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WEST VIRGINIA LEGISLATURE

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FIRST REGULAR SESSION, 1999



ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2802

(By Delegates Douglas, Varner, Faircloth,
Azinger and Marshall)



Passed March 12, 1999

In Effect Ninety Days from Passage

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HOUSE OF DELEGATES
SOUTH WING

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2802

(BY DELEGATES DOUGLAS, VARNER,
FAIRCLOTH, AZINGER AND MARSHALL)

[Passed March 12, 1999; in effect ninety days from passage.]

AN ACT to amend and reenact sections two, four, five, six, seven, eight, nine, ten and eleven, article twenty, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article by adding thereto a new section, designated section fifteen, all relating to the practice of physical therapy; revising definitions; requiring rules; removing requirement of direct supervision of physical therapy assistants; removing language on physician referral; allowing board to contract for administration of examinations; removing requirement of providing free list of licensees; clarifying that fines be paid into the general revenue fund; revising educational and licensure requirements; empowering the board to set fees by rule; providing for biennial licensure renewal; requiring meetings; powers of board with respect to suspension, revocation or nonrenewal of license; limitations on temporary permits; and providing for a termination date.

Be it enacted by the Legislature of West Virginia:

That sections two, four, five, six, seven, eight, nine, ten and eleven, article twenty, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article be further amended by adding thereto a new section, designated section fifteen, all to read as follows:

ARTICLE 20. PHYSICAL THERAPISTS.

§30-20-2. Definitions.

1 Unless the context in which used clearly requires a different
2 meaning, as used in this article:

3 (a) "Applicant" means any person making application for
4 an original or renewal license or a temporary permit under the
5 provisions of this article.

6 (b) "Board" means the West Virginia board of physical
7 therapy.

8 (c) "Licensed physical therapist" means any physical
9 therapist holding a license or temporary permit issued under the
10 provisions of this article or under the former provisions of this
11 article.

12 (d) "Licensed physical therapy assistant" means any
13 physical therapy assistant holding a license or temporary permit
14 issued under the provisions of this article.

15 (e) "Licensee" means any person holding a license or
16 temporary permit issued under the provisions of this article or
17 under the former provisions of this article.

18 (f) "Physical therapy" means the therapeutic treatment of
19 any person by the use of massage, mechanical stimulation, heat,
20 cold, light, air, water, electricity, sound and exercise, including
21 mobilization of the joints and training in functional activities,
22 for the purpose of correcting or alleviating any physical or
23 mental condition or preventing the development of any physical
24 or mental disability, and the performance of neuro-muscular-
25 skeletal tests and measurements as an aid in diagnosis, evalua-
26 tion or determination of the existence of and the extent of any
27 body malfunction: *Provided*, That electromyography examina-
28 tion and electrodiagnostic studies other than the determination

29 of chronaxia and strength duration curves shall not be per-
30 formed except under the supervision of a physician
31 electromyographer and electrodiagnostician. Physical therapy
32 does not include the use of radiology and radium for diagnostic
33 and therapeutic purposes, or the use of electricity for surgical
34 purposes, including cauterization.

35 (g) "Physical therapist" means a person who engages in the
36 practice of physical therapy.

37 (h) "Physical therapy aide" means a person, other than a
38 physical therapy assistant, who assists a licensed physical
39 therapist in the practice of physical therapy under the direct
40 supervision of such licensed physical therapist and who also
41 performs activities supportive of but not involving assistance in
42 the practice of physical therapy.

43 (1) As contained in this section, the term "direct supervi-
44 sion" means the actual physical presence of the physical
45 therapist in the immediate treatment area where the treatment
46 is being rendered.

47 (i) "Physical therapy assistant" means a person who assists
48 in the practice of physical therapy by performing patient-related
49 activities delegated to him or her by a licensed physical
50 therapist and performed under the supervision of a licensed
51 physical therapist, with the scope of such supervision to be
52 defined by the board by legislative rule, and which patient-
53 related activities are commensurate with his or her education
54 and training, including physical therapy procedures, but not the
55 performance of evaluation procedures or determination and
56 modification of patient programs: *Provided*, That the board
57 shall, on or before the first day of July, one thousand nine
58 hundred ninety-nine, propose rules for legislative approval in
59 accordance with article three, chapter twenty-nine-a of this
60 code, which rules shall govern the scope of supervision of
61 physical therapy assistants.

62 (j) "Practice of physical therapy" means the rendering or
63 offering to render for a fee, salary or other compensation,
64 monetary or otherwise, any service involving physical therapy.

