Enrolled

Senate Bill 593

BY SENATORS MARONEY, STOLLINGS, AND BOSO

[Passed March 1, 2019; in effect 90 days from passage]
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AN ACT to amend and reenact §16-5B-14 of the Code of West Virginia, 1931, as amended, relating to permitting a critical access hospital to become a community outpatient medical center; establishing certain conditions and requirements; and providing for rule-making authority.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5B. HOSPITALS AND SIMILAR INSTITUTIONS.


(a) A hospital located in an urban area (Metropolitan Statistical Areas (MSA) county), can be considered rural for the purposes of a designation as a critical access hospital pursuant to 42 U.S.C. §1395i-4(c)(2) if it meets the following criteria:

(1) Is enrolled as both a Medicaid and Medicare provider and accepts assignment for all Medicaid and Medicare patients;

(2) Provides emergency health care services to indigent patients;

(3) Maintains 24-hour emergency services; and

(4) Is located in a county that has a rural population of 50 percent or greater as determined by the most recent United States decennial census.

(b) A critical access hospital designated pursuant to this section may apply to be designated as a community outpatient medical center if:

(1) It has been designated as a critical access hospital for at least one year; and

(2) It is designated as a critical access hospital at the time of application to convert to a community outpatient medical center.

(c) In addition to the requirements of subsection (b) of this section, a community outpatient medical center shall, at a minimum:

(1) Provide emergency medical care and observation care 24 hours a day, seven days a week;

(2) Treat all patients regardless of insurance status; and
(3) Have protocols in place for the timely transfer of patients who require a higher level of care.

(d) The Department of Health and Human Resources shall propose a new rule for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code, to implement the provisions of this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, Senate Committee

Chairman, House Committee

Originated in the Senate.

In effect 90 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 25th Day of March, 2019.

Governor
PRESENTED TO THE GOVERNOR

MAR 08 2019

Time: 3:27 pm