

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2004

ENROLLED

House Bill No. 4587

(By Delegates Foster, Palumbo and Amores)

Passed March 13, 2004

In Effect Ninety Days from Passage

FILED

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H. B. 4587

(BY DELEGATES FOSTER, PALUMBO AND AMORES)

[Passed March 13, 2004; in effect ninety days from passage.]

AN ACT to amend and reenact §30-3C-1 of the code of West Virginia, 1931, as amended, relating to including persons who are members or consultants to review organizations within the definition of health care professionals for peer review purposes; including patient safety review in peer review; and including certain other organizations within the meaning of a review organization.

Be it enacted by the Legislature of West Virginia:

That §30-3C-1 of the code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 3C. HEALTH CARE PEER REVIEW ORGANIZATION PROTECTION.

§30-3C-1. Definitions.

- 1 As used in this article:
- 2 “Health care professionals” means individuals who are
- 3 licensed to practice in any health care field and individuals,

4 who, because of their education, experience or training partici-
5 pate as members of or consultants to a review organization.

6 “Peer review” means the procedure for evaluation by health
7 care professionals of the quality and efficiency of services
8 ordered or performed by other health care professionals,
9 including practice analysis, inpatient hospital and extended care
10 facility utilization review, medical audit, ambulatory care
11 review, claims review and patient safety review.

12 “Professional society” includes medical, psychological,
13 nursing, dental, optometric, pharmaceutical, chiropractic and
14 podiatric organizations having as members at least a majority
15 of the eligible licentiates in the area or health care facility or
16 agency served by the particular organization.

17 “Review organization” means any committee or organiza-
18 tion engaging in peer review, including a hospital utilization
19 review committee, a hospital tissue committee, a medical audit
20 committee, a health insurance review committee, a health
21 maintenance organization review committee, hospital, medical,
22 dental and health service corporation review committee, a
23 hospital plan corporation review committee, a professional
24 health service plan review committee or organization, a dental
25 review committee, a physicians’ advisory committee, a podiatry
26 advisory committee, a nursing advisory committee, any
27 committee or organization established pursuant to a medical
28 assistance program, the joint commission on accreditation of
29 health care organizations or similar accrediting body or any
30 entity established by such accrediting body or to fulfill the
31 requirements of such accrediting body, any entity established
32 pursuant to state or federal law for peer review purposes, and
33 any committee established by one or more state or local
34 professional societies or institutes, to gather and review
35 information relating to the care and treatment of patients for the
36 purposes of: (i) Evaluating and improving the quality of health

37 care rendered; (ii) reducing morbidity or mortality; or (iii)
38 establishing and enforcing guidelines designed to keep within
39 reasonable bounds the cost of health care. It shall also mean any
40 hospital board committee or organization reviewing the
41 professional qualifications or activities of its medical staff or
42 applicants for admission thereto, and any professional standards
43 review organizations established or required under state or
44 federal statutes or regulations.

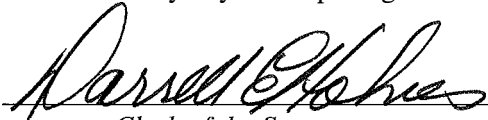
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

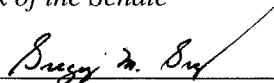

Chairman Senate Committee


Chairman House Committee

Originating in the House.

In effect ninety days from passage.

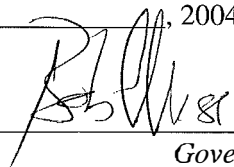

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved this the 1st
day of April, 2004.


Governor

3/26/04
3:45p