65 However, for the purpose of section three of this article, the
66 term "practice of physical therapy" shall not include:

67 (1) Teaching physical therapy as part of employment at an
68 institution of higher learning;

69 (2) The activities of a student of physical therapy, physical
70 therapy extern or physical therapy intern, which activities are
71 a part of and are engaged in pursuant to a course of study at an
72 institution of higher learning, including, but not limited to,
73 activities conducted at the institution of higher learning and
74 activities conducted outside the institution if under the direct
75 supervision of a licensed physical therapist;

76 (3) The activities of a physical therapy aide if all activities
77 of such physical therapy aide involving assistance in the
78 practice of physical therapy are performed under the direct
79 supervision of a licensed physical therapist; or

80 (4) The administration of simple massages and the opera-
81 tion of health clubs so long as not intended to constitute or
82 represent the practice of physical therapy.

**§30-20-4. West Virginia board of physical therapy continued;
members, terms, meetings, officers, oath, compen-
sation and expenses; general provisions.**

1 (a) The West Virginia state board of examiners and
2 registration of physical therapists heretofore created shall
3 continue in existence but on and after the effective date of this
4 article shall be known and designated as "the West Virginia
5 board of physical therapy", and shall consist of five members
6 appointed by the governor by and with the advice and consent
7 of the Senate. The three members of the board in office on the
8 effective date of this article shall, unless sooner removed,
9 continue to serve until their terms expire and until their
10 successors have been appointed and have qualified. Members
11 shall be appointed for overlapping terms of five years, so that
12 one term expires each year, or until their successors have been
13 appointed and have qualified. Any vacancy shall be filled by
14 appointment by the governor for the unexpired term of the
15 member whose office shall be vacant and any such appointment

16 shall be made within sixty days of the occurrence of such
17 vacancy. The governor may remove any member of the board
18 in case of incompetency, neglect of duty, gross immorality or
19 malfeasance in office.

20 (b) Each member of the board must be licensed under the
21 provisions of this article or under the former provisions of this
22 article, have at least three years' experience as a physical
23 therapist and be actively engaged in the practice of physical
24 therapy. Members may be reappointed for any number of terms.
25 Before entering upon the performance of this duty, each
26 member shall take and subscribe to the oath prescribed by
27 section five, article IV of the constitution of this state.

28 (c) The board shall elect from its membership a chairman
29 and secretary who shall serve at the will and pleasure of the
30 board. A majority of the members of the board shall constitute
31 a quorum and meetings shall be held at the call of the chairman
32 or upon the written request of three members at such time and
33 place as designated in such call or request, and, in any event,
34 the board shall meet at least once annually to transact business
35 as may come before it. Members may be paid such reasonable
36 compensation as the board may from time to time determine,
37 and in addition may be reimbursed for all reasonable and
38 necessary expenses actually incurred in the performance of their
39 duties, which compensation and expenses shall be paid in
40 accordance with the provisions of subsection (b), section five
41 of this article.

§30-20-5. Powers and duties of board; funds of board.

1 (a) The board shall:

2 (1) Examine applicants and determine their eligibility for
3 a license or temporary permit to engage in the practice of
4 physical therapy or to act as a physical therapy assistant, as the
5 case may be;

6 (2) Provide for the administration of an examination of
7 applicants for a license to engage in the practice of physical
8 therapy and a separate examination of applicants for a license
9 to act as a physical therapy assistant;

10 (3) Determine the time and place for any such examinations
11 and the passing score for each such separate examination;

12 (4) Propose rules for legislative approval in accordance
13 with article three, chapter twenty-nine-a of this code imple-
14 menting the provisions of this article and the powers and duties
15 conferred upon the board hereby, including, but not limited to:

16 (A) Reasonable rules establishing standards to insure that
17 the activities of a licensed physical therapy assistant are
18 performed in accordance with the definitional requirements of
19 a physical therapy assistant as specified in subsection (i),
20 section two of this article, which reasonable rules shall require
21 that there be no more than two physical therapy assistants
22 licensed to practice in this state for every physical therapist so
23 licensed and shall require that no more than two physical
24 therapy assistants be performing under the supervision of a
25 licensed physical therapist at any one time;

26 (B) Reasonable rules establishing standards to insure that
27 those activities of a physical therapy aide are performed in
28 accordance with the definitional requirements specified in
29 subsection (h), section two of this article; and

