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WEST VIRGINIA
BOARD OF VETERINARY MEDICINE

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

June 1, 2022

Via Certified Mail

Mac Warner, The Honorable Secretary of State
Secretary of State's Office – Administrative Law
Bldg.1, Suite 157-K
1900 Kanawha Blvd. E.
Charleston, WV 25305

Re: West Virginia Board of Veterinary Medicine
Recission of Temporary Suspension of W. Va. Code § 26-4-5.1.c.1

Dear Secretary of State Warner:

On March 16, 2020, The Honorable Governor of the State of West Virginia, Jim Justice, issued a Proclamation in which he declared a State of Emergency to address the emergency created by the worldwide coronavirus (COVID-19) pandemic. In the Proclamation, the Governor delegated to "all state agencies the ability to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency."

In response to the Governor's Proclamation, on March 20, 2020, the West Virginia Board of Veterinary Medicine ("Board") held an emergency meeting in which it voted to temporarily suspend its rule requiring an in-person, physical examination of an animal prior to treatment as set forth in W. Va. Code R. § 26-4-5.1.c.1. Thereafter, also on March 20, 2020, the Board drafted correspondence to The Honorable Secretary of State, Mac Warner, which was filed with the Secretary of State's Office on April 2, 2020, in which the Board notified Secretary of State Warner of the Board's decision.

In its March 20, 2020 correspondence, the Board noted that the suspension of W, Va. Code R. § 26-4-5.1.c.1 would remain in effect only during the State of Emergency. The Board further stated "during the State of Emergency, a veterinarian licensed in West Virginia may employ telemedicine, when possible and practicable, to examine, diagnose, and treat an animal and to discuss the same with the animal's owner." Accordingly, the Board found it necessary and appropriate to temporarily lift the restrictions on the use of telemedicine due to the pandemic.

Pursuant to W. Va. Code § 30-10-24, effective June 8, 2022, West Virginia licensed or registered veterinarians will be permitted to practice telehealth as set forth therein. Accordingly, the Board respectfully requests that the Secretary of State's Office accept this correspondence as notice of the recission of the temporary suspension of W. Va. Code § 26-4-5.1.c.1 and post a copy of this correspondence on its website.

Should you have any questions regarding this correspondence, please contact the Board's office by telephone, (304) 776-8032, or by email, patricia.a.holstein@wv.gov.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Holstein".

Patricia Holstein
Executive Director