

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 3222

By Delegates Flanigan, Eldridge, Rohrbach,
Hornbuckle, and Kump

[Introduced March 07, 2025; referred to the
Committee on the Judiciary]

1 A BILL to amend and reenact §16A-4-1 of the Code of West Virginia, 1931, as amended, relating
2 to requiring that doctors who grant medical cannabis cards have a physical office located
3 within the state of West Virginia.

Be it enacted by the Legislature of West Virginia:

ARTICLE**4.****PRACTITIONERS.****§16A-4-1.****Registration.**

1 (a) *Eligibility.* — A physician included in the registry is authorized to issue certifications to
2 patients to use medical cannabis. To be eligible for inclusion in the registry:

3 (1) A physician must apply for registration in the form and manner required by the bureau.

4 (2) The bureau must determine that the physician is, by training or experience, qualified to
5 treat a serious medical condition. The physician shall provide documentation of credentials,
6 training or experience as required by the bureau.

7 (3) The physician must have successfully completed the course under subsection (a),
8 section one, article three of this chapter.

9 (4) The physician must have a physical office located within the state of West Virginia.

10 (b) *Bureau action.* —

11 (1) The bureau shall review an application submitted by a physician to determine whether
12 to include the physician in the registry. The review shall include information regarding whether the
13 physician has a valid, unexpired, unrevoked, unsuspended license to practice medicine in this
14 state and whether the physician has been subject to discipline.

15 (2) The inclusion of a physician in the registry shall be subject to annual review to
16 determine if the physician's license is no longer valid, has expired or been revoked or the
17 physician has been subject to discipline. If the license is no longer valid, the bureau shall remove
18 the physician from the registry until the physician holds a valid, unexpired, unrevoked,
19 unsuspended state license to practice medicine in West Virginia.

20 (3) The West Virginia Board of Medicine and West Virginia Board of Osteopathic Medicine

21 shall report to the bureau the expiration, suspension or revocation of a physician's license and any
22 disciplinary actions in a timely fashion.

23 (c) *Practitioner requirements.* — A practitioner included in the registry shall have an
24 ongoing responsibility to immediately notify the bureau in writing if the practitioner knows or has
25 reason to know that any of the following is true with respect to a patient for whom the practitioner
26 has issued a certification:

27 (1) The patient no longer has the serious medical condition for which the certification was
28 issued.

29 (2) Medical cannabis would no longer be therapeutic or palliative.

30 (3) The patient has died.

NOTE: The purpose of this bill is to require that doctors who grant medical cannabis cards have a physical office located within the state of West Virginia.

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