STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 31-20

By the Governor

WHEREAS, a State of Emergency was declared on the Sixteenth Day of March, Two Thousand Twenty for all counties in West Virginia (the "State of Emergency Declaration"), to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, Chapter 15, Article 5, Section 6 of the Code of West Virginia authorizes the Governor to, among other things, suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules of any state agency, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, Executive Orders 7-20, 10-20, 11-20, 12-20, 17-20, 23-20, and 26-20 suspended certain provisions and sections of statute that strict compliance therewith would prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, there have been additional statutory regulations identified by the West Virginia Board of Dentistry and the West Virginia Department of Education that are preventing the state from best coping with the emergency and assisting the citizens of West Virginia; and

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provision of Chapter 15, Article 5, Section 6 of the Code of West Virginia, hereby **DECLARE** and **ORDER** that, the following statutory regulations are to be suspended for the duration of the State of Emergency:

1. In the discretion of the West Virginia Board of Dentistry who shall issue additional guidance, the requirement that an applicant for initial licensure as a dentist have passed a clinical examination (W. Va. Code § 30-4-8(a)(4));
2. In the discretion of the West Virginia Board of Dentistry who shall issue additional guidance, the requirement that an applicant for initial licensure as a dental hygienist have passed a board-approved patient-based examination designed to determine the applicant's level of clinical skills (W. Va. Code § 30-4-10(a)(4));
3. In the discretion of the West Virginia Board of Dentistry who shall issue additional guidance, that the Board of Dentistry shall provide a provisional license to an initial applicant, who is a 2020 graduate of a dental or dental hygiene program approved by the Board and who meets all other requirements set forth in the WV Dental Practice Act, W. Va. Code § 30-4-1 et seq., and in the rules promulgated thereunder, W. Va. Code R. § 5-1-1 et seq., as applicable. The provisional license shall expire no later than February 1, 2021, and shall become a full license only upon the applicant having taken and passed the required clinical examination. In the discretion of the West Virginia Board of Dentistry who shall issue additional guidance, failure of the clinical exam shall void the provisional license until such time as the exam is re-taken and passed; and
4. In the discretion of the West Virginia Department of Education who shall issue additional guidance, the requirement that speech-language pathologists and audiologists must be licensed by the West Virginia Board for Speech-Language Pathology and Audiology to telepractice (W. Va. Code § 30-32-16), to allow speech-language pathologists and audiologists licensed by the West Virginia Department of Education to telepractice.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this Twenty-eighth day of April, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-seventh year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE