STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 7-20

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 Five, 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

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provision of Chapter 15, Article Five, 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. Requirement that any medical provider "hold an active, unexpired license" issued by the Board of Medicine, with the exception of those with pending complaints, investigations, consent orders, board orders, or pending disciplinary proceedings (W. Va. Code § 30-3-13(a)) and (W. Va. Code § 30-3-12(h)(j));

2. Requirement for telemedicine providers to be licensed in West Virginia (W. Va. Code § 30-3-13a(b)(2) and (W. Va. Code § 30-3-13(b)), provided that such provider possesses a license within their own state;
3. Requirement that medical licenses are only valid for two years (W. Va. Code § 30-3-12(a));
4. Requirement that an educational permit is only valid for one year (W. Va. Code § 30-3-16(d));
5. Requirements for Physician Assistants licensure, reinstatement of licenses, written authorizations from the boards, collaboration limits, and collaborative agreements (W. Va. Code § 30-3E-5, 7, 9(c)(3), 9(e), 10-11);
6. Requirements that boards of examination or registration conduct investigations and adjudication of complaints of professional and occupational misconduct in specific timeframes (W. Va. Code § 30-1-5(c));
7. Requirement that any person to practice or offer to practice medicine or surgery as an osteopathic physician or surgeon "hold an active, unexpired license" issued by the Board of Osteopathic Medicine, with the exception of those with pending complaints, investigations, consent orders, board orders, or pending disciplinary proceedings (W. Va. Code § 30-14-1) and (W. Va. Code § 30-14-10(a), (c), (d));
8. Requirement for post-graduate training that will no longer be available after July 1, 2020 and the requirement that individuals graduating from ACGME programs have to complete 40 hours of Continuing Medical Education prior to licensure (W. Va. Code § 30-14-4(B));
9. Requirement that physicians biennially furnish proof of completion of 32 hours of continuing medical education prior to renewal (W. Va. Code § 30-14-10(b));
10. Requirement that the first educational permit issued be valid for a period of fifteen months and subsequent educational permits issued to the same person may be valid for not more than twelve months (W. Va. Code § 30-14-10e));
11. Requirement that telemedicine be performed by video only (W. Va. Code § 30-14-12d(c));
12. Procedures for applications for licensure by out-of-state medical practitioners under the Interstate Medical Licensure Compact (W. Va. Code § 30-1C-5);

13. Vehicle size and weight limitations (W. Va. Code § 17C-17-1, 11);

14. Deadlines for annual vehicle inspections (W. Va. Code § 17C-16-1, *et seq.*);

15. Deadlines for renewal and payment of annual fees for video lottery machines (W. Va. Code § 29-22B-1102);

16. Deadline to renew permits from Alcohol Beverage Control Administration (W. Va. Code § 60-4-22 (wholesalers); W. Va. Code § 60-7-6 (private club); and W. Va. Code R. §§ 175-4-3, 4, 175-5-16 (retailers)); and

17. Any statute or rule that prescribes time limits or deadlines by which state agencies or political subdivisions or agencies thereunder must hold hearings, and allowing abeyance of such hearings or for such hearings to be conducted by telephonic means, at the sole discretion of the applicable state agency or political subdivision or agencies thereunder.

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 Nineteenth day of March, 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