1	H. B. 4111
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3 4	(By Delegates Morgan, Stephens, Hatfield, Hartman and Swartzmiller)
5	[Introduced January 18, 2012; referred to the
6	Committee on Government Organization then the Judiciary.]
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10	A BILL to amend the Code of West Virginia, 1931, as amended, by
11	adding thereto a new section, designated §30-20-23, relating
12	to injunctions.
13	Be it enacted by the Legislature of West Virginia:
14	That the Code of West Virginia, 1931, as amended, be amended
15	by adding thereto a new section, designated §30-20-23, to read as
16	follows:
17	ARTICLE 20. PHYSICAL THERAPISTS.
18	<u>§30-20-23. Actions to enjoin violations.</u>
19	(a) If the board obtains information that a person has engaged
20	in, is engaging in or is about to engage in any act which
21	constitutes or will constitute a violation of this article, the
22	rules promulgated pursuant to this article, or a final order or
23	decision of the board, it may issue a notice to the person to cease
24	and desist in engaging in the act and/or apply to the circuit court

1 in the county of the alleged violation for an order enjoining the
2 act.

3 (b) The circuit courts of this state may issue a temporary 4 injunction pending a decision on the merits, and may issue a 5 permanent injunction based on its findings in the case. 6 © The judgment of the circuit court on an application 7 permitted by this section is final unless reversed, vacated or

8 modified on appeal to the West Virginia Supreme Court of Appeals.

NOTE: The purpose of this bill is to permit the Board of Physical Therapists to request an injunction for unauthorized practice.

This section is new; therefore, it has been completely underscored.