

WEST VIRGINIA CODE: §16-2D-4

§16-2D-4. Rulemaking.

(a) The authority shall propose rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code, to implement the following:

- (1) Information a person shall provide when applying for a certificate of need;
 - (2) Information a person shall provide when applying for an exemption;
 - (3) Process for the issuance of grants and loans to financially vulnerable health care facilities located in underserved areas;
 - (4) Information a person shall provide in a letter of intent;
 - (5) Process for an expedited certificate of need;
 - (6) Determine medically underserved population. The authority may consider unusual local conditions that are a barrier to accessibility or availability of health services. The authority may consider when making its determination of a medically underserved population designated by the federal Secretary of Health and Human Services under Section 330(b)(3) of the Public Health Service Act, as amended, Title 42 U.S.C. §254;
 - (7) Process to review an approved certificate of need; and
 - (8) Process to review approved proposed health services for which the expenditure maximum is exceeded or is expected to be exceeded.
- (b) All of the authority's rules in effect and not in conflict with the provisions of this article, shall remain in effect until they are amended or rescinded.