

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 619**

4 (By Senator Tucker)

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6 [Originating in the Committee on Health and Human Resources;
7 reported February 18, 2014.]

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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 §16-2D-5e, relating
12 to creating an exemption to the certificate of need process
13 for certain critical access hospitals in certain situations.
14 *Be it enacted by the Legislature of West Virginia:*

15 That the Code of West Virginia, 1931, as amended, be amended
16 by adding thereto a new section, designated §16-2D-5e, to read as
17 follows:

18 **ARTICLE 2D. CERTIFICATE OF NEED.**

19 **§16-2D-5e. Exception for reopened critical access hospitals.**

20 Notwithstanding any provision of law to the contrary and any
21 rule issued by the state agency, a critical access hospital,
22 designated by the state as a critical access hospital after meeting
23 all federal eligibility criteria, previously licensed as a hospital
24 and subsequently closed is not required to apply for or obtain a
25 certificate of need if it reopens within ten years of its closure

1 and may operate pursuant to the previous license issued to the
2 critical access hospital prior to closure.