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Martinsburg

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# State of West Virginia

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

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Joseph Skaggs, MD  
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A. A. Yurko, Jr., MD  
Weirton

June 14, 1985

## NOTICE OF EMERGENCY RULE

**RULE TITLE:** Board of Medicine Approval of Medical Schools Not Accredited by the Liaison Committee on Medical Education

The above-described rules are being refiled as emergency legislative rules. The facts and circumstances constituting the emergency require their promulgation to preserve the public health, safety, and welfare, and to prevent substantial harm to the public interest. These dangers arise from the potential licensure of physicians whose training at certain non-accredited medical schools has been either grossly unsatisfactory or nonexistent. Numerous instances of fraudulent medical diplomas from certain non-accredited schools have been reported throughout the country, and these rules are necessary to address the problems associated with certain non-accredited schools.

*S. Eileen Catterson, M.D.*  
S. EILEEN CATTERSON, M.D.  
President, Board of Medicine

*David K. Heydinger, M.D.*  
DAVID K. HEYDINGER, M.D.  
Secretary, Board of Medicine

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*Emergency*

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# State of West Virginia

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

December 21, 1984

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Joseph Skaggs, MD  
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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-3-15, please file the enclosed emergency legislative rules entitled "Board of Medicine Approval of Medical Schools Not Accredited by the Liaison Committee on Medical Education." The promulgation of these legislative rules on an emergency basis is necessary to preserve the public health, safety, and welfare, and prevent substantial harm to the public interest. These dangers arise from the potential licensure of physicians whose training at certain non-accredited medical schools has been either grossly unsatisfactory or nonexistent. Numerous instances of fraudulent medical diplomas from certain non-accredited schools have been reported throughout the country, and the Board can only begin to address this problem by immediate promulgation of these rules. The undersigned certify that these emergency legislative rules constitute the official rules adopted by the West Virginia Board of Medicine and filed pursuant to law in the Office of the Secretary of State.

1984 DEC 21 PM 2:38  
OFFICE OF THE SECRETARY OF STATE  
STATE OF WEST VIRGINIA

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Thank you for filing these documents.

Sincerely,

*S. Eileen Catterson*  
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S. EILEEN CATTERSON, M.D.  
President, Board of Medicine

*L. Clark Hansbarger*  
\_\_\_\_\_  
L. CLARK HANSBARGER, M.D.  
Secretary, Board of Medicine

PRESIDENT  
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Charleston

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

December 21, 1984

EMERGENCY 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 EMERGENCY LEGISLATIVE RULES  
WEST VIRGINIA BOARD OF MEDICINE

Chapter 30-3  
Series I  
(1984)

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WEST VIRGINIA EMERGENCY LEGISLATIVE RULES  
WEST VIRGINIA BOARD OF MEDICINE

FILED

1984 DEC 21 PM 2:41

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).

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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 emergency 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 rules became effective upon filing under the emergency provisions of West Virginia Code §29A-3-15, and shall remain in effect for a period of 180 days, and each rule may be renewed for another 180 day period pursuant to the provisions of that statute.
- 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 juris-

- diction 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.