

West Virginia



West Virginia - HB 4013

Sponsor: Delegate Amy Summers (R)

Actions: 02/01/2022 Hearing held
01/24/2022 Introduced; referred to House Health and Human Resources Committee

Summary: Summary for 1/24/2022 Version

This measure amends and repeals existing law to eliminate the certificate of need requirement for health care facilities.

This measure amends and repeals existing law by eliminating the certificate of need requirement for health care facilities. This measure repeals and amends all existing legislation referencing the certificate of need program and its enforceability.

The effective date of this measure is July 1, 2023.

Bill Links [1/24/2022 Version](#)



West Virginia - HB 4136

Sponsor: Delegate Geoff Foster (R)

Actions: 02/01/2022 Hearing Held; Amended; Passed Committee; Referred to House Judiciary Committee
01/18/2022 Introduced; Referred to House Health and Human Resources Committee, House Judiciary Committee

Summary: Summary for 01/18/2022 Version

This measure amends the code of West Virginia to authorize the Health Care Authority to promulgate a legislative rule relating to Certificate of Need.

This measure does not state an effective date.

Bill Links [1/18/2022 Version](#)



West Virginia - HB 4205

Sponsor: Delegate Geoff Foster (R)

Actions: 02/01/2022 Hearing held; not considered
01/25/2022 Hearing held; not considered

01/18/2022 Introduced; Referred to House Health and Human Resources Committee;
House Judiciary Committee

Summary: Summary for 1/18/2022 Version

This measure authorizes the Board of Medicine to promulgate a legislative rule relating to practitioner prescription drug dispensing regulations.

The rule includes physician assistants within the definition of practitioner and clarifies regulations relating to dispensing controlled substances.

Bill Links [1/18/2022 Version](#)



West Virginia - HB 4263

Sponsor: Delegate Matthew Rohrbach (R)

Actions: 02/01/2022 Referred to Senate Health and Human Resources Committee
01/31/2022 Passed House
01/25/2022 Hearing Held; Substituted; Passed Committee
01/19/2022 Introduced; Referred to House Health and Human Resources Committee

Summary: Summary for 1/25/2022 Version

This measure protects patient access to physician-administered drugs and prohibits the practice of white bagging.

This measure applies to health insurance issuers and pharmacy benefit managers and prohibits the practice of white bagging.

Under this measure, the following actions are prohibited:

- Refusing to authorize, approve, or pay participating providers for providing physician-administered drugs and related services.
- Restricting or refusing to authorize participating providers for physician-administered drugs when all medical necessity criteria are met because the provider obtains the drugs from a pharmacy that is not a participating provider within the insurance issuer's network. The drug supplied must meet supply chain security controls and chain of distribution, and payment must be set at the rate set forth in the issuer's agreement with the provider. If the rate is not included in the agreement, the rate must be set at wholesale acquisition cost.
- Requiring covered individuals to pay additional fees or increased cost-sharing amounts in addition to cost-sharing amounts payable as designated within the benefit plan to obtain physician-administered drugs.

Nothing in this measure may prohibit health insurance issuers from establishing different copayments or other cost-sharing amounts within the benefit plan for covered individuals receiving physician-administered drugs, from refusing to authorize or deny coverage of these drugs when medical necessity criteria are not satisfied, or from establishing specialty care centers.

This measure will apply to all policies, contracts, plans, or agreements that are issued, amended, adjusted, executed, or renewed on or after January 1, 2023.

This measure takes effect 90 days after enrollment.

Bill Links [1/25/2022 Substitute](#)
[1/19/2022 Version](#)



West Virginia - HB 4549

Sponsor: Delegate Guy Ward (R)

Actions: 02/03/2022 Referred to House Health and Human Resources Committee

Summary: Summary for 2/3/2022 Version

This measure relates to health care facility exemptions for certificate of need.

This measure requires a health professional, person, or other entity who operates a health care facility that has been in existence prior to January 1, 2022 to qualify for an exemption from certificate of need.

This measure allows a health professional, person, or other entity who operates a health care facility to change any services provided as long as the health care facility is relocated within a ten-mile radius of the original health care facility and remains in the same county and also qualifies the facility for an exemption from certificate of need. The measure qualifies integrated health care delivery systems for exemption from certificate of need when opening a new physician's office, buying an existing physician's office, opening a new ambulatory facility, or buying an existing ambulatory facility. The measure also qualifies any health care facility created after January 1, 2022 that continues to provide health care services for a period of 10 years for exemption from certificate of need.

