

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4767**

By Delegates Worrell and Hite

[Introduced January 23, 2026; referred to the  
Committee on Health and Human Resources]

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 of Medical Services to file a legislative  
3 rule.

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

## **ARTICLE 5. MISCELLANEOUS PROVISIONS.**

### **§9-5-34. Medicaid Manual.**

1 (a) The Bureau of Medical Services shall prepare, compile, and file its complete policy  
2 manual, including all policies governing Medicaid Related Programs, Medicaid Benefits, covered  
3 services, non-covered services, claims processing, and any other operational or programmatic  
4 guidance used by the bureau, as a legislative rule in accordance with the provisions of §29A-3-1 et  
5 seq. of this code.

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

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

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

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.