

4035-Veto

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1988



ENROLLED

Com. Sub. for
HOUSE BILL No. 40.35

(By Mr. *Delegate Houvouras*)



Passed *March 12,* 1988

In Effect *Ninety days from* Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 4035
(By DELEGATE HOUVOURAS)

[Passed March 12, 1988; in effect ninety days from passage.]

AN ACT to amend chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article six-b, relating to the establishment of uniform preadmission certification standards for health care organizations and payers; promulgation of rules and regulations; advisory committee; and local preadmission certification requests office.

Be it enacted by the Legislature of West Virginia:

That chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article six-b, to read as follows:

ARTICLE 6B. UNIFORM PREADMISSION CERTIFICATION STANDARDS.

§33-6B-1. Legislative purpose.

1 The Legislature hereby finds and declares that the
2 differing requirements of third-party payers in deter-
3 mining if and in what location medical procedures will
4 be performed and for purposes of certifying the
5 necessity of medical procedures has created an atmos-

6 phere of uncertainty among health care professionals,
7 thereby detracting from the quality of health care
8 services available to the citizens of this state. Thus, the
9 establishment of uniform preadmission certification
10 standards for prospective health care services is in the
11 public interest of the state of West Virginia. It is
12 therefore the purpose of this article to authorize the
13 promulgation of uniform preadmission certification
14 standards which all health insurance providers doing
15 business in the state of West Virginia will be required
16 to recognize for the purposes of certifying the necessity
17 of prospective health care related services.

§33-6B-2. Insurance commissioner to issue rules and regulations establishing uniform preadmission certification standards.

1 Pursuant to the authority vested in the commissioner
2 of insurance by section ten, article two of this chapter,
3 the commissioner shall promulgate and adopt such rules
4 and regulations relating to the establishment of uniform
5 preadmission certification standards to be recognized by
6 all organizations providing health care insurance
7 coverage in this state as are necessary to effectuate the
8 provisions of this article. The standards shall, in all
9 instances, to the extent national standards exist,
10 conform with national preadmission certification
11 standards and shall be established so as to prevent the
12 unnecessary utilization of inpatient services. The commit-
13 tee shall establish standards on or by the first day of
14 July, one thousand nine hundred eighty-nine.

§33-6B-3. Establishment of committee.

1 To assist in the drafting of rules and regulations
2 pursuant to this article, the commissioner of insurance
3 shall appoint an advisory committee to recommend: (1)
4 The types of health care services which shall require
5 preadmission certification; and (2) the standards which
6 will be followed in determining certification for each
7 prospective service. This committee shall be composed
8 of a representative from the insurance commission, five
9 physicians to be chosen from a list of physicians
10 recommended by the West Virginia state medical

11 association, and five representatives of private organi-
12 zations providing health care insurance in the state of
13 West Virginia to be chosen by the commissioner of
14 insurance based upon the volume of insurance which
15 such organizations provide to the citizens of this state.
16 Such committee will meet at convenient times according
17 to the requirements of the commissioner of insurance.

John C. ...
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...

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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce O. Williams

Chairman Senate Committee

Bernard V. Kelly

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Sauld C. Miller

Clerk of the Senate

Donald G. Kopp

Clerk of the House of Delegates

Dan Tomlin

President of the Senate

[Signature]

Speaker of the House of Delegates

The within *disapproved* this the *31st*
March
day of _____, 1988.

Arthur A. Rouse Jr.

Governor

PRESENTED TO THE

GOVERNOR

Date 3/23/88

Time 10:41 a.m.

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