WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1988

---

ENROLLED

Com. Sub. for

HOUSE BILL No. 4035

(By Delegate Hauroy)

---

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 differing requirements of third-party payers in determining if and in what location medical procedures will be performed and for purposes of certifying the necessity of medical procedures has created an atmos-
phere of uncertainty among health care professionals,
thereby detracting from the quality of health care
services available to the citizens of this state. Thus, the
establishment of uniform preadmission certification
standards for prospective health care services is in the
public interest of the state of West Virginia. It is
therefore the purpose of this article to authorize the
promulgation of uniform preadmission certification
standards which all health insurance providers doing
business in the state of West Virginia will be required
to recognize for the purposes of certifying the necessity
of prospective health care related services.

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

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

§33-6B-3. Establishment of committee.

To assist in the drafting of rules and regulations
pursuant to this article, the commissioner of insurance
shall appoint an advisory committee to recommend: (1)
The types of health care services which shall require
preadmission certification; and (2) the standards which
will be followed in determining certification for each
prospective service. This committee shall be composed
of a representative from the insurance commission, five
physicians to be chosen from a list of physicians
recommended by the West Virginia state medical
association, and five representatives of private organizations providing health care insurance in the state of West Virginia to be chosen by the commissioner of insurance based upon the volume of insurance which such organizations provide to the citizens of this state. Such committee will meet at convenient times according to the requirements of the commissioner of insurance.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within disappeared this the 30th day of ....... 1988.

Governor