

WVHA

LEGISLATIVE UPDATE

February 28, 2025

Another Busy Week at the State Capitol

Today is Day 17 of the Legislative Session and almost [1700](#) bills have been introduced in the Legislature. Below is a rundown of another busy week at the State Capitol.

House Committee rejects CON Repeal Bill

On Monday, the [House Health Committee](#) narrowly **defeated** [HB 2007](#), the Certificate of Need (CON) Repeal bill by a 13-12 vote (*13 opposed to the bill, and 12 in favor*). If you haven't already done so, please be sure to thank Delegates on the Committee who voted **No** on the bill. To strengthen our efforts at the Capitol, we're requesting hospital PR/Marketing Teams continue to utilize local media and social media platforms to amplify your hospital's success stories. We encourage you to concentrate on initiatives that enhance healthcare quality and accessibility throughout your local area, region, and the state. Please focus your attention on advancing health outcomes and broadening care availability in your communities. A continuous flow of positive news by the hospitals helps in challenging those who are advocating for CON repeal.

While this bill was rejected in Committee, the topic of CON repeal may still emerge through other legislative avenues in the current session. In fact, there was some conversation this week about a motion to discharge the bill from Committee, but that never happened. This motion is typically made when a legislator wants to have a bill considered by the full House instead of the Committee in which it's assigned. This is among the many steps we're continuing to monitor.

Also, following the Committee's action this week, Governor Morrissey noted "the fight to repeal Certificate of Need is not over." In a press conference today, the Governor said West Virginia has the highest health prices and the worst health outcomes and that he wants a "viable healthcare marketplace." He went on to say that he will be advancing competition through different means and to expect more activity in the days and weeks ahead, although he didn't elaborate on his approach. When asked whether he would be open to a more limited form of CON or even a pilot project, the Governor said, "I want to have as much competition as I can possibly get for our citizens. The more reforms we have, the lower the prices are for our consumers." The Governor's comments on CON begin around the 13:00 mark - available [here](#). Among the points that WVHA is countering: according to the Kaiser Family Foundation, West Virginia ranks 6th in the nation for the **LOWEST** hospital expense per inpatient day (U.S. average \$3,025, compared to West Virginia's \$2,240).

We will keep you posted on latest developments and discussions involving CON repeal or modifications. The Senate companion bill ([SB 453](#)) has not been acted on and is pending in the Senate Health Committee.

Childhood Immunization pending in House Health Committee

[SB 460](#) relating to childhood immunization requirements is now pending in the [House Health Committee](#). On Monday, about a dozen speakers provided public comment in the first step of the Committee process. Members of the medical community and those against the bill concentrated their remarks on vaccine efficacy and the prevention of outbreaks and avoidable illnesses. Those speaking for the bill, including individuals in the [West Virginians for Health Freedom](#) group talked about constitutional freedoms and related concerns.

The bill, introduced on behalf of the Governor, would allow exemptions to the state's school vaccinations if parents or legal guardians object on legal grounds. To qualify for the exemption, families would submit an annual written statement requesting a religious or philosophical exemption about required vaccines. The bill also would make it easier to get an exemption for medical reasons.

Lawmakers are considering the legislation in the wake of a [measles outbreak in Texas](#) that claimed the life of a school aged child who was not vaccinated. Other states are now reporting cases. If passed, the bill will move West Virginia from having one of the most effective school and childcare immunization requirements in the nation to having one of the weakest. By allowing easy to obtain religious and philosophical exemptions it will become easier and more convenient for parents/guardians to opt their children out of immunizations than to vaccinate them. This will lead to reductions in immunization rates in West Virginia and put children and communities at risk for the return of vaccine-preventable diseases. A coalition of physicians, nurses and other health care providers are continuing to work through the [West Virginia Immunization Network](#) and other stakeholders to advocate against the legislation. We'll keep you posted on when the House Health Committee will consider amendments and vote on the bill.

Other Key Bills of Interest

As we noted last week, there are several hospital/health care related bills that we're reviewing and weighing in on. Here's a rundown of *some* of the bills introduced and their status. If you have any questions about these or other bills introduced or wish to share any comments, please contact [me](#) or [Brandon Hatfield](#).

- [SB 286](#) – Granting parents access to health records of minor child – *Senate Judiciary*
- [SB 159](#) - Prohibiting certain medical exams on anesthetized patients – *Senate Judiciary*
- [SB 167](#) - Permitting care of patient by telemedicine across state lines – *Senate Health*
- [HB 2789](#) – Unconscious patients in the ICU – *House Health*
- [HB 2631](#) - To require all medical providers to orally explain any and all medical treatments and procedures and all possibilities for potential problems or complications or side effects to patients before proceeding with treatments – *House Health*

- [HB 3014](#) – Relating to liability of hospital police – *House Judiciary*
- [HB 2044](#) Allowing an entity enrolled in PEIA to leave PEIA and have a 5-year window to return – *House Finance*
- [HB 2130](#) Relating to setting the rate PEIA shall pay for services – *House Finance*
- [SB 369](#) - Miscellaneous “Bundle” Legislative Rules (includes Legislative Rule re: Respiratory Care Licensure) – *Senate Floor*
- [SB 336](#) - Department of Homeland Security “Bundle” Legislative Rules (includes Legislative Rule re: SANE) – *House Judiciary*
- [HB 2250](#) and [SB 330](#)- Department of Health legislative rule relating to critical access hospitals (Extends the Rural Emergency Hospital legislative rule to 2030) – *House Health / Senate Judiciary*
- [HB 2253](#) and [SB 333](#) - Office of Inspector General legislative rule relating to hospital licensure (Surgical Smoke Evacuation Systems) – *House Health / Senate Judiciary*

WVHA presents healthcare workforce challenges

Last week, Jim Kaufman, WVHA President and CEO, presented to the [Senate Workforce Committee](#) regarding the challenges that hospitals are facing in the workforce space. Remarks focused on the current landscape and the persistent shortages hospitals are experiencing despite new hires. Challenges involving workforce retention and average salary comparisons with neighboring states were also addressed, among other areas. The meeting recording is [here](#).

Reminder: Hospital Advocacy activities March 12-14

Just a reminder that if you haven’t already done so, please register for our **2025 Hospital Advocacy Week** activities. [Click here to register](#) for the events.

- **Wednesday, March 12** - Health Care Providers Legislative Reception 5:30 p.m. - 7:30 p.m. @ the West Virginia Culture Center
- **Thursday, March 13** - Hospital Day at the Legislature Breakfast 8:00 a.m. - 9:00 a.m. @ the West Virginia Culture Center
- **Thursday, March 13** - Hospital Day at the Legislature @ the State Capitol
- **Friday, March 14** – Hospital Advocacy Week Wrap-Up Call 8:30 a.m. – 9:00 a.m.

In next week’s Updates, please be on the lookout for any Calls to Action and a wrap-up of budget hearings by PEIA and the Departments of Health, Human Services and State Facilities, among other action. If you have any questions, please feel free to contact [me](#). Thanks.

Tony