

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4221

BY Delegate D. Smith

[Introduced ; referred
to the Committee on the]

1 A BILL to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to
2 authorizing the Department of Health to promulgate a legislative rule relating to basic
3 public health service standards for local boards of health.

Be it enacted by the Legislature of West Virginia:

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

§64- 5 - 1. Department of Health.

1 The legislative rule filed in the State Register on July 25, 2025, authorized under the
2 authority of §16-1-4 of this code, modified by the Department of Health to meet the objections of
3 the Legislative Rule-Making Review Committee and refiled in the State Register on December 5,
4 2025, relating to the Department of Health (basic public health service standards for local boards
5 of health, [64 CSR 73](#)), is authorized with the amendments set forth below:

6 On page 9, after section 7, by inserting a new section 8 to read as follows:

7 §64-73-8. Membership and duties of the West Virginia Public Health Advisory Committee.

8 8.1. The West Virginia Public Health Advisory Committee shall be comprised of the
9 following nine members, appointed by the Commissioner as follows:

10 8.1.1. The West Virginia Association of Local Health Departments shall
11 submit to the Commissioner a list of up to eight names, which are to include administrators and
12 health officers, of which five in total shall be appointed.

13 8.1.2. The County Commissioner's Association of West Virginia and the
14 West Virginia Association of Counties shall each submit to the Commissioner a list of five names,
15 of which three in total will be selected.

16 8.1.3 The President of the WVALHD.

17 8.2. The members of the Committee shall vote on a Chairperson for the Advisory
18 Committee who shall serve a two-year term and be responsible for submitting all meeting notes to

19 the Bureau.

20 8.3. Committee members shall serve two-year terms, not to exceed four
21 consecutive terms.

22 8.4. The Committee shall:

23 8.4.1. Act in an advisory capacity to the Commissioner.

24 8.4.2. Collaborate with the Bureau to design and develop tools for
25 assessment of local health board performance.

26 8.4.3. Provide input on training for local health and state appointees as
27 determined by the Commissioner.

28 8.4.4. Hold no less than six meetings per year.";

29 By renumbering the remaining sections accordingly;

30 On page 11, subparagraph 8.3.6.a.2., by striking the number ".10" and inserting in lieu
31 thereof the number ".15";

32 And,

33 On page 11, subparagraph 8.3.6.a.3., by striking out the number ".15" and inserting in lieu
34 thereof the number ".20"

NOTE: The purpose of this bill is to authorize the Department of Health to promulgate a legislative rule relating to basic public health service standards for local boards of health.

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