

Health Care Highlights[©]

A Comprehensive Newsletter Covering Activities of the West Virginia Legislature and State Government

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Welcome to the 5th issue of award-winning *Health Care Highlights* for 2015. This year marks the 27th year of our unique health care publication. Our newsletter reaches more than 5,000 health professionals and health policymakers.

Health Care Highlights is published weekly during the regular legislative session and monthly during the periods in between legislative sessions by the firm **Government Relations Specialists, LLC**. *Health Care Highlights* provides a special focus on health topics of interest, legislative health deliberations, and a special section featuring the history and status of all health care bills introduced in the West Virginia state Senate and the House of Delegates.

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Today is the 34th day of the 60-day regular legislative session. This week, we continue tracking all health care-related bills under consideration by the House and Senate. Currently, 753 House bills have been introduced. The Senate is considering 490 bills. Of the 1,243 total bills introduced so far this session, many are similar to bills from previous legislative sessions or are rules bills. We are currently tracking 206 health care-related bills, which is about 17% of all bills so far. In addition, this week we will report actions taken by legislative committees and other health care news.

2015 Key Legislative Dates

Feb. 23: Last day to introduce bills in the Senate. ([Senate Rule 14](#))

Does not apply to originating or supplementary appropriation bills or resolutions.

Feb 24: Last day to introduce bills in the House. ([House Rule 91a](#))

Does not apply to originating or supplementary appropriation bills or resolutions.

March 1: Bills due out of committees in house of origin to ensure three full days for readings.

March 4: Last day to consider bills on third reading (passage stage) in house of origin for "cross-over." ([Joint Rule 5b](#))

Does not include budget or supplementary appropriation bills.

March 14: Adjournment at midnight. ([WV Const. Art. VI, §22](#))

March 15: Extended session possible, but not expected, to work only on the Budget Bill and other appropriation bills.



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MPLA Bill on 2nd Reading in House

Following two lengthy discussions before the House Judiciary Committee, a bill that would modernize medical liability reforms and avert a potential health care crisis will be on 2nd reading (amendment stage) in the House today (Feb. 16). The bill, **SB 6**, passed the Senate on Feb. 2 and was the subject of a public hearing in House Chambers last Monday (Feb. 9).

Several speakers during the public hearing noted the vast changes that have taken place in health care since the Medical Professional Liability Act was first passed in 2003. The principles of professional liability reform and the Legislature's original intent have not changed, but proponents of the new bill say legislative language and definitions from 2003 need to be updated to better reflect the health care system a dozen years later.

Today's care, though still physician-led, is more patient-centered and includes a more expanded team of health professionals that includes physician assistants, pharmacists, advanced practice nurses and others. In addition, supporters said, today's health care is delivered in a variety of settings, from the traditional physician's office or hospital, to pharmacies, rehabilitation centers, nursing homes and in the patient's home.

The MPLA places caps on the amounts that juries can award to successful plaintiffs in malpractice lawsuits for trauma and non-economic damages.

Dr. Hoyt Burdick, chief medical officer of Cabell Huntington Hospital and former president of the West Virginia State Medical Association, said medical liability reforms and establishment of the West Virginia Physicians Mutual led to double-digit reductions in malpractice insurance premiums and enhanced the state's ability to recruit and retain physicians. "I suspect that taxpayers have also benefited through reductions in suits and settlements by the Board of Risk and Insurance Management for its state-employed teaching physicians," he added. "The dollars that are not spent on insurance premiums and funding the tort system sustain medical practices and support employment in the health care sector."

The new legislation broadens the definitions of medical activities, medical facilities and health care providers and clarifies inclusion of physician assistants, advanced professional registered nurses, pharmacies and pharmacists, nursing homes, and others; tightens expert witness requirements; clarifies the collateral source definition; and ties the trauma cap to inflation (the Consumer Price Index) with an upper limit of 150% of the original amount.

Several speakers during the public hearing pointed out that malpractice insurance premiums in West Virginia still remain higher than in surrounding states. Patrick Kelly, CEO of the WV Health Care Association, said West Virginia has the second highest frequency of claims against nursing homes in the U.S. At a small, nonprofit facility in central WV, Kelly said, premiums have risen from \$151 per bed in 1999 to \$1,256 per bed – a 732% increase.

"You can hardly turn on the TV without seeing an ad soliciting people to sue nursing homes," Kelly said. "We must take steps now to ensure that West Virginia seniors have access to nursing home care. The status quo is simply not sustainable."

Joe Letnaunchyn, president and CEO of the West Virginia Hospital Association, said it is "critical" that the Legislature re-enact provisions of the MPLA. "The health care field is undergoing a period of transformation in which the very model of health care delivery is being changed to improve quality and lower costs," he said.

"To achieve these goals, we're now seeing more hospitals collaborate, affiliate and merge to form systems that under the current MPLA are not protected entities. Including these decision-making entities under the MPLA ensures that the continuum of care is not put at risk through lawsuits that only add more cost to the state's health care system."

A broad coalition of West Virginia's health care community supports the bill, including the West Virginia Hospital Association, the West Virginia Health Care Association, the West Virginia Academy of Family Physicians, Emergency Medical Services West Virginia Coalition, the West Virginia Behavioral Healthcare Providers Association, and the West Virginia Osteopathic Medical Association. They have lots of support by lawmakers and the public.

CPR, Anti-Overdose Bills Sent to Governor

Completed legislation that would require school students to complete 30 minutes of training in cardiopulmonary resuscitation prior to graduation, and a separate bill that gives first responders a tool to combat suspected overdoses, have passed both houses and now await Gov. Earl Ray Tomblin's signature.

The CPR bill, **SB 7**, also includes training in first aid and care instructions for conscious choking. Teachers are not required to be certified trainers in CPR in order to provide instruction. However, instruction may be provided by community members, such as emergency medical technicians, paramedics, police officers, firefighters, licensed nurses and representatives of the American Heart Association or the American Red Cross. Schools may choose to provide longer instruction in CPR and also may opt to include information regarding use of automated external defibrillators (AEDs). Any instruction that results in certification must be taught by an authorized CPR/AED instructor.

Meanwhile, **SB 335** allows first responders to possess opioid antagonists such as Naloxone, and administer them in suspected cases of drug overdoses. The bill also would ensure that opioid antagonists are made available to individuals at risk of overdose, as well as to relatives, friends and caregivers. It would establish responsibilities for licensed health care providers who prescribe opioid antagonists, and provide for data collection, training and rule making. It includes immunity provisions for those acting in good faith and requires those who administer the antagonist to also seek medical attention for the overdosed individual.

Reduction in Hospital Assessment Proposed

A bill that would reduce the amount that hospitals pay to the state Health Care Authority was approved, as amended, by the House Committee on Health and Human Resources on Thursday. The bill, **HB 2652**, would cap the assessment at no more than one-tenth of 1% of the hospital's gross receipts and defines the items to be used in that calculation.

According to a Fiscal Note attached to the bill by HCA, the change would decrease assessments for fiscal 2016 from \$6.2 million to \$4.9 million or approximately \$1.3 million. HCA says its expenditures likewise would be reduced to match the appropriation. HCA says the cut would impact two grant programs: hospital assistance grants totaling \$600,000 and the Rural Health System Program grants totaling \$668,530. Others disagree, saying the assessments creates a surplus.