This measure does not state an effective date.

Bill Links [2/3/2022 Version](#)



West Virginia - HB 4572

Sponsor: Delegate Roy Cooper (R)

Actions: 02/08/2022 Introduced; Referred to House Health and Human Resources Committee

Summary: Summary for 2/8/2022 Version

This measure removes the certificate of need requirement for long-term care facilities who increase the number of beds by 5% for veterans' occupation.

This measure applies to long term care facilities. Under this measure, a long-term health care facility that increases the number of beds by 5%, if those beds are occupied by verified veterans, may provide health services without applying for or obtaining an approved certificate of need.

This measure takes effect 90 days after enrollment.

Bill Links [2/8/2022 Version](#)



West Virginia - HB 4573

Sponsor: Delegate Mike Pushkin (D)

Actions: 02/08/2022 Introduced; Referred to House Health and Human Resources Committee

Summary: Summary for 2/8/2022 Version

This measure eliminates the certificate of need requirement for opioid treatment facilities.

This measure applies to opioid treatment facilities. This measure removes the Certificate of Need moratorium on opioid treatment facilities.

This measure takes effect July 1, 2022.

Bill Links [2/8/2022 Version](#)



West Virginia - HB 4607

Sponsor: Delegate Rolland Jennings (R)

Actions: 03/09/2022 Hearing Held; Passed Committee
02/24/2022 Referred to Senate Health and Human Resources Committee
02/23/2022 Passed House
02/18/2022 Hearing Held; Substituted; Passed Committee
02/10/2022 Introduced; Referred to House Health and Human Resources Committee

Summary: Summary for Version 2/10/2022

This measure removes opioid treatment programs from needing a certificate of need.

This measure applies to addiction service facilities and medical facilities.

The measure removes an opioid treatment program as a service facility that requires a certificate of need.

The measure also removes the requirement for the construction, development, and acquisition of an opioid treatment program from submitting and providing information for exemptions from a certificate of need.

This measure does not have an effective date.

Bill Links [2/18/2022 Version](#)
[2/10/2022 Version](#)



West Virginia - HB 4643

Sponsor: Delegate Jason Barrett (R)

Actions: 03/09/2022 Hearing Held
02/24/2022 Referred to Senate Health and Human Services Committee
02/23/2022 Passed House
02/18/2022 Hearing Held; Passed Committee
02/11/2022 Introduced; Referred to the Health and Human Resources Committee

Summary: Summary for 2/11/2022 Version

This measure exempts birthing centers from certificates of need.

This measure applies to birthing centers. Under this measure, the construction, development, acquiring, or establishment of a birthing center no longer requires a certificate of need.

This measure takes effect 90 days after enrollment.

Bill Links [2/11/2022 Version](#)



West Virginia - SB 297

Sponsor: Senator Dave Sypolt (R)

Actions: 01/17/2022 Introduced; Referred to Senate Judiciary Committee

Summary:

Bill Links [1/17/2022 Version](#)



West Virginia - SB 366

Sponsor: Senator Dave Sypolt (R)

Actions: 01/21/2022 Hearing Held; Passed Committee; Substituted by SB 334
01/19/2022 Hearing Held
01/17/2022 Introduced; Referred to Senate Judiciary Committee

Summary: Summary for 1/17/2022 Version

This measure authorizes the Board of Medicine to promulgate a legislative rule relating to prescription drug dispensing regulations for certain practitioners.

The rule modifies the prescription drug dispensing regulations for physician assistants, including the physician collaboration requirements.

Bill Links [1/17/2022 Version](#)



West Virginia - SB 585

Sponsor: Senator Tom Takubo (R)

Actions: 03/10/2022 Passed House
03/08/2022 Hearing Held; Passed Committee
02/23/2022 Referred to House Health and Human Resources Committee
02/22/2022 Passed Senate
02/15/2022 Hearing Held; Substituted; Passed Committee
02/07/2022 Introduced; referred to the Health and Human Resources Committee

Summary: Summary for 2/15/2022 Version

This measure creates application and issuing guidelines for administrative medicine licensure.

This measure applies to physicians. This measure requires the board to issue an administrative medicine license to a physician who properly files a complete application, pays all applicable fees, has not practiced clinical medicine or graduate medical training in the last three years, and demonstrates competency to practice medicine.

Administrative medicine licensees are prohibited from practicing clinical medicine.

