

# **WEST VIRGINIA LEGISLATURE**

**2016 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 4388**

BY DELEGATES ROHRBACH, ELLINGTON, HOUSEHOLDER,

BATES, BYRD, SOBONYA, SUMMERS, UPSON AND

B. WHITE

[Passed March 12, 2016; in effect ninety days from

passage.]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section  
2 designated §16-5B-18, relating to designating certain hospitals as stroke centers;  
3 designating based upon certain criteria; establishing protocols; setting forth reporting  
4 requirements; establishing protocols; creating an advisory committee and permitting  
5 rulemaking.

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

6 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section,  
7 designated §16-5B-18, to read as follows:

**ARTICLE 5B. HOSPITALS AND SIMILAR INSTITUTIONS.**

**§16-5B-18. Designation of comprehensive, primary and acute stroke-ready hospitals;  
reporting requirements; rulemaking.**

1 (a) A hospital, as that term is defined in section one of this article, may apply to the  
2 Department of Health and Human Resources to be recognized and certified as a comprehensive  
3 stroke center, a primary stroke center or an acute stroke-ready hospital. The appropriate  
4 designation shall be granted by the Department of Health and Human Resources based upon  
5 criteria recognized by the American Heart Association, the Joint Commission or other nationally  
6 recognized organization as set forth in legislative rules as provided in subsection (d) of this  
7 section.

8 (b) The Department of Health and Human Resources shall provide annually, by June 1, a  
9 list of all hospitals they have designated pursuant to the provisions of subsection (a) of this section  
10 to the medical director of each licensed emergency medical service agency in this state. This list  
11 shall be maintained by the Department of Health and Human Resources and shall be updated  
12 annually on its website.

13 (c) The Secretary of the Department of Health and Human Resources shall establish by  
14 legislative rule, as set forth in subsection (d) of this section, prehospital care protocols related to  
15 assessment, treatment and transport of patients identified as stroke patients. These protocols

16 shall be applicable to all emergency medical service agencies, as defined in section three, article  
17 four-c of this chapter. These protocols shall include development and implementation of plans  
18 for the triage and transport within specified timeframes of onset of symptoms of acute stroke  
19 patients to the nearest comprehensive, primary or acute stroke ready hospital.

20 (d) The Secretary of the Department of Health and Human Resources shall propose rules  
21 for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of  
22 this code to accomplish the goals of this section. These rules shall be proposed after consultation  
23 with an advisory committee selected by the Secretary of the Department of Health and Human  
24 Resources. The advisory committee shall consist of representatives of the Department of Health  
25 and Human Resources, an association with the primary purpose of promoting better heart health,  
26 a registered emergency medical technician, hospitals located in rural areas of the state and  
27 hospitals located in urban areas of this state.

28 These rules shall include:

29 (1) An application process;

30 (2) The criteria for designation and certification as a comprehensive stroke center, a  
31 primary stroke center or an acute stroke ready center;

32 (3) A means for providing a list of designated hospitals to emergency medical service  
33 agencies;

34 (4) Protocols for assessment, treatment and transport of stroke patients by licensed  
35 emergency medical service agencies; and

36 (5) Any other requirements necessary to accomplish the intent of this section.