It is important to note that millions of dollars in HCA accumulated surplus funds have been suggested by Gov. Tomblin for removal by the Legislature, which gives justification by many for the hospital assessment reduction. The hospital assessment is the main revenue source that supports the Health Care Authority, including personal services, current expenses and grant programs. The bill, supported by the WV Hospital Association, now moves to the Finance Committee.

Drug Testing Bill Sparks Controversy

A bill to allow drug testing of beneficiaries of the Temporary Assistance for Needy Families (TANF) program sparked controversy in the Senate Committee on Health and Human Resources on Tuesday, particularly when senators learned of the limited success of similar laws in other states.

The bill, **SB 348**, would create a pilot program to test cash assistance applicants in three unspecified West Virginia counties. Cabell, Kanawha and Mercer have the state's three highest TANF populations. The tests cost about \$56 each, and a draft Fiscal Note from the state Department of Health and Human Resources estimates first-year costs of \$1.3 million. Trained DHHR staff would require drug testing of an applicant based on "reasonable suspicion."

However, senators learned that Tennessee tested 16,017 applicants from July through December, with only 37 positive drug test results; Florida tested 4,046 people, with 108 positive results; and Utah tested 4,730 people, with 12 positive results. "Wow! Those numbers are incredibly small," said Sen. Corey Palumbo. "That's an incredible amount of wasted time and effort and money." Sen. Chris Walters disagreed, citing West Virginia's dismal statistics regarding overdose deaths and children born with addictions. The bill now moves to the Finance Committee.

Senate Health also approved **SB 386**, which would exclude mobile X-ray services from the health care provider tax. That bill also moves to the Finance Committee.

Anaphylaxis Help Proposed for Businesses

Businesses could voluntarily choose to obtain, stock and store epinephrine auto-injectors, commonly known as EpiPens, under legislation approved Tuesday by the House Committee on Health and Human Resources. The auto-injectors would be used, following training, in emergency situations involving anaphylaxis (severe allergic reaction) for a customer, visitor or employee. It follows similar legislation passed in Florida and other states. The bill (**HB 2648**) now moves to the Judiciary Committee.

The Legislature unanimously passed a bill in 2013 allowing schools to use epinephrine auto-injectors; more than 200 schools now participate. This year's bill also is expected to pass, with support from the Hospitality and Travel Association, Chamber of Commerce and leading medical organizations.

Anaphylaxis is a growing health concern in the U.S., and public access to epinephrine as a first-line treatment is critical. Anaphylaxis can be triggered by certain foods, insect stings, medications, latex or other allergens. It causes approximately 1,500 deaths annually. Children and adolescents are among those most at risk, but studies have shown that as many as one in 20 adults also are at risk. These life-threatening allergic reactions can occur quickly and without warning.

Immunization Bill Advances in Senate

The Senate Committee on Health and Human Resources on Thursday advanced a revised bill (**SB 286**) that would streamline the medical exemption process for compulsory immunizations for students. A second reference to the Judiciary Committee was dispensed, so the bill will be on first reading in the Senate today (Feb. 16).

The bill does not weaken the state's current, strong immunization requirements. It does not include non-medical or religious / personal preference exemptions. According to the bill, a child entering school or a state-regulated child care center must be immunized against chickenpox, hepatitis-B, measles, meningitis, mumps, diphtheria, polio, rubella, tetanus and whooping cough – or obtain a medical exemption from the commissioner of the Bureau for Public Health.

Medical exemptions would be requested on a form that parents could obtain from the state Department of Health and Human Resources. A parent or guardian would present a completed form, signed by a physician, to the commissioner and to the appropriate school or child care center. The commissioner would appoint an Immunization Officer, who must be a licensed physician, to review exemption requests. Appeals would be to the commissioner, who is also the State Health Officer and, if necessary, to a circuit court.

The bill maintains DHHR's interpretive rule currently in place governing administration of immunizations and the medical exemption process. "It sounds like we are maintaining a very strong immunization program, while taking out any variances from county to county," Sen. Ron Stollings observed.

BPH Commissioner Rahul Gupta, M.D., and Gregory Hand, Ph.D., dean of the WVU School of Public Health, spoke in support of the bill. "West Virginia doesn't seem to announce very loudly its success in the control of infectious disease," Hand said, "and much of that (success) can be attributed to the immunization policy in the state."

"This is a good piece of legislation going forward that will protect our citizens," said Sen. Chris Walters.

Stollings noted that the bill still has a long way to travel in the legislative process. "This committee has worked hard on this and studied it well," he said. "I certainly hope that we can keep this bill as strong as it is now, and keep some amendments or changes out of it that could negatively impact West Virginia."

House Version of Medicaid UPL Bill Approved

The House version of a bill to extend the health care provider tax for eligible acute care hospitals received the House Health Committee's endorsement Tuesday. Like its counterpart in the Senate (**SB 398**), **HB 2614** would increase the tax rate for the Upper Payment Limit (UPL) program from .62% to .72%. It also provides for disbursement of any funds remaining in the Eligible Acute Care Provider Enhancement Account. The bills are supported by the West Virginia Hospital Association. The bill now moves to the Finance Committee.

House Health Originates Hydrocodone Bill

The House Committee on Health and Human Resources on Thursday originated a bill (**HB 2776**) that would allow licensed physician assistants, advanced practice registered nurses and optometrists to prescribe Schedule II hydrocodone combination drugs to a patient for up to three days per 30-day period. A similar bill, **SB 428**, is pending in the Senate.

In other business Thursday, House Health:

- Approved **HB 2511**, which exempts health care sharing ministries from state requirements for health insurance. A health care sharing ministry is a faith-based, nonprofit 501(c) 3 charitable organization under IRS code. Joe Guarino, representing the Alliance of Health Care Sharing Ministries, said about 500 West Virginia families (1,400 individuals) currently participate in one of three national Christian ministries, located in Ohio, Illinois and Florida. Participants financially assist fellow participants with large medical expenses. A family's monthly expenses typically are 40% to 65% less than traditional insurance. Guarino said 28 states have similar legislation. The bill now moves to the Judiciary Committee.
- Advanced **HB 2535**, which expands suicide prevention training for personnel from middle school through college. West Virginia ranks 15th in the U.S. for deaths by suicide; it is the second leading cause of death in youths 10-24. The bill now moves to the Education Committee.
- Amended **HB 2104** to terminate the Tax Commissioner's authority to issue business licenses for the purpose of selling drug paraphernalia. Delegate Mike Pushkin said the bill will only push sales of such products underground. "We've been trying to legislate our way out of it," he said. "As much as I want to do something about the drug problem, I think this is a misguided attempt." The bill advances to the Judiciary Committee.
- Unanimously passed **HB 2510** to allow sweets at elementary school parties. Delegate Denise Campbell, the bill's sponsor, conceded, "Yes, I did get a lot of negativity regarding this bill last year." But she said the state Board of Education goes overboard with policies on nutrition and caloric contents in schools. The bill now moves to the Education Committee.

