

WVHA

LEGISLATIVE UPDATE

February 14, 2025

Lawmakers kick off legislative session

It's been a busy first 3 days of the legislative session with the introduction of [881 bills](#) in the Legislature. Many bills impact hospitals from a financial, clinical, regulatory, and operational standpoint. The WVHA Legislative Team will be reviewing these, and other bills introduced as the session unfolds. If you see any bills that we should put on the radar, please contact [me](#). Also, please check out the [Legislature's Website](#) for lawmaker and committee membership information and live stream action.

Status of CON / Call to Action

The week kicked off with a presentation on Certificate of Need (CON) to the [interim Joint Health Committee](#). The Committee heard from WVHA, the Health Care Authority, Cardinal Institute, Pacific Legal and a Research Fellow from the Knee Regulatory Research Center. The recording of the meeting is [here](#). The next day in his *State of the State Address*, Governor Morrisey called on the repeal of CON citing free market principals and expanding access to health care in rural communities. He said repealing CON will "fast track new private practices, urgent care, and other facilities." The Governor said the CON process is "big government activism at its worst" and, through repealing it, the state would "move toward the free market." His repeal bill was then promptly introduced in the Senate the next day as [SB 453](#) and single referenced to the Senate Health Committee. The Committee has not yet considered the legislation so please stay tuned for any committee activity. The Governor's companion bill in the House is expected to be introduced any day now.

With the Governor's comments along with a bill now introduced in the Legislature, we're requesting all member hospitals continue to engage in our support to protect and preserve CON. It's important that legislators hear from their local hospital constituents so please encourage your senior management staff to contact legislators. The impact on small rural hospitals and the communities they serve is of particular interest to legislators and that angle is supportive of our on-going efforts on the ground. Please check out the [WVHA's CON Resource Page](#) for materials and if you have any questions or need to know who your local legislators are, please contact [me](#).

Childhood Immunization

The Senate Health Committee this week advanced [SB 460](#), relating to childhood immunization requirements. The bill relates to [Executive Order 7](#) from the Governor - that the state allow religious and moral exemptions for school mandated vaccination requirements. The bill changes the process for getting a medical exemption to an immunization. Under the legislation, the state immunization officer position is eliminated, and medical exemption would be at the discretion of the child's physician. For a religious exemption, the parent would submit a written statement on a yearly basis saying that they object to one or more of the vaccinations on religious or moral grounds.

The committee voted down several amendments: one would have allowed private and parochial schools to develop their own vaccination policies independent of the state's requirements; the other would have required that families requesting religious exemption to specify which vaccine they have an objection to when submitting their exemption. Another amendment would have added requirements that schools and state-run day care centers report yearly the number of their students who have been granted exemptions for immunizations under each section of the legislation. The reporting requirements were in the original bill introduced by the Governor, but not the final committee substitute for the bill. SB 460 is on 1st reading in the Senate Monday. It's expected to sail through the Senate as early as Wednesday. A coalition of physicians, nurses and other health care providers are working through the [West Virginia Immunization Network](#) to advocate against the legislation.

Governor's Budget

During the [State of the State Address](#), the Governor presented lawmakers his bill ([HB 2026 and SB 300](#)) for a balanced general revenue budget – a revenue estimate of \$5.323 billion for fiscal year FY 2026 beginning in July. This comes after the Governor announced in January an estimated \$400 million hole in the upcoming budget year.

Since the *Address* on Wednesday, budget officials with the Governor's administration have been presenting an overview of his proposed budget bill to both the Senate and House Finance committees. Budget officials have continued to talk about a gap of nearly \$400 million created from a shortfall in revenues required to balance the budget. Morrissey's administration says they have made revenue adjustments, used one-time funds, and reduced expenses to make up this amount.

While many programs are budgeted with reductions from the current FY26 budget, it appears on initial review that the Governor's proposed budget fully funds Medicaid and the state's portion of PEIA. Please stay tuned on this as we learn more about proposed cuts and specific agency budgets as hearings are held in the Senate and House Finance committees in the coming weeks.

Other Key Hospital Bills of Interest

While the focus these first few days has been on CON and the Governor's Budget, along with childhood immunizations, we want to alert you of a small sampling of key hospital bills of interest that have been introduced in the Legislature. A few to note and their status are below. If you have any questions about these or other bills introduced, please contact me.

- [HB 2044](#) – Allowing an entity enrolled in PEIA to leave PEIA and have a 5-year window to return - House Finance Committee
- [HB 2130](#) – Relating to setting the rate the PEIA shall pay for services –House Finance Committee
- [HB 2173](#) – Relating to requiring a hospital to disclose price and fee information for certain health care services – House Health Committee
- [SB 164](#) – Clarifying parent and guardian access to minor child’s medical records – Senate Health Committee
- [SB 286](#) – Granting parents access to health records of minor child – Senate Health Committee

Upcoming WVHA Presentation / Senate Workforce Committee

Finally, on Mon. Feb. 17 at 1:00 p.m., the WVHA will present to the [Senate Workforce Committee](#). We’ve been invited to share information about our on-going health care workforce and staffing challenges in the hospital field, including the recruitment and retention of professionals and the proactive steps hospitals are taking to address these challenges. Stream the meeting [here](#) or contact [me](#) if you’d like to attend.

If you have any questions, please feel free to contact [me](#). Thanks.

Tony