

1 **care organization.**

2 (a) Notwithstanding any provision of law to the contrary and
3 any rule issued by the state agency, a nonprofit community group
4 designated by a county commission shall not be required to apply
5 for or obtain a certificate of need, an exemption from certificate
6 of need review, a determination of nonreviewability, or any other
7 approval from the state agency in order to develop and operate a
8 nursing home bed facility in any county in West Virginia that
9 currently is without a nursing home provided that:

10 (1) The nursing bed facility will be located in the county of
11 that county commission;

12 (2) The nursing bed facility will be operated on real property
13 owned by the nonprofit community health care organization and
14 designated by the county commission;

15 (3) The nursing bed facility would exist in a county which has
16 been continuously without nursing home beds since prior to the
17 nursing home bed moratorium was enacted;

18 (4) The county commission of such a county would grant the
19 nonprofit community health organization no more than \$75,000,
20 funded by the state for the development of a strategic plan for
21 long-term care of the counties residents;

22 (5) The plan would:

23 (A) Be completed within three months of passage of this

1 legislation;

2 (B) Receive input from relevant community stakeholders; and

3 (C) Make recommendations to the county commission regarding:

4 (i) Integration of transitional care, home based care,
5 outpatient and community based senior services;

6 (ii) Workforce development; and

7 (iii) regulatory awareness.

8 (6) The nonprofit community group develops and operates no
9 more than thirty-six nursing home beds pursuant to this section;

10 and

11 (7) The nonprofit community group applies for a license to
12 operate the nursing home within twenty-four months after the
13 effective date of this section.

14 (b) The establishment of a nursing home and nursing beds under
15 this section shall be exempt from the nursing home bed moratorium
16 pursuant to subsection (g), section five of this article.

17 (c) Any nursing home developed and operated pursuant to this
18 section shall be subject to all certificate of need laws and rules
19 as they pertain to any transactions subsequent to the development
20 and commencement of operation of such nursing home.

NOTE: The purpose of this bill is to authorize the development
and operation of a nursing home on the grounds of nonprofit

community health care organizations meeting certain restrictions and exemptions from nursing home moratorium and certificate of need requirements.

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