30 (C) Rules establishing reasonable licensing and examina-
31 tion fees as provided in this article and in accordance with
32 section six, article one, chapter thirty of this code;

33 (5) Issue, renew, deny, suspend or revoke licenses and
34 temporary permits to engage in the practice of physical therapy
35 or licenses and temporary permits to act as physical therapy
36 assistants in accordance with the provisions of this article and,
37 in accordance with the administrative procedures hereinafter
38 provided, may renew, affirm, reverse, vacate or modify its order
39 with respect to any such denial, suspension or revocation;

40 (6) Investigate alleged violations of any provision of this
41 article, any reasonable rule promulgated hereunder and any
42 order or final decision of the board and take appropriate
43 disciplinary action against any licensee for the violation thereof
44 or institute appropriate legal action for the enforcement of any
45 provision of this article, any reasonable rule promulgated

46 hereunder and any order or final decision of the board or take
47 such disciplinary action and institute such legal action;

48 (7) Purchase or rent necessary office space, equipment and
49 supplies and employ, direct, discharge and define the duties of
50 an executive secretary and other full-time or part-time profes-
51 sional, clerical or other personnel necessary to effectuate the
52 provisions of this article;

53 (8) Maintain a register listing the name of every licensed
54 physical therapist and licensed physical therapy assistant, his or
55 her last known place of business or employment and last known
56 residence, and the date and certificate number of his or her
57 license; prepare annually from such register a list of every such
58 licensed physical therapist and licensed physical therapy
59 assistant; furnish the list to any hospital, physician or other
60 interested person who makes application therefor and who pays
61 to the board the reasonable cost of the copy of such list;

62 (9) Keep accurate and complete records of its proceedings,
63 certify the same as may be appropriate and submit to the
64 governor a report on the transactions of the board including an
65 accounting of all money received and disbursed;

66 (10) Whenever it deems it appropriate, confer with the
67 attorney general or his or her assistants in connection with all
68 legal matters and questions, whose responsibility it shall be to
69 render all legal assistance required; and

70 (11) Take such other action as may be reasonably necessary
71 and appropriate to effectuate the provisions of this article.

72 (b) All moneys paid to the board shall be accepted by a
73 person designated by the board and deposited by him or her
74 with the treasurer of the state and credited to an account to be
75 known as the "West Virginia Board of Physical Therapy":
76 *Provided*, That all moneys collected as fines shall be paid into
77 the general revenue fund. The compensation of and the reim-
78 bursement of all reasonable and necessary expenses actually
79 incurred by the members of the board and all other costs and
80 expenses incurred by the board in the administration of this
81 article shall be paid from the board's fund, and no part of the

82 state's general revenue fund shall be expended for such
83 purpose.

§30-20-6. Qualifications of applicants for license; application fee.

1 (a) To be eligible for a license to engage in the practice of
2 physical therapy, the applicant must:

3 (1) Be at least eighteen years of age;

4 (2) Be of good moral character;

5 (3) Not be addicted to the intemperate use of alcohol or
6 narcotic drugs or other controlled substances;

7 (4) Not have been convicted of a felony in any state or
8 federal court in this or any other state within ten years preced-
9 ing the date of application for license, which conviction remains
10 unreversed; and not have been convicted of a felony in any state
11 or federal court in this or any other state at any time if the
12 offense for which he or she was convicted related to the
13 practice of physical therapy, which conviction remains unre-
14 versed;

15 (5) Present evidence that the applicant is a graduate of an
16 accredited school of physical therapy approved by the commis-
17 sion on accreditation in physical therapy education and the
18 board: *Provided*, That any person who received his or her
19 education in physical therapy outside of the United States may
20 qualify for a license by fulfilling the requirements specified by
21 the commission on accreditation in physical therapy education
22 and the board; including successful completion of a period of
23 supervised clinical experience and,

24 (6) Either have passed the examination prescribed by the
25 board for a license to engage in the practice of physical therapy,
26 or be entitled to be licensed without examination as provided in
27 subsection (d) of this section.

28 (b) To be eligible for a license to act as a physical therapy
29 assistant, the applicant must:

30 (1) Satisfy the requirements of subdivisions (1) through (4),
31 subsection (a) of this section;

32 (2) Present evidence that he or she is a graduate of a two-
33 year college level education program for physical therapy
34 assistants which meets the standards established by the com-
35 mission on accreditation in physical therapy education and the
36 board; and

37 (3) Either have passed the examination prescribed by the
38 board for a license to act as a physical therapy assistant, or be
39 entitled to be licensed without examination as provided in
40 subsection (d) of this section.