Earlier in the week, House Health offered its stamp of approval on a series of bills:

- **HB 2098**, which authorizes health professionals to provide services at state-run veterans' facilities without obtaining authorization to practice from the appropriate licensing agency in this state. The practitioner would be required to maintain an unrestricted license to practice in another state;
- **HB 2100**, which permits hospital patients to designate a lay caregiver to receive discharge instructions to assist in the patient's home after-care. This is an interim bill recommended by the Select Committee on PEIA, Seniors and Long-Term Care. The bill moves to the Judiciary Committee;
- **HB 2210**, which moves the Children's Health Insurance Program (CHIP) and the Children's Health Insurance Agency from the state Department of Administration to DHHR. The change was recommended in the Public Works audit of the agency two years ago. The bill moves to the Committee on Government Organization;
- **HB 2272**, which permits the Board of Pharmacy to maintain an official prescription program and also clarifies that a pharmacy intern can perform certain immunizations with training. The bill moves to the Committee on Government Organization;
- **HB 2432**, which would allow the Board of Pharmacy to decide whether a felon is qualified for licensure on a case-by-case basis. The individual would have to wait at least five years from conviction to apply. The bill moves to the Committee on Government Organization;
- **HB 2382**, which allows flexibility to DHHR in complying with federal mandates under the Temporary Assistance to Needy Families (TANF) program. The bill would improve DHHR's monitoring capabilities to ensure appropriate assistance is provided to those who qualify and need help with education, training and employment opportunities. The bill moves to the Judiciary Committee;
- **HB 2589**, which establishes an appeal process for decisions by the DHHR Board of Review and Medicaid. The bill moves to the Judiciary Committee;
- **HB 2613**, which would require state and federal background checks for employees with direct access to residents, members or beneficiaries in certain facilities. It creates the WV Clearance for Access: Registry and Employment Screening (WV CARES) program. The bill moves to the Judiciary Committee.

West Virginia Legislature

Health Care Bill Status as of 2/13/15

To review current status, visit www.legis.state.wv.us

To find a particular bill, look below for the bill number under a general health category. A description of the bill is provided along with the bill's lead sponsor, additional information about the bill, committee references and other legislative action. For those receiving this newsletter electronically, please note that bill numbers are web-links to the bill text, so you may click on the blue bill number while holding down the control key and information on the bill will open in your web browser.

APPROPRIATIONS & BUDGET

- [SB 233](#) Cole+ **Budget Bill SFY 2016** (see [HB 2016](#)) Bill proposed by Governor. Of note; 26.3% of all state expenditures are allocated for Health and Human Resources. To Finance.
- [SB 443](#) Cole+ **Supplemental appropriation to Medicaid** Governor's bill to provide \$9.7 million for fiscal 2015 from State Excess Revenue Lottery Fund. To Finance
- [SB 463](#) Cole+ **Supplemental appropriation to Medicaid** Governor's bill to provide \$14.7 million for fiscal 2015. To Finance
- [SB 464](#) Cole+ **Supplemental appropriation Medicaid** (see [HB 2698](#)) Governor's bill to provide \$9.7 million for fiscal 2015 from State Excess Revenue Lottery Fund. To Finance
- [SB 465](#) Cole+ **Expires appropriations and cash balances in State Fund, General Revenue** Governor's bill to expire funds from various accounts for fiscal 2015. To Finance
- [SB 468](#) Cole+ **Expires funds to State Fund, General Revenue** Governor's bill to expire funds from Joint Expenses and DHHR, DHS, TRIP Fund. To Finance
- [SB 471](#) Cole+ **Supplemental appropriation to Human Rights Commission and Medicaid** Governor's bill to provide \$42,845 to HRC and \$100 million in federal funds to Medical Services. To Finance
- [HB 2016](#) Armstead+ **Budget Bill SFY 2016** (see [SB 233](#)) Bill proposed by Governor. Of note; 26.3% of all state expenditures are allocated for Health and Human Resources. To Finance.
- [HB 2698](#) Armstead+ **Supplemental appropriation to Medicaid** (see [SB 464](#)) Governor's bill to provide \$9.7million for fiscal 2015 from State Excess Revenue Lottery Fund. To Finance

BOARD LICENSURE AND REGULATION

- [SB 22](#) Beach **Expands Board of Registered Professional Nurses from 5 members to 10** To Gov. Org., then Finance
- [SB 126](#) Beach **Rewrites the article concerning the practice of psychology** To Health, then Gov. Org.
- [SB 239](#) Kirkendoll+ **Eliminates unnecessary boards, etc.** (see [SB 255](#)) Interim bill recommended. To Gov. Org.
- [SB 255](#) Cole+ **Eliminates unnecessary boards, councils, task forces, commissions and committees** (see [SB 239](#), [SB 294](#), [HB 2101](#), [HB 2177](#), [HB 2469](#)) Bill proposed by Governor. Gov. Org. reported Com. Sub. , Judiciary reported, passed Senate 2/10; to House Gov. Org.
- [SB 294](#) Cole+ **Eliminates unnecessary boards, etc.** (see [SB 255](#)) Bill proposed by Governor. Gov. Org. reported, to Judiciary
- [SB 330](#) Ferns **Adopts Interstate Medical Licensure Compact** (see [HB 2496](#)) This bill allows physicians to be licensed in multiple states, affirms that the practice of medicine occurs where the patient is located at the time of physician-patient encounter, and requires the physician to be licensed by the state medical board where the patient is located. It is supported by the state Board of Medicine and the state Board of Osteopathic Medicine. Similar legislation has been introduced in 14 other states. To Interstate Cooperation – on agenda for 2/18, then Health
- [SB 334](#) Ferns **Updates telemedicine and medical services delivery standards** (see [HB 2497](#)) Reformulates what constitutes the unauthorized practice of medicine and podiatry under the Board of Medicine, including qualified exemptions. Also updates and defines telemedicine and medical services delivery standards. It establishes criminal penalties for unauthorized medical practice. The bill authorizes rule-making. Gov. Org. reported, to Health
- [SB 355](#) Hall, M. **Implements quality control procedures for agency rules** To Gov. Org., then Finance
- [HB 2101](#) Morgan+ **Eliminates unnecessary boards, etc.** (see [SB 255](#)) Interim bill recommended. To Gov. Org.
- [HB 2103](#) Howell+ **Requires licensing boards to provide public access to disciplinary actions** Also requires medical and health license applicants to submit to state/national crime records checks with fingerprints. Gov. Org. amended, to Finance

