

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

ENGROSSED

Committee Substitute

for

House Bill 5563

By Delegates Holstein, Heckert, and G. Howell

[Originating in the Committee on Health and Human

Resources; reported on February 26, 2026]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §16-67-1 and §16-67-2, relating to transplant referral coordination; requiring
3 documentation in a medical record; requiring a referral; providing exemptions; providing for
4 data collection; and requiring reporting.

Be it enacted by the Legislature of West Virginia:

ARTICLE 67. WEST VIRGINIA TIMELY TRANSPLANT REFERRAL COORDINATION

ACT.

§16-67-1. Mandatory transplant referral timeline.

1 (a) A licensed healthcare provider that documents in a patient's medical record that the
2 patient meets medical criteria for organ transplant candidacy shall initiate referral to an appropriate
3 transplant center within three calendar days of the documentation.

4 (b) The referral requirement set forth in subsection (a) of this section does not apply if the
5 provider documents in the patient's medical record a specific medical contraindication to
6 transplant referral.

7 (c) Nothing in this section may be construed to alter clinical eligibility standards established
8 by transplant centers or organ allocation policies established under federal law.

§16-67-2. Data collection and annual reporting.

1 (a) The Department of Health shall collect, aggregate, de-identified data from a licensed
2 hospital regarding transplant referrals initiated pursuant to this article.

3 (b) Data collected shall include, at minimum:

4 (1) The average time between documentation of transplant candidacy and referral
5 initiation;

6 (2) The number of patients meeting automatic clinical referral thresholds;

7 (3) The number of referrals initiated within the required three day period; and

8 (4) Geographic data sufficient to evaluate rural disparities in referral timelines.

- 9 (c) The Department shall submit an annual report to the Legislative Oversight Commission
10 on Health and Human Resources Accountability no later than December 1 of each year.