



FILED

2020 MAR 26 P 4: 58

NOTICE OF EMERGENCY RULE DECISION BY THE SECRETARY OF STATE OFFICE WEST VIRGINIA
SECRETARY OF STATE

AGENCY: Medicine

RULE (Title & Series #, and name):

11CSR14, Registration to Practice During Declared State of Emergency

STATUTORY AUTHORITY: §§30-3-7(a)(1) and 30-3E-3(a)

DATE FILED AS AN EMERGENCY RULE: March 26, 2020

Following review under W. Va. Code §29A-3-15A, which requires the Secretary of State to determine that the agency filing such emergency rule: 1) has not exceeded the scope of law authorizing or directing the promulgation thereof; 2) has shown that an emergency exists justifying the promulgation of an emergency rule; and 3) filed the emergency rule in compliance with W. Va. Code §29A-3-15, it is the decision of the Secretary of State that the above emergency rule is ☒ APPROVED ☐ DISAPPROVED

It is the determination of the Secretary of State that this proposal qualifies under the definition of an emergency as defined in §29A-3-15(f):

- ☒ (1) For the immediate preservation of the public peace, health, safety and welfare;
- ☐ (2) to comply with a time limitation established by the W. Va. Code or by a federal statute or regulation; or
- ☒ (3) to prevent substantial harm to the public interest.

Additional notes or comments (if any):

Under the current State of Emergency declared by the Governor's Proclamation dated March 16, 2020, this emergency rule is being filed to maximize the number of healthcare providers available during the State of Emergency. The Board of Medicine has statutory authority to determine qualifications and criteria of applicants for licenses to practice medicine and surgery. Authority to suspend regulations as a necessary measure to respond the outbreak of the COVID-19 pandemic was granted in Executive Order No. 7-20 issued on March 19, 2020 and amended by Executive Orders 10-20, issued March 23, 2020, and 11-20, issued March 25, 2020.

Mac Warner,

WV Secretary of State