

WVIA

LEGISLATIVE UPDATE

February 27, 2026

Legislative Update: Day 45 of 60

The pace at the Legislature picked up this week as the March 4 “cross-over” deadline draws near, requiring bills to clear their chamber of origin. The following features key hospital and healthcare bills currently advancing. Contact me with any questions or visit the Legislature's [website](#) for schedules and livestreams. The session concludes midnight March 14.

Completed Legislative Action – Awaiting Governor’s Signature

- [HB 4335](#) - Medicaid Provider Enrollment and Credentialing Streamlining
- [HB 4740](#) – RHTP (purchasing)
- [HB 4982](#) – “Make West Virginia Healthy Act of 2026”

Behavioral Health and Substance Use Disorder bills in the Legislature

Multiple bills we've been pushing this session to strengthen the behavioral health system have seen progress this week, as has pivotal bills aimed at combating substance use disorders statewide:

- [SB 741](#) - **Involuntary Commitment Pilot Program County Expansion**– Expands the counties (Hampshire, Morgan, Wood, and Raleigh) that can participate in the current pilot program to implement involuntary commitment process. Existing counties include Cabell, Berkeley, and Ohio – *pending Senate Floor*
- [SB 742](#) - **Involuntary Hospitalization Petition Timeline Extension** – Changes the deadline for filing a mental hygiene petition from 24 hours to 72 hours after the involuntary hospitalization begins – *pending House Health*
- [HB 5086](#) - **Peer support services** – Creates a peer support program framework allowing healthcare workers and first responders to receive emotional and psychological support from trained colleagues. It also protects those workers from losing their licenses for seeking mental health treatment and shields peer support communications from being used as court testimony - *pending Senate*
- [SB 1003](#) - **Pediatric mental health hubs** – Creates a community-based mental health support system for young children in West Virginia, built around a core philosophy: kids under 12 shouldn't be pulled from their homes for mental health issues just because local services weren't available – *pending Senate Finance*
- [HB 4169](#) – **Mental health examinations requirements** – Amends the process by which people can petition to regain their firearm rights after being prohibited due to mental health adjudications or involuntary commitments, among other provisions – *pending Senate Judiciary*
- [SB 231](#) - **Performance-Based Payment Model for Addiction Treatment Services** - Changes how West Virginia pays for addiction treatment, shifting from paying for *services delivered* to paying for *results achieved* – *pending House Finance*

Healthcare Worker Protection bill now in House Judiciary Committee

- **SB 200 - Healthcare Worker Protections** –Increases criminal penalties for assaults on healthcare workers - nurses, nurse practitioners, physicians, physician assistants, technicians, and anyone employed by or under contract with a hospital– *pending House Judiciary*

Transplant Referral bill advances

Throughout the session, the WVHA has actively monitored a broad range of legislation impacting hospitals from a financial, clinical, regulatory and operations angle. This week, the House Health Committee heard testimony and advanced to the House floor **HB 5563 - WV Timely Transplant Referral and Veteran Care Coordination Act**. As amended by the Committee yesterday, this bill requires healthcare providers to refer eligible patients to a transplant center within three days of documenting transplant candidacy in the patient's medical record, unless a medical contraindication is on record. The Department of Health would be required to collect and analyze hospital data on transplant referrals — including referral timelines and geographic disparities — and submit an annual report to the legislature. The WVHA will be seeking modifications as the bill travels to the Senate.

Rural Health Transformation Program (RHTP) bills

- **SB 570 - RHTP (appropriations)** - Appropriates the \$199 million in federal funds to the Department of Health for the RHTP in fiscal year 2026 – *pending House Finance*
- **SB 995 – Oversight of RHTP** – Establishes legislative oversight of the state’s RHTP. The bill requires the Secretary of Health to submit detailed monthly reports to legislative leaders covering the program's budget, expenditures, vendors, new programs created, and health outcomes achieved– *pending Senate Finance*