41 (c) Although an applicant does not meet the educational
42 requirement specified in subdivision (2), subsection (b) of this
43 section, the board may, nevertheless, issue a license to act as a
44 physical therapy assistant to such applicant if such applicant: (i)
45 Presents evidence that he or she has a high school diploma or its
46 equivalent; (ii) meets the requirements of subdivision (1),
47 subsection (b) of this section; (iii) presents sufficient and
48 satisfactory written evidence to the board on or before the first
49 day of July, one thousand nine hundred seventy-nine, that such
50 applicant has been employed as a physical therapy aide under
51 the supervision of a licensed physical therapist in this state on
52 a full-time basis for a continuous period of at least two years, or
53 for cumulative periods of time either full-time or part-time
54 which equal two years full-time employment, between the first
55 day of January, one thousand nine hundred seventy-one, and the
56 first day of July, one thousand nine hundred seventy-nine; and
57 (iv) successfully passes the examination required for a license
58 to act as a physical therapy assistant: *Provided*, That such
59 applicant shall be afforded only two opportunities to pass such
60 examination.

61 (d) The board may issue a license to practice physical
62 therapy or a license to act as a physical therapy assistant,
63 without examination, to any applicant who holds a valid license
64 or is registered to engage in the practice of physical therapy or
65 to act as a physical therapy assistant, as the case may be, issued
66 to him or her under the laws of another state or territory or
67 possession of the United States: *Provided*, That the applicant's
68 qualifications are in the opinion of the board equal to or greater

69 than the requirements of this article and the rules promulgated
70 by the board.

71 (e) Any applicant for a license under the provisions of
72 subsection (a), (b), (c) or (d) of this section shall submit an
73 application therefor at such time, in such manner, on such forms
74 and containing such information as the board shall from time to
75 time by reasonable rule prescribe, and pay to the board a
76 nonrefundable application fee which shall be established by the
77 board by legislative rule.

§30-20-7. Examination of applicants.

1 The board shall offer the prescribed examination to
2 applicants for a license to engage in the practice of physical
3 therapy and the prescribed examination to applicants for a
4 license to act as a physical therapy assistant, who meet the
5 appropriate other requirements of section six of this article.
6 Examinations shall be offered within this state, at least once
7 each year, at such time and place as the board shall determine.

**§30-20-8. Issuance of license; renewal of license; renewal fee;
display of license.**

1 (a) Whenever the board finds that an applicant meets all of
2 the requirements of this article for a license to engage in the
3 practice of physical therapy or to act as a physical therapy
4 assistant, as the case may be, it shall forthwith issue to him or
5 her such license; and otherwise the board shall deny the same.

6 (b) Every licensee shall renew his or her license every two
7 years at such time and upon such forms as prescribed by the
8 board, and upon the payment of a license fee established by the
9 board by legislative rule. Any license which is not so renewed
10 shall automatically lapse. A license which has lapsed may be
11 renewed within five years of its expiration date by payment to
12 the board of the appropriate renewal fee for each year or part
13 thereof during which the license was not renewed. After the
14 expiration of a five-year period, a license may be renewed only
15 by complying with the provisions herein relating to the issuance
16 of an original license.

17 (c) A licensee desiring to cease engaging in the practice of
18 physical therapy temporarily or to cease acting temporarily as
19 a physical therapy assistant shall send a written notice to the
20 board. Upon receipt of the notice, the board shall place the
21 name of the person upon the inactive list. While his or her name
22 remains on this list, the person shall not be subject to the
23 payment of any fee and shall not engage in the practice of
24 physical therapy or act as a physical therapy assistant, as the
25 case may be, in this state. When the person again desires to
26 engage in the practice of physical therapy or to act as a physical
27 therapy assistant, application for renewal of the license and the
28 payment of a renewal fee for the then current year shall be
29 made to the board.

30 (d) The board may deny any application for renewal of a
31 license for any reason which would justify the denial of an
32 original application for a license.

33 (e) The board shall prescribe the form of licenses and each
34 license shall be conspicuously displayed by the licensee at his
35 or her principal place of practice.

36 (f) Any license issued under the former provisions of this
37 article, which license remains unsuspended and unrevoked,
38 shall be valid and considered for all purposes as having been
39 issued under the provisions of this article and may be renewed,
40 suspended or revoked as licenses issued under the provisions of
41 this article, and any license issued under the former provisions
42 of this article which has lapsed or shall hereafter lapse is subject
43 to the provisions of subsection (b) of this section pertaining to
44 the lapse of a license issued under the provisions of this article
45 and the renewal thereof.

