



M. Jamil Ahmed, MD
Beckley

Mrs. Cleone Blankenship
Matoaka

Rev. Richard Bowyer
Fairmont

Robert C. Gow, MD
Elkins

Mrs. Frances S. Grove
Martinsburg

Ira F. Hartman, II, MD
Buckhannon

Tom Harward, PA-C
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F. J. Holroyd, MD
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Clarksburg

Joseph Skaggs, MD
Charleston

A. A. Yurko, Jr., MD
Weirton

State of West Virginia

WEST VIRGINIA BOARD OF MEDICINE
100 Dee Drive, Suite 104, Charleston 25311
(304) 348-2921

December 21, 1984


NOTICE OF PUBLIC HEARING

Pursuant to Section five, Article three, Chapter twenty-nine-A of the Code of West Virginia, 1931, as amended, the West Virginia Board of Medicine shall convene a public hearing at 9:00 a.m. on January 22, 1985 at the Board of Medicine's offices, 100 Dee Drive, Charleston, West Virginia, 25311 for the purpose of taking public comments pertaining to the filing of proposed legislative rule entitled "Board of Medicine Approval of Medical Schools Not Accredited by the Liaison Committee on Medical Education."

Any citizen or other interested party may appear in person to present public comments. Any citizen or other interested party may submit written comments at the public hearing or mailed to the Board of Medicine's offices, 100 Dee Drive, Charleston, West Virginia, 25311. All comments, written or oral, will be made a part of the public hearing record. The department requests that parties wishing to comment make an effort to submit written copies of their comments in order to facilitate review of the comments. All written comments must be received by the Board by January 22, 1985.

The issues to be heard shall be limited to the proposed rule. Copies of the proposed rule may be obtained by telephoning 304-348-2921 or writing to the Board's offices.


S. EILEEN CATTERSON, M.D.
President, Board of Medicine


L. CLARK HANSBARGER, M.D.
Secretary, Board of Medicine

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Charleston

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The Honorable A. James Manchin
Secretary of State
State of West Virginia
State Capitol Complex
Charleston, West Virginia 25305

Dear Mr. Manchin:

Pursuant to West Virginia Code §§29A-3-5 and 29A-3-9, please file the enclosed proposed legislative rules entitled "Board of Medicine Approval of Medical Schools Not Accredited by the Liaison Committee on Medical Education." These rules are filed so as to begin the formal rule-making procedures of Chapter 29A of the Code. Please be advised that a public hearing on these rules will be held at 9:00 a.m. on January 22, 1985, in the Board of Medicine's offices at 100 Dee Drive, Charleston, West Virginia 25311.

The undersigned certify that these proposed legislative rules constitute the official rules proposed by the West Virginia Board of Medicine and filed pursuant to law in the Office of the Secretary of State.

Thank you for filing these documents.

Sincerely,

S. EILEEN CATTERSON, M.D.
President, Board of Medicine

L. CLARK HANSBARGER, M.D.
Secretary, Board of Medicine

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FISCAL NOTE FOR PROPOSED RULES

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Rule Title: "Board of Medicine Approval of Medical Schools Not Accredited by the Liaison Committee on Medical Education."

Type of Rule: X Legislative Interpretive Procedural

Agency Board of Medicine Address 100 Dee Drive
Charleston, West Virginia 25311

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates.

No fiscal impact.

3. Objectives of these rules:

To provide for conditions of approving medical schools which are not accredited by the Liaison Committee for Medical Education.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

-0-

B. Economic Impact on Political Subdivisions; Specific Industries;
Specific groups of citizens.

-0-

C. Economic Impact on Citizens/Public at Large.

-0-

Date December 21, 1984

Signature of Agency Head or Authorized Representative



S. EILEEN CATTERSON, M.D.
President, Board of Medicine



L. CLARK HANSBARGER, M.D.
Secretary, Board of Medicine

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

December 21, 1984

PROPOSED LEGISLATIVE RULES

WEST VIRGINIA BOARD OF MEDICINE

Board of Medicine Approval of
Medical Schools Not Accredited
by the Liaison Committee on
Medical Education

Chapter 30-3
Series I
(1984)

WEST VIRGINIA PROPOSED LEGISLATIVE RULES
WEST VIRGINIA BOARD OF MEDICINE

Chapter 30-3
Series I
(1984)

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WEST VIRGINIA PROPOSED LEGISLATIVE RULES
WEST VIRGINIA BOARD OF MEDICINE

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1984 DEC 21 PM 2:42

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Chapter 30-3
Series I
(1984)

Subject: Board of Medicine Approval of Medical Schools
Not Accredited by the Liaison Committee on
Medical Education (LCME).

