

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Originating

House Bill 4951

By Delegates Worrell, Hite, Jeffries, Burkhammer,
Pinson, Clark, Drennan, Mazzocchi, Heckert and
Miller

[Originating in the Committee on Health and Human
Resources; Reported on January 28, 2026]

1 A BILL to amend and reenact §30-3-12 and §30-14-10 of the Code of West Virginia, 1931, as
2 amended; relating to continuing education; requiring the completion of continuing medical
3 education credits in nutrition; and providing rule making authority.

Be it enacted by the Legislature of West Virginia:

CHAPTER 30. PROFESSIONS AND OCCUPATIONS.

ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.

§30-3-12. Biennial renewal of license to practice medicine and surgery or podiatry; continuing education; rules; fee; inactive license; denial for conviction of felony offense.

1 (a) A license to practice medicine and surgery or podiatry in this state is valid for a term of
2 two years.

3 (b) The license shall be renewed:

4 (1) Upon receipt of a reasonable fee, as set by the board;
5 (2) Submission of an application on forms provided by the board; and
6 (3) A certification of participation in and successful completion of a minimum of fifty hours
7 of continuing medical or podiatric education satisfactory to the board, as appropriate to the
8 particular license, during the preceding two-year period.

9 (c) The application may not require disclosure of a voluntary agreement entered into
10 pursuant to subsection (h), section nine of this article.

11 (d) Continuing medical education satisfactory to the board is continuing medical education
12 designated as Category I by the American Medical Association or the Academy of Family
13 Physicians and alternate categories approved by the board. The continuing medical education
14 requirement shall include completion of medical education in nutrition.

15 (e) Continuing podiatric education satisfactory to the board is continuing podiatric
16 education approved by the Council on Podiatric Education and alternate categories approved by
17 the board.

18 (f) Notwithstanding any provision of this chapter to the contrary, beginning July 1, 2007,
19 failure to timely submit to the board a certification of successful completion of a minimum of fifty
20 hours of continuing medical or podiatric education satisfactory to the board, as appropriate to the
21 particular license, shall result in the automatic expiration of any license to practice medicine and
22 surgery or podiatry until such time as the certification, with all supporting written documentation, is
23 submitted to and approved by the board.

24 (g) If a license is automatically expired and reinstatement is sought within one year of the
25 automatic expiration, the former licensee shall:

26 (1) Provide certification with supporting written documentation of the successful
27 completion of the required continuing education;

28 (2) Pay a renewal fee; and

29 (3) Pay a reinstatement fee equal to fifty percent of the renewal fee.

30 (h) If a license is automatically expired and more than one year has passed since the
31 automatic expiration, the former licensee shall:

32 (1) Apply for a new license;

33 (2) Provide certification with supporting written documentation of the successful
34 completion of the required continuing education; and

35 (3) Pay such fees as determined by the board.

36 (i) Any individual who accepts the privilege of practicing medicine and surgery or podiatry
37 in this state is required to provide supporting written documentation of the continuing education
38 represented as received within thirty days of receipt of a written request to do so by the board. If a
39 licensee fails or refuses to provide supporting written documentation of the continuing education
40 represented as received as required in this section, such failure or refusal to provide supporting

41 written documentation is *prima facie* evidence of renewing a license to practice medicine and
42 surgery or podiatry by fraudulent misrepresentation.

43 (j) The board may renew, on an inactive basis, the license of a physician or podiatrist who
44 is currently licensed to practice medicine and surgery or podiatry in, but is not actually practicing,
45 medicine and surgery or podiatry in this state. A physician or podiatrist holding an inactive license
46 shall not practice medicine and surgery or podiatry in this state.

47 (k) An inactive license may be converted by the board to an active license upon a written
48 request by the licensee to the board that:

49 (1) Accounts for his or her period of inactivity to the satisfaction of the board; and
50 (2) Submits written documentation of participation in and successful completion of a
51 minimum of fifty hours of continuing medical or podiatric education satisfactory to the board, as
52 appropriate to the particular license, during each preceding two-year period.

53 (l) An inactive license may be obtained upon receipt of a reasonable fee, as set by the
54 board, and submission of an application on forms provided by the board on a biennial basis.

55 (m) The board may not require any physician or podiatrist who is retired or retiring from the
56 active practice of medicine and surgery or the practice of podiatry and who is voluntarily
57 surrendering their license to return to the board the license certificate issued to them by the board.

58 (n) The board may deny or refuse to reissue a license to any person who has been
59 convicted of a felony under the laws of this state, any other state, the United States or the laws of
60 any other country or state outside of the United States.

ARTICLE 14. OSTEOPATHIC PHYSICIANS AND SURGEONS.

§30-14-10. Renewal of license; fee; refresher training a prerequisite; effect of failure to renew; reinstatement; educational permit.

1 (a) All holders of licenses to practice as osteopathic physicians and surgeons in this state
2 shall renew the licenses biennially on or before July 1, by the payment of a renewal fee, to the

3 board. The board shall notify each licensee of the necessity of renewing his or her license at least
4 thirty days prior to the expiration of the license.

5 (b) As a prerequisite to renewal of a license issued by the board, each licensee shall
6 furnish biennially to the board satisfactory evidence of having completed thirty-two hours of
7 educational refresher course training, of which the total amount of hours must be approved by the
8 American Osteopathic Association, and fifty percent of the required thirty-two hours shall be
9 classified as category (1). The continuing medical education requirement shall include completion
10 of medical education in nutrition.

11 (c) The failure to renew a license shall operate as an automatic suspension of the rights
12 and privileges granted by its issuance. The board may propose rules for legislative approval,
13 pursuant to the provisions of article three, chapter twenty-nine-a of this code, providing that an
14 osteopathic physician may renew a license on an inactive basis.

15 (d) A license suspended by a failure to make a biennial renewal thereof may be reinstated
16 by the board upon compliance of the licensee with the following requirements:

17 (1) Presentation to the board of satisfactory evidence of educational refresher training of
18 quantity and standard approved by the board for the previous two years;

19 (2) Payment of all fees for the previous two years that would have been paid had the
20 suspended licensee maintained his or her license in good standing; and

21 (3) Payment to the board of a reinstatement fee specified by legislative rule of the board.

22 (e) An educational permit authorizes the holder to practice osteopathic medicine and
23 surgery only for work performed within an approved program of post-graduate clinical training
24 under the supervision of a duly licensed osteopathic or allopathic physician. The first educational
25 permit issued to a graduate of an accredited osteopathic college may be valid for a period of fifteen
26 months and subsequent educational permits issued to the same person may be valid for not more
27 than twelve months. An educational permit shall expire upon the termination of the permit holder

- 28 from an approved program of post-graduate clinical training and may also be suspended or
- 29 revoked by the board at any time upon grounds defined by the board by legislative rule.

NOTE: The purpose of this bill is to require M.D.s and D.O.s to complete continuing education in nutrition to be consistent with the West Virginia's Rural Health Transformation Program commitments to the Center for Medicare and Medicaid Services.

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