Medicaid, PEIA bills

- **HB 4981** (same as **SB 650**) – **Directed Payment Program changes** – Deals with the Directed Payment Program (DPP) as it relates to designating psychiatric hospitals that treat exclusively civil and forensic patients (Highland-Clarksburg Hospital) – *pending House Floor / pending Senate Floor*
- **HB 5459 – MCO Tax** – Changes the current provider tax on MCOs to align with new federal regulations – *pending House Floor*
- **SB 1082 - PEIA authority to investigate and prosecute fraud** – *originated in Senate Banking and Insurance on 2/25, now pending Senate Judiciary*
- **HB 4767** - Requiring **BMS** to file a legislative rule – *pending Senate Judiciary*
- **HB 4772** - Requiring regular verification of **Medicaid** enrollee status – *pending House Health*

Certificate of Need related bills

- **HB 5096 - CON Exemption** - Exempts personal care services and intellectual development disabilities services– *pending Senate Health*
- **SB 1012 – CON treatment beds** - Permits the development of juvenile treatment beds in Cabell County – *pending Senate Floor*

Health Professions / Licensing

Several bills this session that are advancing address healthcare licensing and scope of practice. [SB 677](#) (identical to [HB 5458](#)) modernizes physician and podiatrist licensing under the Board of Medicine and creates a new licensing framework for genetic counselors, effective July 1, 2026, requiring a master's degree and national certification. [SB 580](#) updates the practice act for the WV Medical Imaging and Radiation Therapy Technology Board, and [HB 5015](#) would enter West Virginia into the Respiratory Care Interstate Compact. [HB 4951](#) requires MDs and DOs to complete two hours of nutrition education within their existing continuing education requirements.

Another proposal is [SB 956](#), which would grant physician assistants full practice authority — allowing PAs to practice, prescribe, and make independent patient care decisions without physician supervision or collaborative agreements. The bill would also allow PAs to own medical practices and requires conflict-of-interest disclosures when referring patients to a lab or pharmacy in which the PA has a financial interest.

Health Insurance / Prior Authorization

- [SB 822](#) – **Prior Authorization** – Revises the gold card process to include hospitals or department hospitals – *pending Senate Health*
- [HB 4089](#) - **Required Coverage for Chemotherapy Hair Loss Prevention Devices** - Designated as "Jessica Huffman's Law," this bill requires all health insurance policies in the state that cover cancer chemotherapy treatment to also provide coverage for scalp cooling systems—devices that cool the scalp to prevent or reduce hair loss during chemotherapy—*pending Senate Finance*
- [HB 4989](#) - Professional Firefighter **cancer screening** – *pending House Finance*

Other bills of interest

- [HB 5168](#) – Increases funding for **EMS** first responders – *pending Senate Government Organization*
- [HB 5430](#) - **PBMs** - Regulates PBMs by requiring greater transparency, limiting their ability to profit from the spread between what they charge health plans and what they pay pharmacies, and setting minimum reimbursement rates for pharmacies - *pending Senate Health*
- [HB 4198](#) - **E-Verify** Safe Harbor Act- *pending Senate Judiciary*
- [SB 615](#) - Requiring persons with **illegal immigration** status be turned over to ICE – *pending House Judiciary*

Status of FY 2027 Budget Discussions

The House of Delegates passed its version of the FY2027 general revenue budget ([Senate Bill 250](#)) on Wednesday by an 83-14 bipartisan vote, setting total spending at **\$5.463 billion** — slightly below Governor Morrisey's \$5.493 billion recommendation and about 1.5% above the Senate's \$5.381 billion version. The bill now returns to the Senate for conference negotiations between the two chambers' Finance committees.

Of note for WVHA members:

Medicaid will be funded through general revenue rather than the surplus section, providing more stable and predictable funding compared to the Senate and Governor's approaches.

Hope Scholarship is fully funded at the \$230 million one-year estimate from the State Treasurer's Office, drawing from a combination of supplemental appropriations, FY27 appropriations, and carryover funds — though the

House rejected the Governor's broader 18-month funding structure. The House approach shifts from two annual payments to four quarterly ones.

Public Employee Pay & PEIA — The budget includes average 3% across-the-board pay raises for teachers, state police, and all general revenue-funded public employees, along with a 3% increase in the PEIA employer share.

No income tax cut is included in the House version, though the chamber indicated it will separately consider the Senate's 10% personal income tax reduction bill (SB 392) – the proposal that the Governor is pushing.

Budget negotiations are expected to continue over the coming days. The final compromise budget must be in place before the fiscal year begins **July 1, 2026**.

If you have any questions, please do not hesitate to contact [me](#). Thanks.

Tony