- [HB 2177](#) Armstead+ **Eliminates unnecessary boards, etc.** (see **SB 255**) *Bill proposed by Governor.* To Gov. Org.
- [HB 2233](#) Walters+ **Requires review of legislative rules 5 years after initial approval** To Judiciary, then Finance
- [HB 2239](#) Howell+ **Creates a Board of Health Professions** *Under review by affected boards.* To Health, then Gov. Org.
- [HB 2259](#) Hamrick+ **Requires the Governor to fill vacancies on professional boards within 60 days** To Gov. Org.
- [HB 2269](#) Walters+ **Requires DHHR rules to be no more stringent than corresponding federal laws** To Judiciary
- [HB 2272](#) Ellington+ **Allows Pharmacy Board to maintain official Rx program** Health reported, to Gov. Org.
- [HB 2469](#) Armstead+ **Eliminates unnecessary boards, etc.** (see **SB 255**) *Bill proposed by Governor.* To Gov. Org.
- [HB 2496](#) Ellington+ **Adopts Interstate Medical Licensure Compact** (see **SB 330**) *This bill allows physicians to be licensed in multiple states, affirms that the practice of medicine occurs where the patient is located at the time of physician-patient encounter, and requires the physician to be licensed by the state medical board where the patient is located. It is supported by the state Board of Medicine and the state Board of Osteopathic Medicine. Similar legislation has been introduced in 14 other states.* Health amended, to Judiciary
- [HB 2497](#) Ellington+ **Updates telemedicine and medical services delivery standards** (see **SB 334**) *Reformulates what constitutes the unauthorized practice of medicine and podiatry under the Board of Medicine, including qualified exemptions. Also updates and defines telemedicine and medical services delivery standards. It establishes criminal penalties for unauthorized medical practice. The bill authorizes rule-making.* Health amended, to Judiciary
- [HB 2737](#) Householder+ **Prohibits licensure boards from hiring or contracting with a lobbyist** To Gov. Org., then Judiciary
- [HB 2746](#) Ashley+ **Requires athletic trainers to be licensed by WV Board of Physical Therapy** To Gov. Org.

CHILDREN

- [SB 7](#) Stollings+ **Requires CPR and care for conscious choking instruction in schools** (see **HB 2007**) *This bill requires 30 minutes of CPR training prior to graduation. It also includes training in first aid and care instructions for conscious choking. Teachers are not required to be certified trainers in CPR; instruction may be provided by community members. Schools may opt to include information regarding use of automated external defibrillators (AEDs). Any instruction that results in certification must be taught by an authorized CPR/AED instructor.* Passed Senate 2/2; passed House 2/11; pending approval by the Governor.
- [SB 68](#) Unger+ **Creates Healthy Children and Healthy Communities Act** To Health, then Finance
- [SB 69](#) Unger+ **Requires public school screening for dyslexia** To Education, then Finance
- [SB 132](#) Miller+ **Reduces school nurse staffing ratio** To Health, then Finance
- [SB 286](#) Ferns+ **Streamlines medical exemptions to compulsory immunizations and vaccine boosters of students** (see **HB 2556**) Health reported Com. Sub., 2nd reference to Judiciary dispensed; on first reading 2/16
- [SB 296](#) Walters+ **Provides maximum licensed school psychologist-pupil ratio** To Education, then Finance
- [SB 424](#) Ferns+ **Eliminates compulsory tuberculosis testing for low-risk school children and personnel** (see **HB 2669**) To Health, then Education
- [HB 2007](#) Stansbury+ **Requires CPR and care for conscious choking instruction in schools** (see **SB 7**) To Education, then Finance
- [HB 2250](#) Rodighiero **Allows holiday sweets in schools with parental or guardian consent** To Education
- [HB 2255](#) Rodighiero **Increases felony penalties for exposing children to meth manufacturing** To Judiciary
- [HB 2258](#) Cowles **Parents' Bill of Rights** To Health, then Finance
- [HB 2261](#) Cowles **Requires automated external defibrillators in public schools** To Education, then Finance
- [HB 2443](#) Pasdon+ **Requires CPR and first aid instruction in schools** To Education
- [HB 2510](#) Campbell+ **Allows sweets at school parties to teach balanced nutrition, moderation** Health reported, to Education
- [HB 2556](#) Cowles+ **Allows religious exemptions to compulsory immunizations** (see **SB 286**) To Health, then Judiciary
- [HB 2623](#) Caputo+ **Establishes guidelines and materials to warn about sudden cardiac arrest** To Education, then Health
- [HB 2669](#) Ellington+ **Eliminates compulsory tuberculosis testing for low-risk school children and personnel** (see **SB 424**) To Education, then Health

HOSPITALS

- [SB 244](#) Carmichael+ **Permits hospital patients to designate a lay caregiver to provide aftercare** (see **HB 2100**) *Interim bill recommended by Select Committee on PEIA/ Seniors/Long-Term Care* To Health, then Judiciary
- [SB 336](#) Ferns+ **Eliminates rate review of hospitals by Health Care Authority** To Gov. Org., then Judiciary

SB 398 Ferns+ **Extends expiration date for UPL health care provider tax on eligible acute care hospitals** (see **HB 2614**) Health reported, to Finance - On agenda 2/17.

SB 399 Ferns **Requires open board meetings for nonprofit or government hospitals** Health reported, to Judiciary

HB 2034 Williams **Provides civil immunity for hospital volunteers providing good faith emergency care** To Judiciary

HB 2100 Williams+ **Permits hospital patients to designate a lay caregiver to provide aftercare** (see **SB 244**) *Interim bill recommended by Select Committee on PEIA/Seniors/Long-Term Care.* Health amended, to Judiciary

HB 2248 Rodighiero **Patient Safety Act establishing direct-care RN to patient ratios** To Health, then Gov. Org.

HB 2376 McGeehan+ **Creates the Save the Hospitals Act** *This bill exempts nonprofit hospitals that provide uncompensated care from paying sales tax, and allows credits against the medical provider tax.* To Gov. Org., then Finance

HB 2614 Ellington+ **Extends expiration date for UPL health care provider tax on eligible acute care hospitals** (see **SB 398**) Health reported, to Finance

HB 2652 Ellington+ **Reduces the assessment paid by hospitals to the Health Care Authority** *This bill would cap the assessment at no more than one-tenth of 1% of the hospital's gross receipts and defines the items to be used in that calculation. It would have a \$1.3 million annual impact on the HCA. The bill is supported by the WV Hospital Association.* Health amended, to Finance

HB 2741 Householder+ **Encourages uncompensated care by providing liability immunity** To Health, then Judiciary

INSURANCE & HEALTH COVERAGE

SB 28 Hall, D. **Requires health insurance coverage for nonnarcotic pain relief systems** To Health, then Finance

SB 84 Stollings+ **Redefines "third-party administrator" to include pharmacy benefits managers** To Insurance, then Judiciary

SB 97 Laird **Sets maximum air-ambulance fees paid by PEIA** *Only HealthNet currently has a contract.* To Insurance, then Finance

SB 120 Stollings+ **Recodifies laws for DHHR and Medicaid** To Health, then Gov. Org.

SB 262 Cole+ **Transfers CHIP and Children's Health Insurance Agency from Department of Administration to DHHR** (see **HB 2210**) *Bill proposed by Governor.* Health reported, Judiciary reported, passed Senate 2/10; House Gov. Org. reported, on 1st reading 2/16.

SB 267 Cole+ **Eliminates GOHELP** (see **HB 2209**) *Bill proposed by Governor; would save \$250,000 from current budget.* Health reported, Judiciary reported, passed Senate 2/10; to House Health - On agenda for 2/17.

