WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2014

ENROLLED

House Bill No. 4332

(By Delegates Border, Anderson, Ellem, Azinger, Perdue, Poling, D., Staggers, Ellington, Cowles, Fleischauer and Lane)

Passed March 7, 2014

In effect from passage.
AN ACT to amend and reenact §16-2D-5c of the Code of West Virginia, 1931, as amended, relating to extending the time that certain nonprofit community groups are exempt from the moratorium on creating new nursing home beds.

Be it enacted by the Legislature of West Virginia:

That §16-2D-5c of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2D. CERTIFICATE OF NEED.

§16-2D-5c. Exception permitting development and operation of certain nursing beds by a nonprofit community health care organization.

(a) Notwithstanding any provision of law to the contrary and any rule issued by the state agency, a nonprofit community group designated by a county commission is exempt from the
(1) The nursing bed facility will be located in the county of that county commission;

(2) The nursing bed facility will be operated on real property owned by the nonprofit community health care organization and designated by the county commission;

(3) The nursing bed facility will exist in a county which has been continuously without nursing home beds since prior to the nursing home bed moratorium was enacted;

(4) The nonprofit community group develops and operates no more than thirty-six nursing home beds pursuant to this section; and

(5) The nonprofit community group applies for a license to operate the nursing home by July 1, 2016.

(b) The establishment of a nursing home and nursing beds under this section requires a certificate of need and is subject to all certificate of need laws and rules.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Member—Chairman, Senate Committee

Originating in the House.

In effect from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within is approved this the 31st day of March, 2014.

Governor
PRESENTED TO THE GOVERNOR

MAR 28 2011

Time 10:45 a.m.