

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **Senate Bill No. 619**

5 (SENATOR TUCKER, *original sponsor*)

6 \_\_\_\_\_  
7 [Passed March 8, 2014; in effect ninety days from passage.]  
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10 AN ACT to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §16-2D-5e, relating  
12 to creating an exemption to the certificate of need process  
13 for certain critical access hospitals in certain situations.

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

15 That the Code of West Virginia, 1931, as amended, be amended  
16 by adding thereto a new section, designated §16-2D-5e, to read as  
17 follows:

18 **ARTICLE 2D. CERTIFICATE OF NEED.**

19 **§16-2D-5e. Exception for reopened critical access hospitals.**

20 Notwithstanding any provision of law to the contrary and any  
21 rule issued by the state agency, a critical access hospital,  
22 designated by the state as a critical access hospital after meeting  
23 all federal eligibility criteria, previously licensed as a hospital  
24 and subsequently closed is not required to apply for or obtain a  
25 certificate of need if it reopens within ten years of its closure.