



State of West Virginia *Board of Medicine*

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SUMMARY OF COMMENTS RECEIVED REGARDING PROPOSED NEW RULE 11 CSR 18 AND THE RESPONSE OF THE WEST VIRGINIA BOARD OF MEDICINE

On June 30, 2026, the West Virginia Board of Medicine filed a Notice of Comment Period on a Proposed Rule, 11 CSR 18. The proposed rule provides the regulatory framework for the issuance of an honorific emeritus license to eligible retired physicians, podiatric physicians and physician assistants. The Notice established a thirty-day comment period on the proposed rule, which concluded at 4:30 pm on July 30, 2026. During the comment period, the Board received one comment.¹ The Board has reviewed the comment received, and on July 31, 2026, the following response was authorized by the Board. A copy of this summary is being provided to the commenter.

Commenter	Date Comment was Received	Comment	Board of Medicine Response
Thomas S. Miller, MD	07/22/2026	"I'd like to comment on the WVBOM changes. I've been retired for ten years after practicing for 42. I continue to maintain my CME and pay my licensing fee so I can maintain an active license. Without a license, I am no longer a physician. I write prescriptions for 2 people. I renew my own prescriptions, prescribed by my cardiologist and doctor, and I renew my wife's BP medication. This alone	The Board appreciates Dr. Miller's many years of service to the citizens of West Virginia and for taking the time to comment on the proposed rule. An emeritus license is an honorific status license intended for practitioners who have fully retired and no longer engage in the active practice of clinical medicine. By statute, this license

¹ A copy of the comment received by the Board and the Board's response thereto is attached to this summary.

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PROPOSED AMENDMENTS TO 11 CSR 18 AND THE RESPONSE
OF THE WEST VIRGINIA BOARD OF MEDICINE

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		requires an active license which to me seems ridiculous. I do not prescribe any controlled substances and no longer have a DEA number. An emeritus license should include limited prescription writing abilities.”	type confers no authority to practice medicine, including no prescribing authority. Consequently, the rule cannot be amended to permit clinical practice by emeritus licensees. While physician treatment of self and/or family is disfavored, if it occurs, such care should conform with AMA Code of Medical Ethics Opinion 1.2.1. and must only be undertaken pursuant to an active status medical license. The Board has not modified the proposed rule as a result of this comment.
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Conclusion

The Board expresses its appreciation to Dr. Miller for his comment regarding the proposed new rule and his service to the citizens of West Virginia.

The Board has made no modifications to the proposed rule based upon the comments received.



Frame, Jamie C <jamie.c.frame@wv.gov>

Fwd:

1 message

Frame, Jamie C <jamie.c.frame@wv.gov>
To: Jamie C Frame <jamie.c.frame@wv.gov>

Fri, Jul 31, 2026 at 11:14 AM

From: **thomas miller** <tsmillermd@gmail.com>
Date: Wed, Jul 22, 2026 at 9:27 AM
Subject:
To: Mark.A.Spangler@wv.gov <Mark.A.Spangler@wv.gov>

Dear Sir.

I'd like to comment on the WVBOM changes.

I've been retired for ten years after practicing for 42. I continue to maintain my CME and pay my licensing fee so I can maintain an active license. Without a license, I'm no longer a physician. I write prescriptions for 2 people.

I renew my own prescriptions, prescribed by my cardiologist and doctor, and I renew my wife's BP medication. This alone requires an active license which to me seems ridiculous. I do not prescribe any controlled substances and no longer have a DEA number.

An emeritus license should include limited prescription writing abilities.

Thomas S Miller, MD
10472



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EXECUTIVE DIRECTOR

July 31, 2026

VIA EMAIL ONLY

Thomas Stuart Miller, MD
tsmillermd@gmail.com

Re: Proposed West Virginia Board of Medicine Rule 11 CSR 18

Dear Dr. Miller:

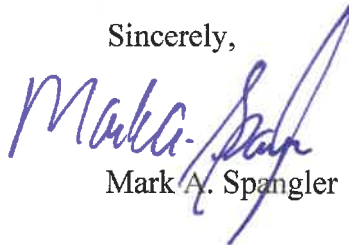
Thank you for taking the time to review and comment on the Board's proposed new rule 11 CSR 18, *Emeritus Status Licensure for Retired Providers*.

The Legislative Committee of the Board met today, July 31, 2026, to review and consider all of the comments that were received. No modifications were made to the proposed rule in response to the comments it received. Enclosed please find the Board's *Summary of Comments Received Regarding Proposed New Rule 11 CSR 18 and Response of the West Virginia Board of Medicine* (without attachment).

The agency-approved version of 11 CSR 18 will be filed with the West Virginia Secretary of State's Office today and will be available for review on their website at <https://apps.sos.wv.gov/adlaw/csr/>. The enclosed summary, along with all comments, will also be available on the Secretary of State's website.

Thank you again for your participation in the rulemaking process and for your comments.

Sincerely,



Mark A. Spangler

MAS/jcf
Enclosure