

1 **H. B. 3188**

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3 (By Delegate Perdue (By Request))

4 [Introduced February 18, 2011; referred to the  
5 Committee on Government Organization then the Judiciary.]

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10 A BILL to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §16-29B-20a, relating  
12 to the confidentiality of the *Rate Setting Model* used by the  
13 Health Care Authority.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §16-29B-20a of the Code of West Virginia, 1931, as  
16 amended, be amended and reenacted, to read as follows:

17 **ARTICLE 29B. HEALTH CARE AUTHORITY.**

18 **§16-29B-20a. Confidentiality of the Rate Setting Model.**

19 (a) In its decision-making process on standard rate  
20 applications, the board uses a computer program known as the Rate  
21 Setting Model to generate options for the board. The board options  
22 are various calculated rates that the board may elect to award to  
23 a hospital. The Rate Setting Model is predecisional in nature and  
24 part of the deliberative process. It is exempt from public

1 disclosure, under the provisions of article one, chapter twenty-  
2 nine-b and all other provisions of this code.

NOTE: The purpose of this bill is to exempt the Health Care Authority's software program, the *Rate Setting Model*, from public disclosure.

This section is new; therefore, it has been completely underscored.