

# WVHA

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## LEGISLATIVE UPDATE

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**February 9, 2024**

We've reached the half-way point of the 60-Day session and we've seen more than [2200 bills introduced](#) in the Legislature. The last day to introduce bills in the House is **Feb. 13**; last day in the Senate is **Feb. 19**. These deadlines do not apply to originating bills in committee or supplemental appropriation bills.

WVHA celebrated *Hospital Advocacy Week* February 7-9, including *Hospital Day at the Legislature* on Thursday. More than 100 hospital leaders from around the state participated in the week's activities. Highlights included a *Hospital Day* Legislative Breakfast featuring a panel discussion with Senate Finance Chair Eric Tarr, House Finance Committee Chair Vernon Criss and House Health Committee Chair Amy Summers. [Senate Resolution 30](#) was adopted recognizing Feb. 8 as WV Hospital Day. A member wide wrap-up virtual meeting was held today featuring Senate Majority Leader Tom Takubo and House Deputy Speaker Matt Rohrbach. Thanks to our legislative leaders and to our participants and attendees for helping make *Hospital Advocacy Week* a success! To read a recap of events, check out this week's [Friday Report](#).

Below are the highlights of this week's action at the State Capitol.

### **Senate Finance Committee passes Facility Directed Payment Program (DPP) – now headed to Senate**

Our Facility DPP bill (**HB 5157**) was approved unanimously by the Senate Finance Committee yesterday and now it's on first reading in full Senate on Monday. The full Senate is the last stop in the bill's journey – since the full House already passed the bill last week. We anticipate passage in the Senate next week followed by Governor action.

**Action Alert:** If you haven't already done so, please be sure to thank members of the Senate Finance Committee for passing HB 5157 yesterday and reinforce with all Senators – the importance of this legislation.

### **340B Legislation passes Senate – now in House Finance Committee**

**SB 325** is our 340B legislation. This is the bill that prevents pharmaceutical companies from implementing policies that restrict our hospitals' ability to utilize contract pharmacies under the federal 340B program. This week, the Senate unanimously passed the bill which is now pending in the House Finance Committee.

**Action Alert:** If you haven't already done so, thank your Senators for passage SB 325 and begin your outreach to your [local Delegate\(s\)](#). The bill is now pending in the [House Finance Committee](#) so please be sure to reach out to your Delegates on the Committee and ask they support SB 325.

## SB 447 – Anti-doxing legislation now in House Judiciary Committee

**SB 477** is our Anti-Doxing bill which is now pending in the House Judiciary Committee. A Committee Substitute of the bill is moving that remains intact from the introduced version but with the addition of first responders (like law enforcement, EMS, and firefighters) to the list of those protected under the bill. There are two parts to the bill:

1. First, the bill aims to criminalize making the personal information of a health care worker and first responder, or their immediate family, publicly available on the internet with the intent to threaten or incite the commission of a crime of violence.
2. The bill also provides a process for a health care worker/first responder to submit a written request to a state or local government to remove personal information from records available on the internet - if he or she believes the personal information contained in the records poses an imminent and serious threat to the person's safety or the safety of the person's immediate family.

**Action Alert:** Please contact your [local Delegate \(s\) on the House Judiciary Committee](#) and request support for SB 477. We're engaging the members of the first responder community but it's important that Delegates hear from the hospital field including doctors, nurses, and others re: the protections afforded in the bill.

## Bad Bills in the Legislature targeting hospitals

There are several bills moving or introduced this session that negatively impact hospital operations from a financial, clinical, regulatory, and operational perspective. The WVHA Legislative Team is actively engaged with legislators and stakeholders on a number of these bills and the goal is to ensure policymakers do not impose additional administrative burden or costs on our hospitals. Bills include but are not limited to:

- [HB 4320](#) and [SB 719](#) - Access to minor children's medical records – both pending Senate Health Committee
- [HB 4376](#) - Surgical smoke evacuation systems – pending Senate Health Committee
- [SB 17](#) - Hospital Licensure issues pertaining to hospital quality reporting – pending House Floor
- [HB 5530](#) – Requiring a hospital to disclose price and fee information for certain health care services – pending House Health Committee

This is just a small sampling - many of these bills and other bills introduced are primarily in the House. They are targeting hospitals and impose unfunded, unreasonable, and duplicative mandates on hospitals. Please be on the lookout for any **Action Alerts** – in the coming days ahead. Please pay particular attention to the [House Health Committee](#) which meets regularly on Tuesdays and Thursdays at 3:00 p.m.

## Status of Childhood Immunization bills

There's been no official action on legislation involving childhood immunization in the House or Senate but we're learning the House is continuing to assess which immunization exemption bill they want to advance. There are several bills to choose from but we're hearing they've narrowed their focus on three approaches: 1) a religious exemption; 2) giving an individual physician authorization to grant an exemption vs. the state Immunization Officer; and then 3) exemptions for private schools only. WVHA is continuing to collaborate with various stakeholders to mobilize the physician community and the lead group is the Immunization Network.

**Action Alert:** Please continue outreach – especially to [House members](#) and help educate them on how immunizations have led to reductions in preventable diseases like Measles, Mumps, Pertussis, Polio, etc.

## CON Repeal Update

This week, we heard a lot Capitol chatter regarding Certificate of Need (CON) Repeal. We understand the House is continuing to whip votes to determine if there's interest in moving the bill – which is [HB 4909](#) introduced by House Health Committee Chair – Amy Summers.

We sent an alert out this week to several of you to reach out to Delegates, and we know that many of you have continued to engage – so we appreciate everyone's involvement to keep this bill from advancing. While the focus is on HB 4909, please note there are other bills that could be used as “vehicles” to repeal CON.

**Action Alert:** Please be sure to contact your local House of Delegate member (s) and ask that they **do not** support any CON repeal bill. Delegate contact information is available [here](#). If you have your delegate's cell number and you regularly communicate with them, this method will be the most efficient way to deliver the message. Please let [me](#), [Jim](#) or [Brandon](#) know any follow-up we need to do on the ground.

If you have any questions about these or other bills introduced or any bills featured in the *Update*, please feel free to contact [me](#), [Jim Kaufman](#) or [Brandon Hatfield](#). Thanks.

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