

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Committee Substitute

for

House Bill 4767

By Delegates Worrell and Hite

[Originating in the Committee on Health and Human
Resources; Reported on February 5, 2026]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §9-5-34, relating to requiring the Bureau for Medical Services to file a
3 legislative rule.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-34. Medicaid Manual.

1 (a) The Bureau for Medical Services shall prepare, compile, and file its complete policy
2 manual as a legislative rule in accordance with the provisions of §29A-3-1 et seq. of this code.

3 (b) The bureau shall file the legislative rule required under subsection (a) with the
4 Secretary of States' office on or before July 1, 2026.

5 (c) Following the initial filing required, the bureau shall file all subsequent amendments,
6 supplements, and revisions to its policy manual as legislative rules in accordance with §29A-3-1 et
7 seq. of this code.

8 (d) Nothing in this section prohibits the bureau from issuing internal guidance or
9 emergency procedures as necessary; however, any such guidance that remains in effect for more
10 than 180 days shall be incorporated into the legislative rule process, and filed as an emergency
11 rule.

NOTE: The purpose of this bill is to require the Bureau of Medical Services to file its policy manual as a legislative rule.

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