WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1996

ENROLLED

HOUSE BILL No. 4103

(By Delegates Douglas, Compton and Gallagher)

Passed February 26, 1996

In Effect ninety days from Passage
AN ACT to amend and reenact section five, article five-i, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to legislative rules for hospice services; transferring the authority to promulgate rules for hospice services from the state board of health to the secretary of the department of health and human resources; and eliminating specific rule requirements regarding substituted consent for hospice services.

Be it enacted by the Legislature of West Virginia:

That section five, article five-i, 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 51. HOSPICE LICENSURE ACT.

§16-51-5. Secretary of health and human resources to establish rules.

1 The secretary of the department of health and human resources shall promulgate rules in accordance with the provisions of chapter twenty-nine-a of this code for the licensure of hospice programs to ensure adequate care, treatment, health, safety, welfare and comfort of hospice patients. Such rules shall include, but not be limited to:

(a) The qualifications and supervision of licensed and
(b) The provision and coordination of inpatient care and in-home treatment services, including the development of a written plan of care;

c) The management, operation, staffing and equipping of the hospice program;

d) The clinical and business records kept by the hospice;

e) The procedures for the review of utilization and quality of patient care; and

(f) Such other requirements as the secretary determines to be appropriate.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Randy Schoonover
Chairman Senate Committee

Randy L. General
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Earl Ray Tomblin
President of the Senate

Speaker of the House of Delegates

The within is approved this the 5th day of March, 1996.

Gaston Caperton
Governor
PRESENTED TO THE
GOVERNOR
Date 3/4/96
Time 3:50 pm