SB 274 Cole+ **Allows flexibility to DHHR in complying with TANF** (see **HB 2382**) *Bill proposed by Governor.* Health reported, to Judiciary

SB 289 Takubo+ **Prohibits higher copayments, deductibles or coinsurance for oral anti-cancer medications** *Thirty-four states have passed similar legislation, including all surrounding states except PA. Supported by all leading cancer and medical groups.* (see **HB 2493**) To Insurance, then Judiciary

SB 295 Ferns+ **Establishes appeal process for DHHR Board of Review and for Medicaid decisions** (see **HB 2589**) Health reported, Judiciary reported, passed Senate 2/10; to House Judiciary

SB 363 Cole **Allows Court of Claims to set max rate/service limitations for health reimbursement** To Health, then Judiciary

SB 366 Ferns+ **Creates Patient Protection and Transparency Act** *Requires information to consumers when purchasing health coverage through an insurance exchange about covered services, network providers and Rx drugs on a non-discriminatory basis.* To Insurance, then Finance

SB 368 Nohe **Adopts NAIC standards on risk-based capital reporting for health organizations** (see **HB 2728**) Insurance reported Com. Sub., to Judiciary

HB 2047 Shott **Continues the Medicaid Fraud Control Unit** To Health - on agenda for 2/17, then Judiciary

HB 2209 Armstead+ **Eliminates GOHELP** (see **SB 267**) *Bill proposed by Governor.* To Gov. Org.

HB 2210 Armstead+ **Transfers CHIP and Children's Health Insurance Agency from Department of Administration to DHHR** (see **SB 262**) *Bill proposed by Governor.* Health amended, to Gov. Org.

HB 2173 Rodighiero **Provides reduced rates to married workers without children under PEIA** To Insurance, then Finance

HB 2215 Householder+ **Protects individuals seeking coverage through WV Health Benefit Exchange** To Health, then Judiciary

HB 2216 Ellington+ **WV Health Benefit Exchange Act** Health amended, to Judiciary

HB 2242 Longstreth+ **Requires health insurers to reimburse ambulance service providers directly** To Insurance, then Finance

HB 2244 Rodighiero **Provides state health care services to active duty and inactive military personnel** To Insurance, then Finance

HB 2260 Ellington+ **Prohibits DHHR from expanding managed care without Legislature's approval** To Health, then Finance

- [HB 2382](#) Armstead+ **Allows flexibility to DHHR in complying with TANF** (see [SB 274](#)) *Bill proposed by Governor.* Health amended, to Judiciary
- [HB 2403](#) Rodighiero **Qualifies children of state employees who make \$25,000 or less for CHIP** To Health, then Finance
- [HB 2493](#) McCuskey+ **Prohibits higher copayments, deductibles or coinsurance for oral anti-cancer medications** *Thirty-four states have passed similar legislation, including all surrounding states except PA. Supported by all leading cancer and medical groups.* (see [SB 289](#)) Insurance reported, to Health - on agenda for 2/17.
- [HB 2509](#) Faircloth+ **Determines federal health care legislation invalid in WV** To Health, then Judiciary
- [HB 2589](#) Ellington+ **Appeal process for DHHR Board of Review and Medicaid decisions** (see [SB 295](#)) Health amended, to Judiciary
- [HB 2660](#) Frich+ **Requires registration and regulation of health insurance exchange navigators and non-navigator assisters under the Affordable Care Act** To Health, then Judiciary
- [HB 2661](#) Frich+ **Provides for protection and privacy of those seeking health insurance under the ACA** To Health, then Judiciary
- [HB 2728](#) McCuskey+ **Adopts NAIC standards on risk-based capital reporting for health organizations** (see [SB 368](#)) To Insurance, then Finance

MEDICAL LIABILITY

- [SB 2](#) Gaunch+ **Predicates actions for damages upon comparative fault principles** (see [HB 2002](#)) To Judiciary
- [SB 6](#) Ferns+ **Needed revisions to Medical Professional Liability Act (MPLA)** *Supported by all leading health care, hospital, long-term care and medical groups. Opposed by trial lawyers.* (see [HB 2006](#)) Judiciary reported Com. Sub. , passed Senate 2/2; House Judiciary amended; on 2nd reading 2/16.
- [SB 377](#) Boso+ **Limiting civil liability of pharmaceutical manufacturers or sellers providing warning to learned intermediary** *WV is the only state in the U.S. without this legislation.* To Judiciary
- [SB 456](#) Takubo+ **Allows letters of merit to be admissible in actions against health providers** To Judiciary
- [HB 2002](#) Wagner+ **Predicates actions for damages upon comparative fault principles** (see [SB 2](#)) Judiciary reported Com. Sub. , floor amendment adopted; passed House 1/27; Senate Judiciary amended; passed Senate 2/9; to conference committee.
- [HB 2006](#) Weld+ **Needed revisions to Medical Professional Liability Act (MPLA)** (see [SB 6](#)). House will use Senate bill.
- [HB 2091](#) Manchin **False Claims Act** *This bill failed last year and is not expected to pass this session.* To Judiciary, then Finance
- [HB 2454](#) Ferro+ **Adds “pharmacist” & “pharmacy” to definition of MPLA health provider** (see [SB 6](#)) To Health, then Judiciary

MISCELLANEOUS

- [SB 30](#) Hall, D.+ **Permits the sale of raw milk** Agriculture reported Com. Sub. , to Health
- [SB 48](#) Yost+ **Modifies guidelines for treating injured workers** To Health, then Judiciary
- [SB 346](#) Ferns **Creates Mental Health, Veterans and Service Members Court Act** To Judiciary, then Finance
- [SB 425](#) Plymale+ **Provides WVU, MU and WVSOM more authority to invest assets** To Education
- [HB 2390](#) Rodighiero **Requires public restrooms to provide hand sanitizers** To Health, then Finance
- [HB 2439](#) Smith, P.+ **Creates enhanced criminal penalties for assaults against pregnant women** To Judiciary
- [HB 2448](#) Sobonya+ **Permits the sale of raw milk** To Agriculture, then Health
- [HB 2449](#) Sobonya+ **Permits co-owners of cows to receive their raw milk** To Agriculture, then Health
- [HB 2511](#) Walters+ **Exempts health care sharing ministries from state requirements of health insurance** *A “health care sharing ministry” is a faith-based nonprofit organization that is tax-exempt under IRS code.* Health reported, to Judiciary
- [HB 2595](#) McGeehan+ **Redefines “affected persons” in certificate of need requirements** To Health, then Judiciary
- [HB 2613](#) Ellington+ **Requires state and federal criminal background checks** Health amended, to Judiciary

NURSING HOMES, LONG TERM CARE & SENIORS

- [SB 64](#) Stollings+ **Provides exemption from moratorium for specialty skilled nursing beds** To Health

PRESCRIPTION MEDICATIONS & DRUG USE/ABUSE/DIVERSION

- [SB 9](#) Stollings+ **Relates to opioid antagonists** (see [SB 335](#) [HB 2009](#)) To Health
- [SB 16](#) Stollings+ **Requires the state Board of Pharmacy to identify specialty drugs** To Health, then Judiciary
- [SB 18](#) Stollings+ **Overdose Prevention Act** (see [SB 230](#), [HB 2045](#)) To Health, then Judiciary
- [SB 20](#) Stollings **Allows public health agencies to bill patients for STD and HIV testing** To Health, then Judiciary

