

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1986



ENROLLED

SENATE BILL NO. 350

(By Senators Boettner and Sharpe.....)



PASSED March 8, 1986

In Effect July 1, 1986 [REDACTED]



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Senate Bill No. 350

(BY SENATORS BOETTNER AND SHARPE)

[Passed March 8, 1986; to take effect July 1, 1986.]

AN ACT to amend and reenact section six, article one, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the state department of health; the board of health; and increasing the membership of the board by adding a chiropractor.

Be it enacted by the Legislature of West Virginia:

That section six, article one, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 1. STATE DEPARTMENT OF HEALTH.

§16-1-6. Board of health; membership; appointment and removal of members; compensation.

1 There shall be a state board of health, to be known as
2 the West Virginia board of health. The state board of
3 health shall consist of sixteen members, who shall be
4 appointed by the governor, by and with the advice and
5 consent of the Senate. Three members of the board shall
6 be physicians or surgeons holding the degree of doctor of
7 medicine, one shall be a dentist, one shall be an osteo-
8 pathic physician, one shall be a registered nurse, one shall
9 be a pharmacist, three shall be from mental health disci-
10 plines, one shall be an administrator of a licensed hospital,
11 one shall be an optometrist, one shall be a chiropractor

12 and three shall be representative citizens, none of which
13 representative citizens shall be an employee of, spouse of
14 an employee of, or receive any other financial benefit
15 from any health facility located in this state, and none
16 of whom shall be a member of, or the spouse, child, or
17 parent of, or connected in any way with, any of the pro-
18 fessions named.

19 All persons appointed to membership on the state board
20 of health shall be citizens of this state and shall have been
21 such citizens and residents of the state for at least five
22 years prior to the date of their appointment. Every pro-
23 fessional member of the said board shall be duly licensed
24 to practice such profession on the date of appointment
25 and shall have been so licensed and in active practice of
26 the profession for at least five years immediately preced-
27 ing the date of such appointment. Before appointing any
28 professional member, the governor shall request any pro-
29 fessional society of the profession practiced by the
30 proposed appointee to furnish to the governor a full and
31 complete report concerning the qualifications and suitabil-
32 ity of the proposed appointee. All members of the board
33 shall be appointed for terms of five years each: *Provided*;
34 That persons appointed prior to the effective date of this
35 section shall continue until the completion of their terms
36 of original appointment: *Provided, however*, That in the
37 case of the initial appointments of the representative
38 citizens, one shall be designated to serve for a term of
39 one year, one for a term of two years and one for a term
40 of four years; and in the case of the initial appointments
41 of the members from mental health disciplines, one shall
42 be designated to serve for a term of two years, one for a
43 term of three years and one for a term of five years.
44 Thereafter, the term of each new appointee shall be five
45 years except in the case of any vacancy on the board which
46 shall be filled by the governor by appointment for the
47 unexpired term. No member shall be eligible for more
48 than two terms.

49 No more than nine of the members of the board shall
50 belong to the same political party. At least one member,
51 but not more than four, shall be appointed from each

52 congressional district. No person shall be eligible for
53 appointment to membership on the state board who is a
54 member of any political party executive committee, or
55 who holds any public office or employment under the
56 federal government or under the government of this
57 state or any of its political subdivisions.

58 No member may be removed from office by the gover-
59 nor except for official misconduct, incompetence, neglect
60 of duty or gross immorality and then only in the manner
61 prescribed by law for the removal by the governor of state
62 elective officers: *Provided*, That the expiration, suspen-
63 sion or revocation of the professional license of any pro-
64 fessional member of the board shall be cause for removal.

65 The members of the board shall be paid the sum of
66 thirty-five dollars for each day actually served in atten-
67 dance at official meetings of the board. Each member
68 shall be reimbursed for travel at the rate of fifteen cents
69 per mile if by private automobile and actual cost if travel
70 is by common carrier. Each member shall also be reim-
71 bursed for other actual expenses incurred in the perfor-
72 mance of the duties of his office; except that in the event
73 the expenses are paid, or are to be paid, by a third party,
74 the member shall not be reimbursed by the state.

75 The director of health shall serve as secretary to the
76 board, but shall not be entitled to vote. He shall be in
77 charge of the offices of the board and shall be responsible
78 to the board for the preparation of reports and the col-
79 lection and dissemination of data and other public infor-
80 mation relating to the development of drafts and other
81 materials concerning rules and regulations promulgated
82 by the board.

James M. [unclear]
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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce O. Williams
Chairman Senate Committee

Floyd Fulber
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1986.

Todd C. White
Clerk of the Senate

Donald G. Kopp
Clerk of the House of Delegates

Sam Tomlinson
President of the Senate

Joseph P. Allright
Speaker House of Delegates

The within approved this the 25th
day of March, 1986.

Arch A. Moore, Jr.
Governor

PRESENTED TO THE

GOVERNOR

Date 3/20/86

Time 3:56 p.m.

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SECRETARY OF STATE

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THIS DATE 3/26/86 22