§30-20-9. Temporary permits.

1 (a) Upon proper application and the payment of a
2 nonrefundable fee which shall be established by the board by
3 legislative rule, the board may issue, without examination, a
4 temporary permit to engage in the practice of physical therapy
5 in this state:

6 (1) To any applicant who meets the requirements of
7 subdivisions (1) through (5), subsection (a), section six of this

8 article and who has applied to take the examination. A tempo-
9 rary permit so issued shall expire thirty days after the permittee
10 receives notice of the results of the examination, if the
11 permittee receives a passing score on the examination. The
12 temporary permit shall expire immediately if the permittee
13 receives a failing score on the examination. An applicant under
14 this subsection may be issued only one temporary permit, and
15 upon the expiration of that permit, may not practice as a
16 physical therapist until fully licensed under the provisions of
17 this article. In no event may a permittee practice on a temporary
18 permit beyond a period of ninety consecutive days. A tempo-
19 rary permittee under this subsection shall work under the
20 supervision of a licensed physical therapist, with the scope of
21 such supervision to be defined by the board by legislative rule;
22 and

23 (2) To an applicant who is licensed outside of this state and
24 who meets the requirements of subdivisions (1) through (5),
25 subsection (a), section six of this article, which temporary
26 permit shall be valid only for a period of ninety consecutive
27 days.

28 (b) Upon proper application and the payment of a
29 nonrefundable fee which shall be established by the board by
30 legislative rule, the board may issue, without examination, a
31 temporary permit to act as a physical therapy assistant in this
32 state:

33 (1) To an applicant who meets the requirements of subdivi-
34 sions (1) and (2), subsection (b), section six of this article. A
35 temporary permit so issued shall expire thirty days after the
36 permittee receives notice of the results of the examination, if
37 the permittee receives a passing score on the examination. The
38 temporary permit shall expire immediately if the permittee
39 receives a failing score on the examination. An applicant under
40 this subsection may be issued only one temporary permit, and
41 upon the expiration of that permit, may not practice as a
42 physical therapy assistant until fully licensed under the provi-
43 sions of this article. In no event may a permittee practice on a
44 temporary permit beyond a period of ninety consecutive days.

45 A temporary permittee under this subsection shall work under
46 the supervision of a licensed physical therapist, with the scope
47 of such supervision to be defined by the board by legislative
48 rule; and,

49 (2) To an applicant who is licensed outside of this state and
50 who meets the requirements of subdivisions (1) and (2),
51 subsection (b), section six of this article, which temporary
52 permit shall be valid only for a period of ninety consecutive
53 days.

§30-20-10. Suspension or revocation of license or temporary permit.

1 (a) The board may at any time upon its own motion, and
2 shall upon the written complaint of any person, conduct an
3 investigation to determine whether there are any grounds for the
4 suspension or revocation of a license or temporary permit
5 issued under the provisions of this article.

6 (b) The board shall have the authority to reprimand, enter
7 into consent decrees, enter into probation orders, levy fines not
8 to exceed one thousand dollars per day per violation, assess
9 administration fees, suspend or revoke the license or temporary
10 permit of any licensee who the board determines has:

11 (1) Used narcotic drugs, other controlled substances or
12 alcohol to the extent that it affects his or her professional
13 competency; or

14 (2) Been convicted of violating any state or federal law
15 relating to controlled substances, which conviction remains
16 unreversed;

17 (3) Been, in the judgment of the board, guilty of immoral
18 or unprofessional conduct;

19 (4) Been convicted of a felony or a crime involving moral
20 turpitude;

21 (5) Been declared mentally incompetent by a court of
22 competent jurisdiction;

23 (6) Obtained or attempted to obtain a license issued under
24 the provisions of this article by fraud or willful misrepresenta-
25 tion;

26 (7) Been grossly negligent in the practice of physical
27 therapy or in acting as a physical therapy assistant, as the case
28 may be;

29 (8) Treated or undertaken to treat a human being otherwise
30 than by physical therapy and as authorized by this article;

31 (9) Failed or refused to comply with the provisions of this
32 article or any reasonable rule promulgated by the board
33 hereunder or any order or final decision of the board;

34 (10) In the case of a physical therapist, employed a physical
35 therapy assistant who is not a licensed physical therapy
36 assistant; or employed or utilized a licensed physical therapy
37 assistant or physical therapy aide without complying with the
38 provisions of this article or the rules of the board; or

39 (11) In the case of a physical therapy assistant, practiced
40 physical therapy other than in accordance with the definitional
41 requirements of a physical therapy assistant as specified in
42 subdivision (i), section two of this article.

