

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 123

BY SENATOR MAYNARD

[Introduced February 8, 2017; referred to the
Committee on Health and Human Resources; and
then to the Committee on the Judiciary]

1 A BILL to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating
 2 to authorizing the Health Care Authority to promulgate a legislative rule relating to
 3 exemption from certificate of need.

Be it enacted by the Legislature of West Virginia:

1 That §64-5-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted
 2 to read as follows:

**ARTICLE 5. AUTHORIZATION FOR DEPARTMENT OF HEALTH AND HUMAN
 RESOURCES TO PROMULGATE LEGISLATIVE RULES.**

§64-5-1. Health Care Authority.

1 The legislative rule filed in the State Register on August 22, 2016, authorized under the
 2 authority of section four, article two-d, chapter sixteen of this code, modified by the Health Care
 3 Authority to meet the objections of the Legislative Rule-making Review Committee and refiled in
 4 the State Register on January 6, 2017, relating to the Health Care Authority (Exemption from
 5 Certificate of Need, [65 CSR 29](#)), is authorized.

NOTE: The purpose of this bill is to authorize the Health Care Authority to promulgate a legislative rule relating to Exemption from Certificate of Need.

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