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# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



# ENROLLED

## HOUSE BILL No. 4021

(By Delegates Douglas, Collins, Thompson, Given,  
Tucker, Azinger and Capito)



Passed February 23, 1998

In Effect ninety days from Passage

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**ENROLLED**  
**H. B. 4021**

(BY DELEGATES DOUGLAS, COLLINS, THOMPSON, GIVEN, TUCKER,  
AZINGER AND CAPITO)

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[Passed February 23, 1998; in effect ninety days from passage.]

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AN ACT to amend and reenact section twelve, article one, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to public access to licensing boards.

*Be it enacted by the Legislature of the West Virginia:*

That section twelve, article one, 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 1. GENERAL PROVISIONS APPLICABLE TO ALL  
STATE BOARDS OF EXAMINATION OR  
REGISTRATION REFERRED TO IN CHAPTER.**

**§30-1-12. Record of proceedings; register of applicants;  
certified copies of records prima facie evidence;  
report to governor and Legislature; public  
access.**

- 1 (a) The secretary of every board shall keep a record of
- 2 its proceedings and a register of all applicants for license
- 3 or registration, showing for each the date of his or her
- 4 application, his or her name, age, educational and other
- 5 qualifications, place of residence, whether an examination
- 6 was required, whether the applicant was rejected or a
- 7 certificate of license or registration granted, the date of
- 8 this action, the license or registration number, all renewals

9 of the license or registration, if required, and any  
10 suspension or revocation thereof. The books and register  
11 of the board shall be open to public inspection at all  
12 reasonable times, and the books and register, or a copy of  
13 any part thereof, certified by the secretary and attested by  
14 the seal of the board, shall be prima facie evidence of all  
15 matters recorded therein.

16 (b) On or before the first day of January of each year  
17 in which the Legislature meets in regular session, the  
18 board shall submit to the governor and to the Legislature a  
19 report of its transactions for the preceding two years, an  
20 itemized statement of its receipts and disbursements for  
21 that period, a full list of the names of all persons licensed  
22 or registered by it during that period, statistical reports by  
23 county of practice, by specialty if appropriate to the  
24 particular profession, and a list of any complaints which  
25 were filed against persons licensed by the board, including  
26 any action taken by the board regarding those complaints.  
27 The report shall be certified by the president and the  
28 secretary of the board, and a copy of the report shall be  
29 filed with the secretary of state.

30 (c) To promote public access, the secretary of every  
31 board shall ensure that the address and telephone number  
32 of the board are included every year in the state  
33 government listings of the Charleston area telephone  
34 directory. Every board shall regularly evaluate the  
35 feasibility of adopting additional methods of providing  
36 public access, including, but not limited to, listings in  
37 additional telephone directories, toll-free telephone  
38 numbers, facsimile and computer-based communications.

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

*Randy Schoonover*  
Chairman Senate Committee

*Nick Fardasio*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*David E. Shaw*  
Clerk of the Senate

*Suzanne D. Bray*  
Clerk of the House of Delegates

*Carl Ray Tomblin*  
President of the Senate

*[Signature]*  
Speaker of the House of Delegates

The within approved this the 6th  
day of March, 1998.

*[Signature]*  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/4/98

Time 9:45 am