



STATE OF WEST VIRGINIA
BOARD OF OSTEOPATHIC MEDICINE

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MEMORANDUM

DATE: July 30, 2020
TO: Mac Warner
Secretary of State
FROM: Jonathan T. Osborne
Executive Director of the West Virginia Board of Osteopathic Medicine
RE: Suspension of Rules in Response to COVID-19

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2020 SEP - 8 A 11: 18

FILED

The West Virginia Board of Osteopathic Medicine requests that the rules described below be temporarily suspended, effective immediately, pursuant to W. Va. Code § 15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020. The Board further requests that the subject rules remain suspended until the Board terminates this Notice or the State of Emergency is lifted, whichever occurs first.

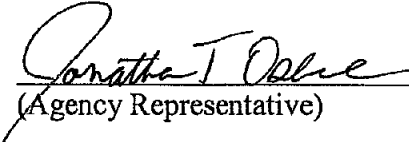
The Board originally filed a memorandum on March 26, 2020, suspending certain rules in 24 CSR 1, 24 CSR 2, and 24 CSR 5. The Board recently filed emergency amendments to 24 CSR 1 so that they may be considered by the Legislature during the 2021 Regular Session. That filing now requires the Board to re-suspend certain provisions of 24 CSR 1. This suspension memorandum applies only to 24 CSR 1 and supersedes the March 26, 2020, memorandum as to those rules. The March 26, 2020, memorandum remains in effect as to 24 CSR 2 and 24 CSR 5.

1. In order to maximize the number of healthcare providers available during the State of Emergency, the Board suspends licensure requirements set forth in 24 CSR 1 for the following categories of DOs:

- a. DOs who are not currently or formerly licensed in West Virginia and who hold valid, unrestricted medical licensure in another state, district, or territory of the United States and who have no pending complaints, investigations, or disciplinary proceedings; and
- b. DOs who, at one time, possessed a license issued by the Board of Osteopathic Medicine but are now retired or in inactive status with no pending complaints, investigations, consent orders, board orders, or pending disciplinary proceedings.

Suspension of these requirements will allow the Board to grant emergency temporary permits for the duration of the State of Emergency to DOs satisfying one of the two categories. DOs seeking emergency temporary permits will be required to file an application with the Board. The Board will continue to waive fees set forth in 24 CSR 5 for DOs who are granted an emergency temporary permit to practice in West Virginia during the State of Emergency. Strict compliance with these rules would hinder or delay necessary action in coping with the emergency declared by the Governor.

2. Pursuant to **W. Va. CSR § 24-1-15.2.g**, DOs are required to biennially furnish proof of completion of Continuing Medical Education requirements prior to renewing their licenses. In order to relieve DOs responding to the COVID-19 emergency, the Board temporarily extends the original deadline for submitting proof of CME hours for a period of up to six (6) months. DOs may apply CME hours obtained after the applicable deadline to the current reporting period. However, in no event may CME hours be applied to more than one reporting period. DOs shall still be required to comply with all other renewal requirements by the applicable deadline, including filing an application and paying applicable fees. Strict compliance with these rules would hinder or delay necessary action in coping with the emergency declared by the Governor.



(Agency Representative)