- SB 66** Stollings **Revises fees for manufacturer/distributor/dispenser/researcher of controlled substances** To Health, then Finance
- SB 81** Plymale+ **Increases penalty for illegally transporting certain controlled substances into WV** To Judiciary
- SB 99** Carmichael+ **Mandates drug testing of legislators & certain recipients of state/federal funds** To Health, then Judiciary
- SB 230** Stollings+ **Overdose Prevention Act** (see **SB 18, HB 2045**) To Health, then Judiciary
- SB 231** Stollings+ **Relates to opioid antagonists** (see **SB 335, HB 2009**) To Health
- SB 232** Stollings+ **Provides expedited partner therapy for sexually transmitted disease** (see **HB 2046**) To Health, then Judiciary
- SB 270** Stollings+ **Changes 50% to 60% as criteria for pain management clinic designation** To Health, then Judiciary
- SB 335** Cole+ **Creates Access to Opioid Antagonists Act** *Bill proposed by Governor.* (see **HB 2009, HB 2543**) *Allows initial responders to possess and administer opioid antagonists in suspected opioid-related overdoses; ensures opioid antagonists are made available to individuals at risk of overdose, as well as to relatives, friends and caregivers; and establishes responsibilities for licensed health care providers who prescribe opioid antagonists. Provides for data collection, training and rule making.* Passed Senate 2/2, passed House 2/11; pending approval by Governor.
- SB 348** Blair+ **Requires DHHR to create drug screen pilot program for cash assistance applicants** Health reported Com. Sub. , to Finance
- SB 428** Stollings+ **Permits certain optometrists, APRNs and PAs to prescribe Schedule II hydrocodone combination drugs for up to three days.** (see **HB 2776**) To Health, then Judiciary
- SB 458** Stollings+ **Requires prescription for ephedrine, pseudoephedrine and other meth precursors** (see **HB 2611**) To Health, then Judiciary
- HB 2009** Fast+ **Creates Access to Opioid Antagonists Act** (see **SB 335**) Health amended, to Judiciary. *House will use Senate bill.*
- HB 2021** Lane **Mandates drug testing for recipients of federal-state and state assistance** To Health, then Finance
- HB 2026** Howell+ **Allows terminally ill patient access to investigational, non-FDA approved drugs** To Health, then Judiciary
- HB 2044** Perdue+ **Relates to opioid antagonists** (see **SB 335, HB 2009**) To Health, then Judiciary
- HB 2045** Perdue+ **Overdose Prevention Act** (see **SB 18, SB 230**) Health amended, to Judiciary
- HB 2046** Perdue+ **Provides expedited partner therapy for sexually transmitted disease** (see **SB 232**) Health reported, to Judiciary
- HB 2104** Arvon+ **Prohibits business licenses for selling drug paraphernalia** (see **HB 2180**) Health amended, to Judiciary
- HB 2136** Phillips, R.+ **Increases criminal penalties for transporting controlled substances** To Judiciary, then Finance
- HB 2174** Marcum+ **Increases criminal penalties for transporting controlled substances** To Judiciary
- HB 2180** Hamilton+ **Prohibits business licenses for selling drug paraphernalia** (see **HB 2104**) To Health, then Judiciary
- HB 2373** Rodighiero **Prohibits new methadone treatment programs and clinics** To Health, then Judiciary
- HB 2397** Rodighiero+ **Prohibits new methadone treatment programs and clinics** To Health, then Judiciary
- HB 2455** Sobonya+ **Requires release of minor's medical records for drug testing to parent or guardian** To Health, then Judiciary
- HB 2543** Armstead+ **Creates Access to Opioid Antagonists Act** *Bill proposed by Governor.* (see **SB 335**) To Health, then Judiciary
- HB 2544** Householder+ **Allows optometrists to prescribe certain Schedule II hydrocodone combination opioids** (see **HB 2776**)
- HB 2611** Perdue+ **Requires Rx for pseudoephedrine and other meth precursors** (see **SB 458**) To Health, then Judiciary
- HB 2631** Armstead+ **Alcohol and Drug Overdose Prevention and Clemency Act** *Bill proposed by Governor. The bill provides limited immunity to a person who seeks emergency medical assistance for someone experiencing a drug or alcohol overdose. It also provides immunity to the overdose victim upon completion of a drug rehab program. It also provides limited immunity to law enforcement.* To Health, then Judiciary
- HB 2648** Pasdon+ **Allows businesses to stock epinephrine auto-injectors for emergencies** *This bill allows what are commonly known as EpiPens to be obtained, stocked and stored by certain businesses in the state to be used following training in emergency situations involving anaphylaxis (severe allergic reaction) for a customer, visitor or employee. It follows similar legislation passed in Florida and other states.* Health amended, to Judiciary
- HB 2670** Rodighiero+ **Allows PAs to prescribe certain Schedule II hydrocodone combination opioids** (see **HB 2776**)
- HB 2711** Marcus+ **Provides for a scratch-off Lottery game to fund a drug treatment facility** To Judiciary, then Finance
- HB 2723** Howell **Changes sunset date of the Multi-State Real-Time Tracking System to June 2023** To Health, then Judiciary
- HB 2733** Ellington+ **Removes certain hydrocodone combination drugs from Schedule III** To Health, then Judiciary
- HB 2734** Ellington+ **Changes sunset date of the Multi-State Real-Time Tracking System to June 2017** To Health, then Judiciary
- HB 2776** Stansbury+ **Permits certain optometrists, APRNs and PAs to prescribe Schedule II hydrocodone combination drugs for up to three days per 30-day period** (see **SB 248**) *Bill originated in House Health.* On 1st reading 2/16

PROFESSIONALS: HEALTH & MEDICAL

- [SB 21](#)** Beach+ **Removes MD collaboration for Rx authority for APRNs and certified nurse midwives** (see **HB 2450**) *This bill was not recommended for passage by the Joint Gov. Org./Gov. Ops interim committee.* To Health, then Gov. Org.
- [SB 343](#)** Blair+ **Exempt chiropractors from CE on veterans' mental health conditions** Gov. Org. reported Com. Sub., to Judiciary
- [HB 2084](#)** Manchin **Prohibits discrimination by health care workers** To Health, then Judiciary
- [HB 2098](#)** Hamrick+ **Authorizes health professionals to provide services at state-run veterans' facilities without obtaining authorization to practice** Veterans' Affairs amended, Health amended
- [HB 2408](#)** Ellington+ **Requires public health officers and physician faculty members to enter into collaborative agreements with APRNs** To Health, then Judiciary
- [HB 2432](#)** Ellington+ **Allows Board of Pharmacy to license felons** Health reported, to Gov. Org.
- [HB 2450](#)** Campbell+ **Removes MD collaboration for Rx authority for APRNs and certified nurse midwives** (see **SB 21**) *This bill was not recommended for passage by the Joint Gov. Org./Gov. Ops interim committee.* To Health, then Gov. Org.
- [HB 2470](#)** Campbell+ **Retains nursing education faculty by giving them a \$2,500 tax deduction** To Education, then Finance
- [HB 2500](#)** Rodighiero **Allows local board of health to appoint PAs as local health officers** To Health, then Judiciary
- [HB 2662](#)** Stansbury+ **The Eye Care Consumer Protection Law** To Health *On agenda for 2/17.*
- [HB 2708](#)** Skinner+ **Requires suicide prevention training for mental health service providers** To Health, then Judiciary
- [HB 2727](#)** Householder+ **Permits out-of-state health providers to provide care at free medical clinics** To Health, then Judiciary

