

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4136

BY DELEGATE FOSTER

[Introduced January 18, 2022; Referred to the
Committee on Health and Human Resources then 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 Certificate of Need.

Be it enacted by the Legislature of West Virginia:

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

§64-5-1. Health Care Authority.

1 The legislative rule filed in the State Register on July 30, 2021, authorized under the
 2 authority of §16-2D-4 of this code, modified by the Health Care Authority to meet the objections
 3 of the Legislative Rule-Making Review Committee and refiled in the State Register on December
 4 20, 2021, relating to the Health Care Authority (Certificate of Need , [65 CSR 32](#)), is authorized.

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

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