Physicians applying to renew administrative medicine licenses must pay the same fees and meet the same requirements for initial licensure, plus successfully complete at least 50 hours of continuing medical education requirements.

This measure defines "administrative medicine" as the administration or management related to the practice of medicine or to the delivery of health care services using the medical knowledge, skill, and judgment of a licensed physician that may affect the health of the public and/or medical research, excluding clinical trials on humans. Administrative medicine does not include the authority to practice clinical medicine; examine, care for or treat patients; prescribe medications, including controlled substances; or direct or delegate medical acts or prescriptive authority to others.

This measure takes effect 90 days after enrollment.

Bill Links [2/15/2022 Version](#)
[2/7/2022 Version](#)



West Virginia - SB 702

Sponsor: Senator Tom Takubo (R)

Actions: 02/21/2022 Introduced; Referred to Senate Health and Human Resources Committee

Summary: Summary of 2/21/2022 Version

This measure eliminates certificate of need requirements and creates exemptions for certain health services.

The following are required to obtain a certificate of needs: construction, development, acquisition, or other establishments of a facility on an existing health care facility and expansions of service areas for hospice or home health agencies.

The following services are required to obtain a certificate of need regardless of the minimum expenditure: providing cardiac surgery; establishing an ambulatory care center; establishing an ambulatory surgical center; providing diagnostic imaging; providing cardiac catheterization services; kidney disease treatment centers, including freestanding hemodialysis units, as long as the treatment center located in a hospital is not subject to review; providing intellectual developmental disabilities services; providing hospice services; establishing a home health agency; and providing personal care services.

The following are required to obtain a certificate of need regardless of minimum expenditure: constructing, developing, acquiring, or establishing a birthing center; providing radiation therapy; providing computed tomography; providing positron emission tomography; providing fixed magnetic resonance imaging; and providing comprehensive medical rehabilitation. This includes the development of a dialysis facility, providing radiation therapy, surgical services, establishing operating rooms, adding acute care beds, organ and tissue transplants, inpatient and hospice services, establishing a home health agency, and personal care services.

The following services are exempt: construction, development, acquisition, or renovation on the campus of an existing health care facility not subject to review; partial or total closure of a health care facility with which a capital expenditure is associated; changes in bed capacity; ventilator service; and acquisition of major medical equipment.

This measure is effective 90 days after enrollment.

Bill Links [2/21/2022 Version](#)

Wisconsin



Wisconsin - AB 1058

Sponsor: Representative Shae Sortwell (R)

Actions: 02/17/2022 Introduced; Referred to Assembly Committee on Health

Summary: Summary for 2/17/2022 Version

This measure prohibits health care entities and credentialing boards from discriminating against health care providers who order innovative or novel therapies, as well as from interfering with a provider informing a patient of such therapies as long as certain conditions are met.

This measure prohibits a health care entity or credentialing board from discriminating against a health care provider for ordering an innovative or novel therapy so long as it is ordered based on the assessment of the provider and clinical data; the patient is informed of reasonable alternatives; and, if the therapy is a drug, device, or biological product, it is approved by the FDA. The health care entity or credentialing board also cannot interfere with a provider informing a patient about innovative novel therapies.

This measure is effective the day after publication.

Bill Links [2/17/2022 Version](#)



Wisconsin - AB 745

Sponsor: Representative Lisa Subeck (D)

Actions: 02/16/2022 Hearing Held
12/07/2021 Introduced; Referred to Assembly Health Committee

Summary: Summary for 12/07/2021

This measure prohibits insurers, pharmacy benefit managers, and utilization review organizations from requiring a step therapy protocol for certain drugs used to treat metastatic cancer and cancer-associated conditions.

This measure is applicable to insurers and pharmacy benefit managers.

This measure defines “cancer-associated condition” as any symptom or side effect that is associated with metastatic cancer or the treatment of metastatic cancer and that, in the judgment of a healthcare provider, further jeopardizes the health of a patient if left untreated.

This measure defines “metastatic cancer” as cancer that has spread from the primary or original site of cancer to nearby tissues, lymph nodes, or other areas or parts of the body.

This measure prohibits insurers, pharmacy benefit managers, or utilization review organizations from requiring a step therapy protocol for a drug prescribed for metastatic cancer or cancer-associated conditions. The drug use must be FDA approved, consistent with best practices for the specific condition, and supported by peer-reviewed, evidence-based research.

This measure does not list an effective date.

Bill Links [12/7/2021 Version](#)
