

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4223

By Delegate D. Smith

[Introduced January 14, 2026; referred to the

Committee on Health and Human Resources]

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 the
3 exemption of Certificate of Need.

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.
The legislative rule filed in the State Register on July 21, 2025, authorized under the authority of §16-2D-4 of this code, relating to the Department of Health (exemption of Certificate of Need, [65 CSR 29](#)), is authorized.

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

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