REPRODUCTIVE RIGHTS & ABORTION

- [SB 236](#)** Karnes+ **Limits health insurance coverage for elective abortions to supplemental policies** To Insurance, then Judiciary
- [SB 271](#)** Karnes+ **Requires providers to administer anesthesia to an unborn fetus older than 7 weeks** To Health, then Judiciary
- [SB 277](#)** Miller+ **Requires issuance of certificate of birth resulting in stillbirth** Health reported Com. Sub., Judiciary reported Com. Sub., on 1st reading 2/16.
- [HB 2031](#)** Romine **Prohibits abortion based solely on gender of the fetus** To Health, then Judiciary
- [HB 2153](#)** Perry+ **The Pain-Capable Unborn Child Protection Act** To Health, then Judiciary
- [HB 2172](#)** Rodighiero **Requires abortion providers to obtain parental notification or consent in writing** To Health, then Judiciary
- [HB 2256](#)** Rodighiero **Prohibits state funding of abortions** To Health, then Judiciary
- [HB 2371](#)** Smith, P.+ **Appoints a guardian ad litem to represent interest of unborn child** To Judiciary
- [HB 2440](#)** Frich+ **Prevents taxpayer subsidies of health plans covering abortion** To Health, then Judiciary
- [HB 2458](#)** Sobonya+ **Prohibits school employees from assisting students with abortion** To Education, then Judiciary
- [HB 2468](#)** Ireland+ **No State-Funded Transportation for Abortion Act** To Health, then Judiciary
- [HB 2568](#)** Sobonya+ **The Pain-Capable Unborn Child Protection Act** Health amended, Judiciary reported Com. Sub., passed House 2/11; to Senate Judiciary
- [HB 2715](#)** Sobonya+ **Prohibits taking minors across state lines for an abortion without parents' consent** To Health, then Judiciary

RULE MAKING & LEGISLATIVE REVIEW

State agencies, boards and commissions are often given statutory authority to promulgate rules. These are known as "legislative review" during the interim period by the Legislative Rule-Making Review Committee, and if approved, then are introduced for legislative consideration in individual rules-bills. The rules-bills are then assigned to various committees, eventually ending up in the Judiciary Committees of the Senate and House of Delegates. There they are bundled into categories of rules-bills.

SENATE RULES BILLS

[SB 175](#) Rules Bundle. **Authorizes Department of Health and Human Resources (DHHR), to promulgate legislative rules.** *This rules-bill bundle now includes these individual rules previously contained in the following bills:* Judiciary reported Com. Sub.; passed Senate 2/3; to House Health, then Gov. Org. *On agenda for 2/17.*

DHHR **[SB 171](#)** Chronic pain management licensure. (see **HB 2293**).

DHHR **[SB 173](#)** Medication administration. (see **HB 2329**)

DHHR **[SB 176](#)** Nursing home licensure. (see **HB 2328**)

DHHR **[SB 177](#)** Statewide trauma / emergency care system. (see **HB 2331**)

MEDICAL BOARD **[SB 197](#)** PA licensure. (see **HB 2341**) Gov. Org. reported, to Judiciary

PHYSICAL THERAPY BOARD **[SB 200](#)** Fees for PTs and PT assistants. (see **HB 2300**) Gov. Org. reported, to Judiciary

OSTEOPATHIC MEDICAL BOARD **[SB 201](#)** Board fees. (see **HB 2299**) Gov. Org. reported, to Judiciary

OSTEOPATHIC MEDICAL BOARD [SB 202](#) PA licensure. (see **HB 2348**) Gov. Org. reported, to Judiciary
PHARMACY BOARD [SB 203](#) Immunizations administered by pharmacists. (see **HB 2350**) Health amended, to Judiciary
PHARMACY BOARD [SB 204](#) Pharmacy technician registration. (see **HB 2351**) Gov. Org. reported, to Judiciary
PHARMACY BOARD [SB 205](#) Controlled substances monitoring. (see **HB 2352**) Health reported, to Judiciary
PHARMACY BOARD [SB 223](#) Licensure and practice of pharmacy. (see **HB 2349**) Gov. Org. reported, to Judiciary

HOUSE RULES BILLS

DHHR [HB 2293](#) Chronic pain management licensure. (see **SB 175 - old SB 171**) Health reported, to Judiciary
DHHR [HB 2328](#) Nursing home licensure. (see **SB 175 - old SB 176**) Health amended, to Judiciary
DHHR [HB 2329](#) Medication administration. (see **SB 175 - old SB 173**) Health reported, to Judiciary
DHHR [HB 2331](#) Statewide trauma / emergency care system. (see **SB 175 - old SB 177**) Health reported, to Judiciary
MEDICAL BOARD [HB 2341](#) PA licensure (see **SB 197**) Health reported, to Judiciary
PHYSICAL THERAPY BOARD [HB 2300](#) Fees for PTs and PT assistants. (see **SB 200**) To Finance, then Judiciary
OSTEOPATHIC MEDICAL BOARD [HB 2299](#) Board fees. (see **SB 201**) To Finance, then Judiciary
OSTEOPATHIC MEDICAL BOARD [HB 2348](#) PA licensure. (see **SB 202**). Health amended, to Judiciary
PHARMACY BOARD [HB 2349](#) Licensure and practice of pharmacy. (see **SB 223**) Health reported, to Judiciary
PHARMACY BOARD [HB 2350](#) Immunizations administered by pharmacists. (see **SB 203**) Health reported, to Judiciary
PHARMACY BOARD [HB 2351](#) Pharmacy technician registration. (see **SB 204**) Health amended, to Judiciary
PHARMACY BOARD [HB 2352](#) Controlled substances monitoring. (see **SB 205**) Health reported, to Judiciary

TAXES, FEES & LOANS

[SB 98](#) Carmichael **Increases taxes on tobacco, beer, wine and liquor** To Finance
[SB 386](#) Ferns **Excludes mobile X-ray services from health care provider tax** Health reported, to Finance
[HB 2127](#) Howell+ **Provides a corporate net income tax credit for manufacturers of medical devices** To Finance
[HB 2559](#) Trecost **Increases the excise tax on cigarettes** To Health, then Finance
[HB 2633](#) Perdue+ **Funding substance abuse services by increasing taxes on beer, wine and liquor** To Health, then Finance
[HB 2634](#) Perdue+ **Increases the excise tax on cigarettes and all other tobacco products** To Health, then Finance

TOBACCO

[SB 109](#) Blair+ **Exempts veterans' and active duty military groups from indoor smoking rules** To Military, then Judiciary
[SB 400](#) Ferns **Exempts certain employers from discriminating against tobacco users** (see **HB 2689**) Health reported Com. Sub.,
to Judiciary
[HB 2208](#) McGeehan+ **Gives county commissioners sole authority to regulate smoking** *A public hearing is scheduled 2/17 in House Chambers.* Political Subdivisions amended, to Gov. Org.
[HB 2667](#) Skinner+ **Requires list of ingredients in nicotine-based vapor products** To Health
[HB 2689](#) Fast+ **Exempts certain employers from discriminating against tobacco users** (see **SB 400**) To Health, then Judiciary

Pain-Capable Unborn Child Act Moves to Senate

The Pain-Capable Unborn Child Protection Act (**HB 2568**) was approved Wednesday by the House following a two-hour floor debate on a vote of 87-12, and after similar lengthy discussions the prior week in both the House Committee on Health and Human Resources and the House Judiciary Committee. In total, House lawmakers have spent more than 11 hours on the bill to date. The bill now moves to the Senate Judiciary Committee. A similar bill was vetoed last year by Gov. Tomblin because of constitutional concerns.

