

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

Senate Bill 770

BY SENATORS TAKUBO, STOLLINGS, RUCKER, AND

PLYMALE

[Introduced February 13, 2020; referred
to the Committee on Health and Human Resources]

1 A BILL to amend and reenact §30-14-2 and §30-14-4 of the Code of West Virginia, 1931, as
2 amended, all relating to definitions and applications for licensure or educational permits
3 for osteopathic physicians and surgeons; revising requirements for post-doctoral training;
4 and eliminating continuing medical education requirements for initial licensure.

Be it enacted by the Legislature of West Virginia:

ARTICLE 14. OSTEOPATHIC PHYSICIANS AND SURGEONS.

§30-14-2. Definitions.

1 “Accreditation Council for Graduate Medical Education” (ACGME) is the body responsible
2 for accrediting the majority of graduate medical education programs for physicians (both medical
3 doctors and Doctors of Osteopathic Medicine), including medical internship, residency, and
4 fellowship programs.

5 ~~(a)~~ “Accredited osteopathic college” means a college of osteopathy and surgery which
6 requires as a minimum prerequisite for admission preprofessional training of at least two years of
7 academic work in specified scientific subjects, as prescribed by the board or by the college
8 accrediting agency of the American Osteopathic Association, in an accredited college of arts and
9 sciences and which requires for graduation a course of study approved by the board in
10 accordance with the minimum standards established by the American Osteopathic Association;

11 “American Osteopathic Association” (AOA) is the entity that serves as the primary
12 certifying body for osteopathic physicians and is the accrediting agency for osteopathic graduate
13 medical education. Prior to the implementation of a single accreditation system for graduate
14 medical education in the United States of America under the ACGME, which began in 2015 and
15 will be fully implemented by July 1, 2020, the AOA also served as the accrediting body for
16 osteopathic graduate medical education programs in the United States of America.

17 ~~(b)~~ “Approved program of post-graduate clinical training” means a program of clinical
18 training approved by, or subject of approval by, the American Osteopathic Association or
19 approved by the Accreditation Council for Graduate Medical Education for the purposes of intern

20 or resident training;

21 ~~(c)~~ “Board” means the West Virginia Board of Osteopathic Medicine: *Provided*, That where
22 used elsewhere in the ~~Code~~ code, the West Virginia Board of Osteopathy and Board of
23 Osteopathy shall also mean the West Virginia Board of Osteopathic Medicine;

24 ~~(d)~~ “License” means legal authorization issued by the board to a fully qualified osteopathic
25 physician to engage in the regular practice of osteopathic medicine and surgery;

26 ~~(e)~~ “Osteopathy” means that system of the healing art which places the chief emphasis on
27 the structural integrity of the body mechanism as being the most important single factor in
28 maintaining the well-being of the organism in health and disease;

29 ~~(f)~~ “Permit” means a limited, legal authorization issued by the board to an osteopathic
30 physician to practice osteopathic medicine and surgery in this state while serving under special
31 circumstances of public need or while undergoing post-graduate clinical training as a prerequisite
32 to licensure;

33 ~~(g)~~ “Reciprocal endorsement” means a duly authenticated verification of the board,
34 addressed to a board or agency of another country, state, territory, province or the District of
35 Columbia, vouching that a license issued to an osteopathic physician and surgeon pursuant to
36 the laws of this state is currently valid and not suspended or revoked for any cause or causes
37 specified in this article.

§30-14-4. Application for license or educational permit.

1 (a) Each applicant for examination by the board, with the exception of assistants to
2 osteopathic physicians and surgeons, as hereinafter provided, shall submit an application therefor
3 on forms prepared and furnished by the board.

4 (b) Each applicant for a license shall furnish evidence, verified by oath and satisfactory to
5 the board, establishing that the applicant has satisfied the following requirements:

6 (1) The applicant is 18 years of age or over;

7 (2) The applicant is of good moral character;

8 (3) The applicant has graduated from an accredited osteopathic college;

9 (4) The applicant has successfully completed ~~either of the following:~~

10 ~~(A) A~~ a minimum of one year of post-doctoral, clinical training in a program approved by
11 the American Osteopathic Association or the Accreditation Council for Graduate Medical
12 Education.

13 ~~(B) A minimum of one year of post-doctoral, clinical training in a program approved by the~~
14 ~~Accreditation Council for Graduate Medical Education and forty hours of continuing medical~~
15 ~~education in osteopathic manipulative medicine and osteopathic manipulative treatment in~~
16 ~~courses approved, and classified as Category 1A, by the American Osteopathic Association~~

17 (c) Each applicant for an educational permit shall furnish evidence, verified by oath and
18 satisfactory to the board, establishing that the applicant has satisfied the following requirements:

19 (1) The applicant is 18 years of age or over;

20 (2) The applicant is of good moral character;

21 (3) The applicant has graduated from an accredited osteopathic college; and

22 (4) The applicant is under contract as an intern or resident in an approved program of
23 post-graduate clinical training.

24 (d) The board may not issue a license or permit to any person until the applicant has paid
25 the application fee established by legislative rule of the board.

26 (e) In order to give timely effect to the amendments to this section and section 10 of this
27 article, the board is authorized to propose a legislative rule consistent with these amendments as
28 an emergency rule under the provisions of §29A-3-15 of this code.

NOTE: The purpose of this bill is to revise the requirements for post-doctoral training as a requirement for licensure as an osteopathic physician and to eliminate the requirement of Continuing Medical Education Hours prior to initial licensure. These changes will create parity with applicants for a medical doctor (MD) who graduates from equivalent programs and will reflect the current transition to a single accreditation system for all D.O.s and M.D.s under the Accreditation Council for Graduate Medical Education, which will be complete by July 1, 2020.

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