

1 **H. B. 2999**

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3 (By Delegate Miller, Hicks, Hornbuckle, Reynolds, Rohrbach, Rodighiero, Perdue, Campbell,
4 Sobonya, Pushkin and Frich)

5 [Introduced February 24, 2015; referred to the
6 Committee on Health and Human Resources then the Judiciary.]

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11 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
12 designated §16-2M-1, §16-2M-2 and §16-2M-3, all relating to neonatal abstinence centers;
13 authorizing neonatal abstinence centers; requiring the secretary to promulgate a licensure
14 program and rules; requiring the state agency to consider neonatal abstinence care as a unique
15 service in conducting certificate of need review; and exempting neonatal abstinence centers
16 from moratoriums on certain nursing facilities.

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

18 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
19 article, designated §16-2M-1, §16-2M-2 and §16-2M-3, all to read as follows:

20 **ARTICLE 2M. NEONATAL ABSTINENCE CENTERS.**

21 **§16-2M-1. Neonatal Abstinence Centers authorized; licensure required.**

22 (a) The Legislature recognizes that neonatal abstinence centers provide a unique and valuable

1 service by providing treatment to infants under one year of age who are suffering from Neonatal
2 Abstinence Syndrome.

3 (b) Neonatal abstinence centers are recognized as a distinct type of medical facility, providing
4 unique medical services in the state. Neonatal abstinence centers are authorized to provide treatment
5 for infants under one year of age suffering from Neonatal Abstinence Syndrome, including, but not
6 limited to, the following services:

7 (1) Administration of medications;

8 (2) Pain management;

9 (3) Scoring, analysis and monitoring of symptoms;

10 (4) Nursing care;

11 (5) Plan of care;

12 (6) Therapeutic handling;

13 (7) Nutrition management;

14 (8) Doctor visits; and

15 (9) Parental training.

16 (c) On or before July 1, 2015, the secretary shall establish a licensure program for neonatal
17 abstinence centers.

18 **§16-2M-2. Rules; Minimum standards for neonatal abstinence centers.**

19 (a) All rules shall be proposed for legislative approval in accordance with the provisions of
20 article three, chapter twenty-nine-a of this code. The director shall recommend the adoption,
21 amendment or repeal of such rules as may be necessary or proper to carry out the purposes and intent
22 of this article.

1 (b) The director shall recommend rules establishing minimum standards of operation of
2 neonatal abstinence facilities including, but not limited to, the following:

3 (1) Minimum numbers of administrators, medical directors, nurses, aides and other personnel
4 according to the occupancy of the facility;

5 (2) Qualifications of facility's administrators, medical directors, nurses, aides, and other
6 personnel;

7 (3) Safety requirements;

8 (4) Sanitation requirements;

9 (5) Therapeutic services to be provided;

10 (6) Medical records;

11 (7) Pharmacy services;

12 (8) Nursing services;

13 (9) Medical services;

14 (10) Physical facility;

15 (11) Visitation privileges; and

16 (12) Admission, transfer and discharge policies.

17 **§16-2M-3. Certificate of need; exemption from moratorium.**

18 (a) Notwithstanding any other provision of this code, the state agency shall consider neonatal
19 abstinence services provided in neonatal abstinence care centers as a unique and distinct medical
20 service in conducting a certificate of need review.

21 (b) Notwithstanding any other provision of this code, neonatal abstinence centers shall be
22 exempt from the nursing home bed moratorium pursuant to subsection (g), section five of this article
23 and any other moratoriums contained in this code or ordered by the state agency.

NOTE: The purpose of this bill is to authorize neonatal abstinence centers; require the secretary to promulgate a licensure program and rules; require the state agency to consider neonatal abstinence care as a unique service in conducting certificate of need review; and exempt neonatal abstinence centers from moratoriums on certain nursing facilities.

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