Observers noted that 17 of 19 women in the House voted in favor of the bill. Democrats cast all of the negative votes. The anti-abortion West Virginians for Life rallied at the Capitol on Wednesday and filled the gallery during the House vote. The bill would prohibit abortions when the gestational age of the fetus reaches 22 weeks, or 20 weeks from conception, except when the fetus is not medically viable or the patient has a condition that, on the basis of a reasonably prudent physician's medical judgment, so complicates the mother's medical condition as to necessitate the abortion of her pregnancy to avert death or serious risk of substantial and irreversible physical impairment of a major bodily function. The bill does not include any exceptions in cases involving rape or incest.

CORE Celebrates National Donor Day

Valentine's Day on Saturday also marked National Donor Day, and the Center for Organ Recovery and Education (CORE) encouraged each West Virginia resident to register to become an organ, tissue and cornea donor. "The numbers of people in need of organ, tissue and cornea transplants are staggering, especially when compared to the shortage of registered donors," said Susan Stuart, president and CEO of CORE. "National Donor Day is a wonderful opportunity to emphasize the love and hope that an individual can provide by becoming a registered organ, tissue and cornea donor."

Nationally, more than 123,000 people are awaiting an organ transplant. At least 21 will die each day without receiving one, and someone is added to the organ transplant list every 10 minutes.

CORE is one of 58 federally designated not-for-profit organ procurement organizations in the U.S. CORE works closely with donor families and designated health care professionals to deliver the gift of hope by coordinating the surgical recovery and facilitating the computerized matching of organs, tissues and corneas for transplantation.

With headquarters in Pittsburgh and an office in Charleston, CORE oversees a region that encompasses 155 hospitals and almost six million people throughout western Pennsylvania, West Virginia and Chemung County, NY. For more information, or to register to become a donor, visit www.core.org or call 1-800-DONORS-7.

Unique YLA Shadowing Program Held at Capitol

... The Youth Leadership Association held a "Shadowing Day" on Thursday during which its Youth Governor, Youth Senate President, Youth Speaker of the House and Youth Chief Justice spent time with their adult counterparts. After spending the morning in the office of the Governor, the Senate President, the House Speaker and in the Office of the Supreme Court, the youth officers were introduced and a resolution in support of YLA and Youth in Government was presented during the House and Senate floor sessions. The event took place in conjunction with this year's first Youth & Government Seminar session for about 120 8th graders.

The YLA sponsors four Youth & Government seminars during the legislative session where 8th graders from around the state come to Charleston and have an up-close and personal experience with civics and government. They visit the Capitol and state Supreme Court, attend night court, and share a table at dinner often with the delegate or senator from their home district. It's an unforgettable day for participating students, and several current lawmakers are YLA alumni, including Delegates Saira Blair and Paul Espinosa. The YLA also sponsors such programs and initiatives as Camp Horseshoe, local YLA youth groups, and Model United Nations, all as a coordinated, on-going process of youth development. ...

In Other Health Care Highlights

... In attempt to ensure that Medicaid and its providers are ready to implement the new ICD-10 standards on Oct. 1, the state Bureau for Medical Services is conducting a new readiness survey to determine the progress providers have made in their readiness for the new standards. This survey is completely confidential. Providers are asked to go to <https://www.wvmmis.com/SitePages/ICD-10%20Transition.aspx> and complete the survey prior to Feb. 28. The site also includes the latest news on ICD-10. ...

... Beginning in April, the Bureau for Medical Services will no longer print monthly medical cards. Members will receive a yearly card. At this time, the medical card will appear much like it does now. Providers can check eligibility status by visiting www.wvmmis.com, Molina's Provider Portal, or calling Molina Provider Services at 888-483-0793. ...

... West Virginia now has 24 adult drug court programs and 16 juvenile programs which act as diversionary programs for people suffering from addiction and charged with relatively minor crimes. Instead of jail time, participants undergo extensive testing and counseling, and perform community service. If they complete the program, charges are dropped. During Drug Court Day at the Legislature last week, Supreme Court Justice Brent Benjamin said he hopes to have programs in every West Virginia county by 2016. Gov. Earl Ray Tomblin said the program saves taxpayers about \$21 million annually by avoiding the costs of incarceration. ...

Health Care Highlights®

Thom Stevens, Editor

A Comprehensive Newsletter Covering Activities of the West Virginia Legislature and State Government

Your Best Source for West Virginia Legislative & Governmental Health Information

February Capitol Health Care Events

February 17	WV Association of Alcoholism and Drug Abuse Day
February 20	Tobacco Free Day
February 23	West Virginia Pharmacists Association Day WV for Medical Marijuana Day
February 25	West Virginia Immunization Network Day West Virginia Nurses Association Day Eat Right West Virginia Day WV Commission for Deaf and Hard of Hearing Day
February 27	WV Action Day / National MS Society

Quotes of the Week:

... ***“We’ve violated the Constitution before in this part of the code, so I guess it’s OK to do it again.”***

- Unknown senator during debate before the Senate Government Organization Committee on **SB 384**, permitting sales of wine or alcoholic beverages by specialty shops in dry counties.

... ***“Not many of us are going to attend a water and pretzel party.”***

- Delegate Patrick Lane, speaking in favor of **HB 2510**, which allows sweets at school parties.

... ***“The hot air inside the Capitol this week will more than offset the freezing cold temps outside.”***

- Unnamed political pundit commenting with tongue-in-cheek on this week's expected sub-zero weather.

Inside Health Care Highlights This Issue

Welcome to the 5th Issue in 2015

2015 Key Legislative Dates

MPLA Bill on 2nd Reading in House

CPR, Anti-Overdose Bills Sent to Governor

Reduction in Hospital Assessment Proposed

Drug Testing Bill Sparks Controversy

Anaphylaxis Help Proposed for Businesses

Immunization Bill Advances in Senate

House Version of Medicaid UPL Bill Approved

House Health Originates Hydrocodone Bill

Complete Analysis of All Health Care Bills

Pain-Capable Unborn Child Act Moves to Senate

CORE Celebrates National Donor Day

Unique YLA Shadowing Program Held at Capitol

In Other Health Care Highlights . . .

February Capitol Health Care Events

Quotes of the Week