WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

ENGROSSED

House Bill 5325

By Delegates Rohrbach and Ellington

[Introduced February 09, 2026; referred to the

Committee on Government Organization]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §30-3-12a, relating to creating an emeritus physician license status for retired physicians, podiatric and physician assistants who meet eligibility criteria.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.

§30-3-12a. Emeritus physician licenses; rulemaking.

(a) In acknowledgement of the important service physicians, podiatric physicians, and physician assistants provide to the citizens of West Virginia, the board may issue, without a fee, an emeritus license to a provider who holds a current, valid license issued by the board, who has fully retired from clinical professional practice in this state and who submits an application on the form required by the board that confirms that the individual meets the following qualifications for emeritus status:

(1) The applicant is not under investigation for a violation of professional conduct standards by the Board or by any professional licensing board where the applicant holds a professional license;

(2) The applicant has practiced as a licensed physician, podiatric physician or physician assistant in West Virginia for at least 10 years;

(3) The applicant has not been the subject of disciplinary action in a jurisdiction where the individual is licensed, that resulted in the revocation, surrender or suspension of the individual's license and the applicant does not hold a license in any jurisdiction that is subject to probation; and

(4) The applicant has voluntarily and fully retired from the active practice of the applicant's profession and does not hold an active registration with the federal drug enforcement administration.

(b) Until July 1, 2030, the Board is further authorized to issue, without a fee, an emeritus license to a provider whose license expired prior to July 1, 2025, and who submits an application

on the form required by the Board which confirms that the retired provider meets all other criteria for emeritus licensure set forth in subsection a of this section.

(c) An emeritus license is an honorific license and does not authorize the holder to practice any profession in this state or engage in any clinical practice whatsoever. Licensees in emeritus status are not required to complete continuing education to retain licensure and are exempted from any requirements to the contrary.

(d) An emeritus license may not be used to obtain a license or privileges to practice in another state, whether by endorsement or reciprocity or through a licensure compact.

(e) An emeritus license may not be converted to a license to practice the holder's profession. Emeritus licensees who seek to return to active clinical practice must apply to reactivate licensure and meet all of the requirements for reactivation, including any continuing education requirements.

(f) An emeritus license shall be valid for the life of the holder, without periodic renewal, unless the holder returns to active clinical practice or the board revokes the license.

(g) The board shall promulgate rules for legislative approval in accordance with §29A-3-1 *et seq.* of this code to effectuate the provisions of this article. The rules shall establish:

(1) The application process for an emeritus license, which shall, at a minimum, require the applicant to demonstrate eligibility in compliance with this section;

(2) Grounds for denial or revocation of an emeritus license, including but not limited to:

(A) Evidence of active clinical practice in any jurisdiction;

(B) Evidence that the provider retired while under or to avoid a pending board complaint or investigation process; or

(C) Evidence that the provider's West Virginia license was on probation, suspended, revoked or subject to disciplinary surrender prior to retirement.

(3) A process for voluntary relinquishment an emeritus license.