

1 **Senate Bill No. 619**

2 (By Senator Tucker)

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4 [Introduced February 17, 2014; referred to the Committee on

5 Health and Human Resources.]

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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-5d, 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-5d, to read as

17 follows:

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

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

20 (a) Notwithstanding any provision of law to the contrary and

21 any 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, that had less than twenty beds,

1 previously had a certificate of need approved and subsequently
2 closed, is not required to apply for or obtain a certificate of
3 need if it reopens within ten years of its closure and may operate
4 pursuant to the previous certificate of need issued to the critical
5 access hospital prior to closure.

NOTE: The purpose of this bill is to allow critical access hospitals with less than twenty beds and which have closed within the last ten years to reopen without having to go through the certificate of need process again.

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