

HB 2722

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995



ENROLLED

HOUSE BILL No. 2722

(By Delegate Dalgleish)



Passed March 11, 1995

In Effect 90 Days From Passage



ENROLLED

H. B. 2722

(BY DELEGATE GALLAGHER)

[Passed March 11, 1995; in effect ninety days from passage]

AN ACT to amend and reenact section five-a, article five-b, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to periodic license inspections of hospitals; exemptions; annual self-evaluations; and confidentiality of accreditation reports.

Be it enacted by the Legislature of West Virginia:

That section five-a, article five-b, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 5B. HOSPITALS AND SIMILAR INSTITUTIONS.

§16-5B-5a. Accreditation reports accepted for periodic license inspections.

1 Notwithstanding any other provision of this article, a
2 periodic license inspection shall not be conducted by the
3 state department of health and human resources for a
4 hospital if the hospital has applied for and received an
5 exemption from that requirement: *Provided*, That no
6 exemption granted diminishes the right of the state depart-
7 ment of health and human resources to conduct complaint
8 inspections: *Provided, however*, That no exemption grant-
9 ed relieves a hospital from compliance with section six-a
10 of this article.

11 The state department of health and human resources
12 shall grant an exemption from a periodic license inspec-
13 tion during the year following accreditation if a hospital
14 applies by submitting evidence of its accreditation by the
15 joint commission on accreditation of health care organiza-
16 tions or the American osteopathic association and submits
17 a complete copy of the commission's accreditation report.

18 If the accreditation of a hospital is for a period longer
19 than one year, the state department of health and human
20 resources may conduct at least one license inspection of
21 the hospital after the first year of accreditation and before
22 the accreditation has expired and may conduct additional
23 license inspections if needed. Hospitals receiving a three-
24 year accreditation, shall conduct annual self-evaluations
25 using the current year accreditation manual for hospitals
26 (AMH) unless the state department of health and human
27 resources informs the hospital that the hospital will be
28 inspected by the state department of health and human
29 resources. Hospitals are not required to conduct self-eval-
30 uations for any calendar year during which they are in-
31 spected by the state department of health and human re-
32 sources. These self-evaluations shall be completed and
33 placed on file in the hospital by the thirty-first day of
34 March of each year. Hospitals shall make the results of the
35 self-evaluation available to the state department of health
36 and human resources if requested.

37 Accreditation reports filed with the state department of
38 health and human resources shall be treated as confiden-
39 tial in accordance with section ten of this article.

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

Randy Schover
Chairman Senate Committee

Ernest C. Moore
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Darrell K. Brodeur
Clerk of the Senate

Donald L. Kapp
Clerk of the House of Delegates

Earl Ray Tomblin
President of the Senate

Paul E. Clemen
Speaker of the House of Delegates

The within _____ this the _____
day of _____, 1995.

Governor



PRESENTED TO THE

GOVERNOR

Date 3/28/95

Time 9:01 am