 tice medicine and surgery in this state including those
- 5 persons holding temporary permits to practice in pre-
- 6 scribed areas as of the effective date of this section; (b)
- 7 all such persons as shall be graduates of medical schools,

8 as approved by the medical licensing board of West Vir-  
9 ginia, and who provide their original diplomas or evi-  
10 dence thereof for authentication by the medical licensing  
11 board, and who shall pass an examination before the  
12 medical licensing board and shall receive a certificate  
13 therefrom as hereinafter provided: *Provided*, That the  
14 said board, or a majority of them, may accept in lieu of  
15 an examination of applicants, the certificate of the  
16 national board of medical examiners, or diplomate certifi-  
17 cate from an American specialty board, such certification  
18 shall be limited to that specific specialty in the practice  
19 of medicine and surgery in this state, or the certificate of  
20 license to practice medicine and surgery legally granted  
21 by the state board of registration or examination or  
22 licensing board of another state or territory, whose stand-  
23 ard of qualification for the practice of medicine and  
24 surgery is equivalent to that of this state, and grant to  
25 such applicant a certificate of license to practice medi-  
26 cine and surgery in this state: *Provided, however*, That  
27 any physician who has been certified by the Educational  
28 Council for Foreign Medical Graduates or who, as of the  
29 effective date of this section, holds a temporary permit to  
30 practice in a prescribed area, shall not be ineligible for a  
31 temporary license permit to practice in any mental health  
32 or state owned facility and, when under the supervision  
33 of a licensed physician, in any hospital, clinic, physician's  
34 office and any other approved health care facility until  
35 July one, one thousand nine hundred eighty, by virtue  
36 of his failure to pass the medical examination prescribed  
37 by the board, so long as such physician shall take said  
38 examination at least once each year: *Provided*, That the  
39 board shall not limit the number of times a physician  
40 may take the medical examination. Whenever in the judg-  
41 ment of the medical licensing board a condition exists  
42 in which medical service may be required, the said  
43 board is authorized to grant permits for the practice of  
44 medicine to qualified physicians in prescribed areas, and  
45 such permits shall be subject to revocation when the  
46 agreement, under which they were issued, has been  
47 violated.

48 A fee of one hundred dollars shall accompany each

49 application for licensure by examination, reexamination,  
50 or reciprocity, twenty-five dollars of which shall be re-  
51 tained by the board in the event an application is with-  
52 drawn or rejected. A fee of twenty-five dollars shall  
53 accompany each application for temporary permits and  
54 a fee of ten dollars shall accompany each application for  
55 an extension thereof.

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

James L. Davis  
Chairman Senate Committee

Colman C. Townsend  
Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1975.

J. Callon Jr  
Clerk of the Senate

W. Blankenship  
Clerk of the House of Delegates

W. G. Bostwick  
President of the Senate

Lewis N. McManus  
Speaker House of Delegates

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

Arwa. Thayer Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

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