

# **WEST VIRGINIA LEGISLATURE**

**2020 REGULAR SESSION**

**Introduced**

## **Senate Bill 767**

BY SENATORS MARONEY, TARR, AND ROBERTS

[Introduced February 13, 2020; referred  
to the Committee on Health and Human Resources]

1 A BILL to repeal §16-5B-6a of the Code of West Virginia, 1931, as amended; and to amend and  
 2 reenact §16-5B-5a of said code, relating to the licensure of hospitals; allowing hospitals  
 3 to use other accrediting organizations which have been approved by the Centers for  
 4 Medicare and Medicaid Services; and eliminating hospital board composition  
 5 requirements.

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

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

### **§16-5B-5a. Accreditation reports accepted for periodic license inspections.**

1 Notwithstanding any other provision of this article, a periodic license inspection shall not  
 2 be conducted by the ~~state~~ Department of Health and Human Resources for a hospital if the  
 3 hospital has applied for and received an exemption from that requirement: *Provided*, That no  
 4 exemption granted diminishes the right of the ~~state~~ Department of Health and Human Resources  
 5 to conduct complaint inspections. ~~*Provided, however*, That no exemption granted relieves a~~  
 6 ~~hospital from compliance with section six-a of this article~~

7 The ~~state~~ Department of Health and Human Resources shall grant an exemption from a  
 8 periodic license inspection during the year following accreditation if a hospital applies by  
 9 submitting evidence of its accreditation by the Joint Commission on Accreditation of Health Care  
 10 Organizations or the American Osteopathic Association, or any accrediting organization approved  
 11 by the Centers for Medicare and Medicaid Services, and submits a complete copy of the  
 12 ~~commission's~~ accrediting organization's accreditation report.

13 If the accreditation of a hospital is for a period longer than one year, the ~~state~~ Department  
 14 of Health and Human Resources may conduct at least one license inspection of the hospital after  
 15 the first year of accreditation and before the accreditation has expired and may conduct additional  
 16 license inspections if needed. Hospitals receiving a three-year accreditation shall conduct annual  
 17 self-evaluations using the current year accreditation manual for hospitals unless the ~~state~~  
 18 Department of Health and Human Resources informs the hospital that the hospital will be

19 inspected by the ~~state~~ Department of Health and Human Resources. Hospitals are not required  
20 to conduct self-evaluations for any calendar year during which they are inspected by the ~~state~~  
21 Department of Health and Human Resources. These self-evaluations shall be completed and  
22 placed on file in the hospital by ~~the thirty-first day of March~~ 31 of each year. Hospitals shall make  
23 the results of the self-evaluation available to the ~~state~~ Department of Health and Human  
24 Resources if requested.

25       Accreditation reports filed with the ~~state~~ Department of Health and Human Resources shall  
26 be treated as confidential in accordance with §16-5B-10 of this code.

**§16-5B-6a. Consumer majorities on hospital boards of directors.**

[Repealed.]

NOTE: The purpose of this bill is to allowing hospitals to use other accrediting organizations that have been approved by the Centers for Medicare and Medicaid Services. The bill eliminates hospital board composition requirements.

§16-5B-6a is repealed.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.