

HB 3337

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 3337

BY DELEGATES HECKERT, FEHRENBACHER, COOPER,

FOGGIN, HOTT, CRISS, HANSHAW (MR. SPEAKER),

ROHRBACH, PETITTO, A. HALL AND ANDERSON

[Passed March 8, 2023; in effect from passage.]

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2023 MAR 23 P 3: 31

FILED

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1 AN ACT to amend and reenact §16-2D-9 of the Code of West Virginia, 1931, as amended, relating
2 to prohibiting a certificate of need; prohibiting additional drug and alcohol treatment
3 facilities and services in certain counties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2D. CERTIFICATE OF NEED.

§16-2D-9. Health services that cannot be developed.

1 Notwithstanding §16-2D-8 and §16-2D-11 of this code, these health services require a
2 certificate of need but the authority may not issue a certificate of need to:

3 (1) A health care facility adding intermediate care or skilled nursing beds to its current
4 licensed bed complement, except as provided in §16-2D-11 of this code;

5 (2) A person developing, constructing, or replacing a skilled nursing facility except in the
6 case of facilities designed to replace existing beds in existing facilities that may soon be deemed
7 unsafe or facilities utilizing existing licensed beds from existing facilities which are designed to
8 meet the changing health care delivery system;

9 (3) Add beds in an intermediate care facility for individuals with an intellectual disability,
10 except that prohibition does not apply to an intermediate care facility for individuals with
11 intellectual disabilities beds approved under the Kanawha County circuit court order of August 3,
12 1989, civil action number MISC-81-585 issued in the case of E.H. v. Matin, 168 W.V. 248, 284
13 S.E. 2d 232 (1981) including the 24 beds provided in §16-2D-8 of this code;

14 (4) An opioid treatment program; and

15 (5) Add licensed substance abuse treatment beds in any county which already has greater
16 than 250 licensed substance abuse treatment beds.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.


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Clerk of the House of Delegates

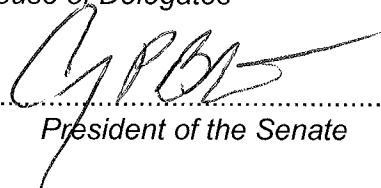

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Clerk of the Senate

FILED
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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

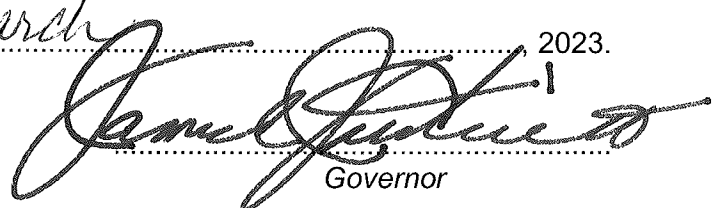
Originated in the House of Delegates.

In effect from passage.


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Speaker of the House of Delegates


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President of the Senate

The within is approved this the 23rd
Day of March 2023.


.....
Governor

PRESENTED TO THE GOVERNOR

MAR 15 2023

Time 3:54 pm