

FILED

2015 MAR 25 A 10:36

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
FIRST REGULAR SESSION, 2015

—●—  
**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR

**House Bill No. 2098**

(By Delegate(s) Hamrick, Householder,  
Cooper, Arvon, J. Nelson, Howell, Waxman, Ellington,  
Trecost, Blair and Kessinger)

—●—  
Passed March 13, 2015

In effect ninety days from passage.

HB 2098

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**E N R O L L E D**

COMMITTEE SUBSTITUTE

for

**H. B. 2098**

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(BY DELEGATE(S) HAMRICK, HOUSEHOLDER,  
COOPER, ARVON, J. NELSON, HOWELL, WAXMAN, ELLINGTON,  
TRECOST, BLAIR AND KESSINGER)

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[Passed March 13, 2015;  
in effect ninety days from passage.]

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AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-3-11b; and to amend said code by adding thereto a new section, designated §30-14-12c, all relating to services provided by allopathic and osteopathic physicians in federal veterans' affairs facilities in this state; authorizing allopathic and osteopathic physicians to provide services to patients or residents of state-run veterans' facilities by allowing them to obtain license without the required examination

from the appropriate licensing agency of this state; limiting scope of the license to practice only in the state-run veterans' facilities; providing rule-making authority to the appropriate licensing agencies of allopathic and osteopathic physicians; and requiring report to the Legislature.

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §30-3-11b; and to further amend said code by adding thereto a new section, designated §30-14-12c, all to read as follows:

**ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.**

**§30-3-11b. License to practice medicine and surgery at certain state veterans nursing home facilities.**

1 (a) The board is authorized and encouraged to the best of its  
2 ability to issue a license to practice medicine and surgery in this  
3 state without examination to a physician that currently holds a  
4 license to practice medicine and surgery at a Federal Veterans  
5 Administration Hospital upon completion of an application form  
6 prescribed by the board and who presents satisfactory proof to  
7 the board that he or she is currently employed and practicing in  
8 a Federal Veterans Administration Hospital that is located in a  
9 county in which a nursing home operated by the West Virginia  
10 Department of Veteran's Assistance is located: *Provided*, That  
11 the physician shall maintain an valid, unrestricted license to  
12 practice medicine in another state.

13 (b) The medical practice for which a physician is licensed  
14 under this section is limited to practice in a nursing home  
15 operated by the West Virginia Department of Veteran's Assis-  
16 tance that is located in the same county in which the Federal  
17 Veterans Administration Hospital where the individual is  
18 employed.

19 (c) No fee may be assessed to an individual licensed or  
20 seeking licensure pursuant to this section.

21 (d) The board shall propose emergency rules pursuant to the  
22 provisions of section fifteen, article three, chapter twenty-nine-a  
23 of this code to implement the provisions of this section.

24 (e) The board shall report to the Legislative Oversight  
25 Commission on Health and Human Resources Accountability  
26 and the Legislative Oversight Commission on Education  
27 Accountability by July 1, 2016 on the implementation of this  
28 section including the number of licenses issued, number of  
29 complaints, and any other pertinent legislation.

**ARTICLE 14. OSTEOPATHIC PHYSICIANS AND SURGEONS.**

**§30-14-12c. License to practice as an osteopathic physician and  
surgeon at certain state veterans nursing home  
facilities.**

1 (a) The board is authorized and encouraged to the best of its  
2 ability to issue a license to practice as an osteopathic physician  
3 and surgeon in this state without examination to a physician that  
4 currently holds a license to practice as an osteopathic physician  
5 and surgeon at a Federal Veterans Administration Hospital upon  
6 completion of an application form prescribed by the board and  
7 who presents satisfactory proof to the board that he or she is  
8 currently employed and practicing in a Federal Veterans  
9 Administration Hospital that is located in a county in which a  
10 nursing home operated by the West Virginia Department of  
11 Veteran's Assistance is located: *Provided*, That the osteopathic  
12 physician shall maintain an valid, unrestricted license to practice  
13 osteopathic medicine in another state.

14 (b) The practice for which an osteopathic physician and  
15 surgeon is licensed under this section is limited to practice in a  
16 nursing home operated by the West Virginia Department of


17 Veteran's Assistance that is located in the same county in which  
18 the Federal Veterans Administration Hospital where the individ-  
19 ual is employed.


20 (c) No fee may be assessed to an individual licensed or  
21 seeking licensure pursuant to this section.

22 (d) The board shall propose emergency rules pursuant to the  
23 provisions of section fifteen, article three, chapter twenty-nine-a  
24 of this code to implement the provisions of this section.

25 (e) The board shall report to the Legislative Oversight  
26 Commission on Health and Human Resources Accountability  
27 and the Legislative Oversight Commission on Education  
28 Accountability by July 1, 2016 on the implementation of this  
29 section including the number of licenses issued, number of  
30 complaints, and any other pertinent legislation.

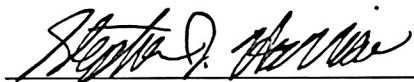
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

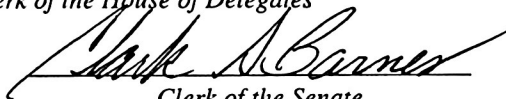
  
Chairman, House Committee

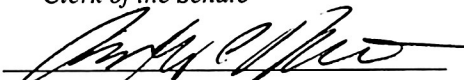
  
Chairman, Senate Committee

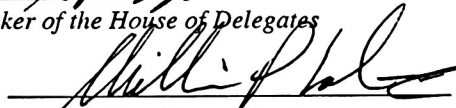
Originating in the House.

In effect ninety days from passage.

  
Clerk of the House of Delegates

  
Clerk of the Senate

  
Speaker of the House of Delegates

  
President of the Senate

The within approved this the 25<sup>th</sup>  
day of March, 2015.

  
Governor

PRESENTED TO THE GOVERNOR

MAR 18 2015

Time 5:30 pm