

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2538**

BY DELEGATES ELLINGTON, SUMMERS, ROHRBACH,

LONGSTRETH AND RODIGHIERO

[Introduced February 17, 2017; Referred  
to the Committee on Health and Human Resources  
then Government Organization.]

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

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

1 That §30-3E-4 of the Code of West Virginia, 1931, as amended, be amended and  
2 reenacted 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;~~

19 ~~(6)~~ (5) Is mentally and physically able to engage safely in practice as a physician assistant;

20           ~~(7)~~ (6) Has not had a physician assistant license, certification or registration in any  
21 jurisdiction suspended or revoked;

22           ~~(8)~~ (7) Is not currently subject to any limitation, restriction, suspension, revocation or  
23 discipline concerning a physician assistant license, certification or registration in any jurisdiction:

24       *Provided*, That if a board is made aware of any problems with a physician assistant license,  
25 certification or registration and agrees to issue a license, certification or registration  
26 notwithstanding the provisions of this subdivision or subdivision ~~(7)~~ (6) of this subsection;

27           ~~(9)~~ (8) Is of good moral character; and

28           ~~(10)~~ (9) Has fulfilled any other requirement specified by the appropriate board.

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

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.