

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Enrolled

Senate Bill 767

BY SENATORS MARONEY, TARR, AND ROBERTS

[Passed March 5, 2020; in effect 90 days from
passage]

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2020 MAR 25 P 4: 09

FILED

SB767

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1 AN ACT to repeal §16-5B-6a of the Code of West Virginia, 1931, as amended; and to amend and
2 reenact §16-5B-5a of said code, relating to the licensure of hospitals; allowing hospitals
3 to use other accrediting organizations which have been approved by the Centers for
4 Medicare and Medicaid Services; and eliminating hospital board composition
5 requirements.

Be it enacted by the Legislature of West Virginia:

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 periodic license inspection shall not
2 be conducted by the Department of Health and Human Resources for a hospital if the hospital
3 has applied for and received an exemption from that requirement: *Provided*, That no exemption
4 granted diminishes the right of the Department of Health and Human Resources to conduct
5 complaint inspections.

6 The Department of Health and Human Resources shall grant an exemption from a periodic
7 license inspection during the year following accreditation if a hospital applies by submitting
8 evidence of its accreditation by the Joint Commission on Accreditation of Health Care
9 Organizations or the American Osteopathic Association, or any accrediting organization approved
10 by the Centers for Medicare and Medicaid Services, and submits a complete copy of the
11 accrediting organization's accreditation report.

12 If the accreditation of a hospital is for a period longer than one year, the Department of
13 Health and Human Resources may conduct at least one license inspection of the hospital after
14 the first year of accreditation and before the accreditation has expired and may conduct additional
15 license inspections if needed. Hospitals receiving a three-year accreditation shall conduct annual
16 self-evaluations using the current year accreditation manual for hospitals unless the Department
17 of Health and Human Resources informs the hospital that the hospital will be inspected by the
18 Department of Health and Human Resources. Hospitals are not required to conduct self-

19 evaluations for any calendar year during which they are inspected by the Department of Health
20 and Human Resources. These self-evaluations shall be completed and placed on file in the
21 hospital by March 31 of each year. Hospitals shall make the results of the self-evaluation available
22 to the Department of Health and Human Resources if requested.

23 Accreditation reports filed with the Department of Health and Human Resources shall be
24 treated as confidential in accordance with §16-5B-10 of this code.

§16-5B-6a. Consumer majorities on hospital boards of directors.

[Repealed.]

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

Mark Warner
.....
Chairman, Senate Committee

Robert Capito
.....
Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

FILED

Joe Lamm
.....
Clerk of the Senate

Steve Harrison
.....
Clerk of the House of Delegates

Mike B. Cunniff
.....
President of the Senate

Wayne Holt
.....
Speaker of the House of Delegates

The within *is approved* this the *25th*
Day of *March*, 2020.

James O. Eastman
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 18 2020

Time 9:50 am