

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2165**

BY DELEGATES STATLER, ROHRBACH, SOBONYA, FRICH

AND FLEISCHAUER

[Introduced February 8, 2017; referred to the  
Committee on Health and Human Resources then the  
Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §30-3-11c, and to amend said code by adding thereto a new section,  
 3 designated §30-14-8a, all relating to out of state physicians and surgeons traveling with  
 4 sports teams within this state; authorizing a physician or surgeon who is licensed to  
 5 practice medicine or osteopathic medicine in another state to provide medical care to  
 6 sports team members under certain circumstances.

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

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
 2 section, designated §30-3-11c, and that said code be amended by adding thereto a new section,  
 3 designated §30-14-8a, all to read as follows:

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

**§30-3-11c. Limited Authorization to Practice for Traveling Sports Team Physician or Surgeon.**

1 (a) A person who holds a current, unrestricted license to practice medicine or surgery in  
 2 another state is exempt from the licensure requirements of this article while providing medical  
 3 care in this state, if all of the following conditions are met:

4 (1) The physician or surgeon has an oral or written agreement with a sports team to  
 5 provide general or emergency medical care to the team members; and

6 (2) The physician or surgeon is providing care to the following:

7 (i) A member of the athletic team;

8 (ii) A member of the athletic team’s coaching, communications, equipment, or sports  
 9 medicine staff;

10 (iii) A member of a band or cheerleading squad accompanying the athletic team; or

11 (iv) The athletic team’s mascot.

12 (b) In providing medical care pursuant to this section, a physician or surgeon shall not  
 13 provide medical services at a health care facility, including a hospital, an ambulatory surgical

14 facility, or any other facility in which medical care, diagnosis, or treatment is provided on an  
15 inpatient or outpatient basis.

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

**§30-14-8a. Limited Authorization to Practice for Traveling Sports Team Physician or Surgeon.**

1 (a) A person who holds a current, unrestricted license to practice or osteopathic  
2 medicine or surgery in another state is exempt from the licensure requirements of this article  
3 while providing medical care in this state, if all of the following conditions are met:

4 (1) The physician or surgeon has an oral or written agreement with a sports team to  
5 provide general or emergency medical care to the team members; and

6 (2) The physician or surgeon is providing care to the following:

7 (i) A member of the athletic team;

8 (ii) A member of the athletic team’s coaching, communications, equipment, or sports  
9 medicine staff;

10 (iii) A member of a band or cheerleading squad accompanying the athletic team; or

11 (iv) The athletic team’s mascot.

12 (b) In providing medical care pursuant to this section, a physician or surgeon shall not  
13 provide medical services at a health care facility, including a hospital, an ambulatory surgical  
14 facility, or any other facility in which medical care, diagnosis, or treatment is provided on an  
15 inpatient or outpatient basis.

NOTE: The purpose of this bill is to authorize a physician or surgeon who is traveling with a sports team and is licensed to practice medicine or osteopathic medicine in another state to provide medical care to sports team members under certain circumstances.

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