

2 **Senate Bill No. 127**

3 (By Senators Minard, Snyder, Prezioso,
4 Unger, Boley and K. Facemyer)

5 _____
6 [Introduced January 18, 2011; referred to the Committee on Health
7 and Human Resources; and then to the Committee on the Judiciary.]
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10 A BILL to amend and reenact article 5, chapter 64 of the Code of
11 West Virginia, 1931, as amended, relating to authorizing the
12 Health Care Authority to promulgate a legislative rule
13 relating to certificates of need.

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

15 That article 5, chapter 64 of the Code of West Virginia, 1931,
16 as amended, be amended and reenacted to read as follows:

17 **ARTICLE 5. AUTHORIZATION FOR DEPARTMENT OF HEALTH AND HUMAN**
18 **RESOURCES TO PROMULGATE LEGISLATIVE RULES.**

19 **§64-5-1. Health Care Authority.**

20 The legislative rule filed in the state register on the
21 twenty-eighth day of July, two thousand ten, authorized under the
22 authority of section eight-c, article two-d, chapter sixteen, of

1 this code, modified by the Health Care Authority to meet the
2 objections of the Legislative Rule-Making Review Committee and
3 refiled in the state register on the eighth day of December, two
4 thousand ten, relating to the Health Care Authority to promulgate
5 a legislative rule relating to (certificates of need, 65 CSR 7), is
6 authorized.

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8 NOTE: The purpose of this bill is to authorize the Health Care
9 Authority to promulgate a legislative rule relating to Certificates
10 of Need.

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12 This section is new; therefore, strike-throughs and
13 underscoring have been omitted.