



Jim Justice
Governor of West Virginia

March 28, 2018

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled Committee Substitute for Senate Bill 434

Dear Secretary Warner:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill No. 434.

Enrolled Committee Substitute for Senate Bill 434 makes confidential and not subject to disclosure documents regarding the hiring, discipline, terminating, credentialing, issuing and renewing of staff privileges, as well as alleged misconduct of a health care provider. It further mandates nondisclosure for performance improvement, review, recommendation and audit documents regarding the performance of health care professionals.

To shield such documents from disclosure does not allow patients harmed in the course of their treatment, to fully seek redress of their damages and be made whole. It puts patients at a disadvantage as they pursue their claims. The bill is bad public policy for West Virginia because it does not promote patient rights and public safety.

OFFICE OF THE GOVERNOR

For these reasons, I must disapprove and return Enrolled Committee Substitute for Senate Bill No. 434.

Sincerely,



Jim Justice
Governor

cc: The Honorable Mitch Carmichael
President of the Senate

The Honorable Tim Armstead
Speaker of the House of Delegates