

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

House Bill 2538

BY DELEGATES ELLINGTON, SUMMERS, ROHRBACH,

LONGSTRETH AND RODIGHIERO

[Originating in the Committee on Government

Organization; March 8, 2017]

1 A BILL to amend and reenact §30-3E-4, §30-3E-6 and §30-3E-7 of the Code of West Virginia,
2 1931, as amended; all relating to the licensure of physician assistants.

Be it enacted by the Legislature of West Virginia:

1 That §30-3E-4, §30-3E-6 and §30-3E-7 of the Code of West Virginia, 1931, as amended,
2 be amended and reenacted, all to read as follows:

ARTICLE 3E. PHYSICIAN ASSISTANTS PRACTICE ACT.

§30-3E-4. License to practice as a physician assistant.

1 (a) A person seeking licensure as a physician assistant shall apply to the Board of
2 Medicine or to the Board of Osteopathic Medicine. The appropriate board shall issue a license to
3 practice as a physician assistant under the supervision of that board's licensed physicians or
4 podiatrists.

5 (b) A license may be granted to a person who:

6 (1) Files a complete application;

7 (2) Pays the applicable fees;

8 (3) Demonstrates to the board's satisfaction that he or she:

9 (A) Obtained a baccalaureate or master's degree from an accredited program of
10 instruction for physician assistants;

11 (B) Prior to July 1, 1994, graduated from an approved program of instruction in primary
12 health care or surgery; or

13 (C) Prior to July 1, 1983, was certified by the Board of Medicine as a physician assistant
14 then classified as "Type B";

15 (4) Has passed the Physician Assistant National Certifying Examination administered by
16 the National Commission on Certification of Physician Assistants;

17 (5) Has a current certification from the National Commission on Certification of Physician
18 Assistants, until such time as recertification examination is no longer required for Physician

19 Assistant licensees;

20 (6) Is mentally and physically able to engage safely in practice as a physician assistant;

21 (7) Has not had a physician assistant license, certification or registration in any jurisdiction
22 suspended or revoked;

23 (8) Is not currently subject to any limitation, restriction, suspension, revocation or discipline
24 concerning a physician assistant license, certification or registration in any jurisdiction: *Provided*,
25 That if a board is made aware of any problems with a physician assistant license, certification or
26 registration and agrees to issue a license, certification or registration notwithstanding the
27 provisions of this subdivision or subdivision (7) of this subsection;

28 (9) Is of good moral character; and

29 (10) Has fulfilled any other requirement specified by the appropriate board.

30 (c) A board may deny an application for a physician assistant license to any applicant
31 determined to be unqualified by the board.

§30-3E-6. License renewal requirements.

1 (a) A licensee shall renew biennially, on a schedule established by the appropriate
2 licensing board, by submitting:

3 (1) A complete renewal application;

4 (2) The renewal fee;

5 (3) Proof that he or she is currently certified and has been continuously certified during
6 the preceding licensure period by the National Commission on Certification of Physician
7 Assistants, until such time as recertification examination is no longer required for Physician
8 Assistant licensees; and

9 (4) An attestation that all continuing education requirements for the reporting period have
10 been met.

11 (b) If a licensee fails to timely renew his or her license, then the license automatically
12 expires

§30-3E-7. Expired license requirements.

- 1 (a) If a license automatically expires and reinstatement is sought within one year of the
2 automatic expiration, then an applicant shall submit:
- 3 (1) A complete reinstatement application;
- 4 (2) The applicable fees;
- 5 (3) Proof that he or she is currently certified and has been continuously certified during
6 the preceding licensure period and expiration period by the National Commission on Certification
7 of Physician Assistants, until such time as recertification examination is no longer required for
8 Physician Assistant licensees; and
- 9 (4) An attestation that all continuing education requirements have been met.
- 10 (b) If a license automatically expires and more than one year has passed since the
11 automatic expiration, then an applicant shall apply for a new license.

NOTE: The purpose of this bill is to remove the requirement that a physician assistant have a certain current certification.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.