

WEST VIRGINIA BOARD OF OSTEOPATHY

NEWSLETTER

RADIOLOGIC PROCEDURES

The WV Radiologic Technologist Board has asked us to notify our members that an interpretative rule made at their December 10, 1990 meeting may impact physicians performing radiologic services in their office. It was their Board's decision that the practice of Radiologic Technology consists of positioning patients, setting technique, and making exposures. To practice Radiologic Technology, a person must be a Physician or a licensed Radiologic Technologist. Anyone else performing the above-defined areas would be in violation of WV Code §30-23-1 et seq and Title 18 of the Code of State Regulations.

In summary, this means a physician cannot assign the duty of taking x-rays to a non x-ray technologist.

VIOLATIONS OF LICENSURE RULES

The Board discussed a Medicare HMO contract which requires management services to Medicare patients without remuneration. The question posed to the board was "is this a kickback?" Rule §24-1-18 lists causes for denial, probation, limitation, discipline, suspension or revocation of licenses of Osteopathic Physicians. Rule §18.1.17 prohibits being paid or receiving any commission, bonus, kickback or rebate or engaging in any split-fee arrangement in any form whatsoever. The Board concluded that this could be in violation of our rules.

As physicians, you must carefully review all your contracts with insurers and other parties to avoid signing a contract which could be in violation with our rules.

VOLUNTEER MEDICAL LICENSES

H.B. 2961 passed the legislature this year. It requires establishing a volunteer medical license for physicians who are retired from active practice and wish to donate their expertise for the medical care and treatment of indigent and needy persons, or persons in medically underserved areas of the state. To be eligible for this license, you must meet the requirements as specified in the law. If you are interested, or know of anyone who might be interested, please have them contact the board office at (304) 723-4318.

CORPORATIONS AND P.L.L.C.S

Physicians wishing to incorporate or form a Professional Limited Liability Company must submit their application, including all necessary paperwork, to the Board of Osteopathy prior to applying to the Secretary of State's Office.

VERIFICATIONS

All requests for license verifications must be submitted in writing and include payment in the amount of \$25.00.

May 3, 1999

RENEWALS ARE DUE ON JUNE 30, 1999