Section 25. Board of Medicine Approval of Medical Schools
Not Accredited by the Liaison Committee on
Medical Education.

- 25.1. Scope - West Virginia Code §30-3-7(a)(1)
authorizes the Board of Medicine to promulgate
rules which are necessary to perform the
duties and responsibilities of the Board,
and West Virginia Code §30-3-10(b)(2) empowers
the Board of Medicine to approve certain
medical schools not otherwise accredited by
the liaison committee on medical education.
- 25.2. Authority - These legislative rules are issued
under the authority of and are related to West
Virginia Code §30-3-7(a)(1) and West Virginia Code
§30-3-10(b)(2).
- 25.3. Filing Date - These legislative rules were
promulgated on the 21st day of December, 1984,
and were filed on the 21st day of December,
1984, in the Office of the Secretary of State.

- 25.4. Effective Date - These legislative rules became effective on the _____ day of _____, 19_____.
- 25.5. Any applicant who has graduated from a medical school not accredited by the LCME and who seeks to become authorized to practice medicine and surgery by either a license, a temporary permit, an educational training permit, or a license by reciprocal endorsement, shall be solely responsible for acquiring and presenting to the Board all information required by it to approve a medical school not accredited by the LCME.
- 25.6. The applicant shall provide, on a verified form provided by the Board, certain information regarding the medical school from which the applicant has graduated. The information shall include, in part:
- a. whether the medical school is legally recognized and authorized by the jurisdiction in which it confers a degree of doctor of medicine, or its equivalent;

- b. whether the medical school is part of any other institution, and, if so, a description of the medical school's relationship with that institution;
- c. whether the medical school is a proprietary or non-profit institution;
- d. the total number of months required to complete the medical school's program;
- e. a list of each hospital, institution, facility, or program where the applicant received clinical education, listing each clinical clerkship with the appropriate hospital, institution, facility, or program;
- f. a list of all graduate degree programs offered by the medical school;
- g. a description of the curriculum and program of studies at the medical school;
- h. whether the medical school has any full-time faculty members, and, if so, the approximate number;
- i. the number of students at the medical school;
- j. a description of the standards and methods for selecting students matriculating at the medical school;

- k. a description of the medical school's physical plan, including the number of campuses, library facilities, laboratories, and classrooms; and
- l. the names and locations of all hospitals, institutions, facilities, or programs providing clinical education to the medical school's medical students.

25.7. On the basis of the information supplied by the applicant, as well as any other information obtained by the Board, the Board shall determine whether it will require additional information relating to the medical school in question. The Board may solicit information directly from the medical school and any institution, hospital, facility, or program with which the medical school is affiliated. The Board may also require an on-site visit of the medical school by the Board's designated representatives. The costs of such an on-site visit shall be the sole responsibility of the applicant and/or the medical school being considered. At any time, the applicant may supply the Board with any additional information relevant to the evaluation.

25.8. The Board shall evaluate the information supplied under Section 25.6 and Section 25.7 above to determine whether the medical school has standards for graduation equivalent to those established by the LCME. If the medical school's standards are equivalent to those established by the LCME, the Board shall approve the medical school for licensing purposes. If the Board determines that the medical school from which the applicant has graduated fails to meet standards for graduation equivalent to those established by the LCME, the Board shall give written notice to the applicant, together with a brief statement of the basis for the Board's decision.

25.9. Within 30 days of receipt of this notice, the applicant may request an opportunity to present additional evidence to the Board at a hearing. All such hearings shall be conducted in accordance with the provisions of West Virginia Code §29A-5-1 et seq.

- 25.10. If more than one applicant for licensure has graduated from a single medical school which the Board has determined fails to meet equivalent standards for graduation, one hearing may be held for each such medical school, which shall be determinative for all applications for licensure filed by graduates of that medical school.
- 25.11. The Board may not evaluate a single medical school more than once in any twelve month period.
- 25.12. The Board may, at any time, choose to re-evaluate any medical school which it has previously approved in order to determine whether approval of that medical school should continue or be withdrawn. The procedures and standards for re-evaluating any previously approved medical school shall be identical to those previously set forth in this section.