§30-20-11. Procedures for hearing.

1 (a) Whenever the board shall deny an application for any
2 original or renewal license or any application for a temporary
3 permit or shall suspend or revoke any license or temporary
4 permit it shall make and enter an order to that effect and serve
5 a copy thereof on the applicant or licensee, by certified mail,
6 return receipt requested. The order shall state the grounds for
7 the action taken. Before the board may take any disciplinary
8 action against a licensee, the licensee shall be provided with a
9 written statement of the charges against him or her and notice
10 of the right of the licensee to demand a hearing.

11 (b) Any applicant or licensee shall be entitled to a hearing
12 thereon (as to all issues not excluded from the definition of a
13 "contested case" as set forth in article one, chapter twenty-nine-
14 a of this code) if, within twenty days after receipt of a copy

15 thereof, he or she files with the board a written demand for a
16 hearing. The board may require the applicant or licensee to give
17 reasonable security for the costs thereof, and, if the applicant or
18 licensee does not substantially prevail at the hearing, costs shall
19 be assessed against him or her and may be collected by a civil
20 action or other proper remedy.

21 (c) Upon request of a hearing to be conducted in accordance
22 with this section, the board shall set a time and place within
23 thirty days thereafter. Any scheduled hearing may be continued
24 by the board upon its own motion or for good cause shown by
25 the applicant or licensee.

26 (d) All of the pertinent provisions of article five, chapter
27 twenty-nine-a of this code shall apply to and govern the hearing
28 and the administrative procedures in connection with and
29 following the hearing, with like effect as if the provisions of
30 said article were set forth in this subsection.

31 (e) Any hearing shall be conducted by a quorum of the
32 board or by a hearing examiner designated by the board. For the
33 purpose of conducting any hearing any member of the board or
34 its designee shall have the power and authority to issue subpoe-
35 nas and subpoenas duces tecum which shall be issued and
36 served within the time and for the fees and shall be enforced, as
37 specified in section one, article five of chapter twenty-nine-a,
38 and all of the said section one provisions dealing with subpoe-
39 nas and subpoenas duces tecum shall apply to subpoenas and
40 subpoenas duces tecum issued for the purpose of a hearing
41 hereunder.

42 (f) At any hearing the applicant or licensee may represent
43 himself or herself or be represented by an attorney at law
44 admitted to practice before any circuit court of this state. Upon
45 request by the board, it shall be represented at any hearing by
46 the attorney general or his or her assistants.

47 (g) After any hearing and consideration of all of the
48 testimony, evidence and record in the case, the board shall
49 render its decision in writing. The written decision of the board
50 shall be accompanied by findings of fact and conclusions of law

51 as specified in section three, article five, chapter twenty-nine-a
52 of this code, and a copy of the decision and accompanying
53 findings and conclusions shall be served by certified mail,
54 return receipt requested, upon the applicant or licensee and his
55 or her attorney of record, if any.

56 (h) The decision of the board shall be final unless reversed,
57 vacated or modified upon judicial review thereof in accordance
58 with the provisions of section twelve of this article.

§30-20-15. Termination date.

1 The West Virginia board of physical therapy shall terminate
2 on the first day of July, two thousand one, pursuant to the
3 provisions of article ten, chapter four of this code.

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



Chairman Senate Committee



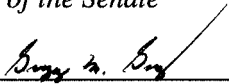
Chairman House Committee

Originating in the House.

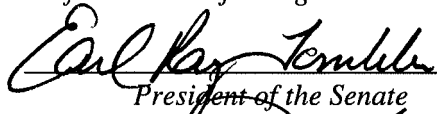
Takes effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates

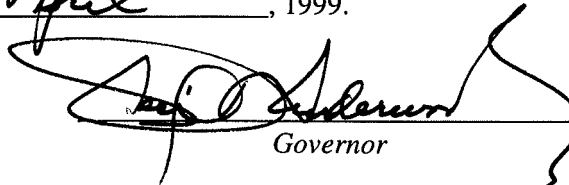


President of the Senate



Speaker of the House of Delegates

The within approved this the 7th
day of April, 1999.



Governor

PRESENTED TO THE

GOVERNOR

Date 4/1/99

Time 2:45pm