

# WVHA

## LEGISLATIVE UPDATE

March 21, 2025

### Legislative Session Continues in Full Force

Today is Day 38 of the 60 Day Regular Session with over [2300](#) bills introduced in the Legislature. The deadline for Senate bills to be introduced is Monday, March 24, while the deadline for bill introduction in the House has already passed. Key takeaways from the past week:

### Senate Health Committee advances House Price Transparency and Reporting bill

The Senate Health Committee advanced an amended version of [SB 718](#), a bill that transfers significant financial disclosure oversight from the West Virginia Health Care Authority to the Insurance Commission. The bill addresses transparency in 2 parts:

1. **Hospital Financial Disclosure** –already reported to the Health Care Authority, including Audited Financial Report, Statement of Charges for all services rendered, Uniform Financial Report, and the current Uniform Bill form in effect for inpatients.
2. **Price Transparency** – duplicative of federal requirements already in place through the *2021 Hospital Price Transparency Rule*, mandated by CMS, which requires hospitals to publicly post standard charges for all items and services in a machine-readable file, and also to display standard charges for 300 "shoppable" services in a consumer-friendly format.

WVHA expressed opposition to the bill and noted duplication of existing state and federal requirements including the *federal No Surprises Act* and the Executive Order issued by President Trump on Feb. 25. That Order instructs the U.S. Departments of Treasury, Labor, and Health and Human Services to implement and enforce the Trump Healthcare price transparency regulations, but the details of this new regulation have not been released.

In testimony, the Insurance Commission stated they lack sufficient staff and resources to implement the bill's provisions and indicated that implementation would be expensive. We'll keep you posted on the Senate's action.

- Last week, the House Health Committee discussed but did not act on a similar bill focused on price transparency in [HB 2409](#). There are several other "hospital transparency" bills in the Legislature including:
- [SB 675](#) – requiring covered entities like hospitals to report *340B Drug Pricing Program* savings, and other duplicative data already reported by hospitals and other providers –*Senate Government Organization Committee*

### House Advances SB 460 on Childhood Immunization, Religious Exemption Included

[SB 460](#) was on second reading (amendment stage) today in the House after having advanced from the House Health Committee earlier this week. Several amendments were discussed and voted on today on the House floor but only one was adopted: **religious exemption for school immunization requirements and childcare**. The vote on the religious exemption amendment is available [here](#). The bill was advanced to third reading passage stage, which is likely to happen on Monday.

Currently, the Committee Substitute for SB 460 does the following:

- amends the medical exemption review process that is currently in Code;
- adds easy to obtain nonmedical (religious) exemption and does not include any reporting of the number of nonmedical exemptions taken at schools or childcare facilities;
- removes provisional enrollment; and
  - *Note: provisional enrollment is currently in this section of state code and allows students who have started immunization series but haven't yet finished it to attend school as they complete the series. Removing provisional enrollment would mean that these children will have to either miss school – potentially several months as they complete the vaccine series – or force them to take a religious exemption*
- allows private and parochial schools to set their own immunization policy.

The [WV Immunization Network](#) of physicians, nurses, health care professionals and other stakeholders are engaged in opposition to the bill as modified today. Please join the healthcare community in opposition to the bill. House member contact list is [here](#). Contacting delegates directly via cell when you have their personal number is the most effective and immediate communication method.

### **CON Repeal, other related bills introduced**

We're continuing to closely monitor any legislative and administrative discussions involving CON and Repeal, As of March 21, **9** CON bills have now been introduced in the Legislature.

- [SB 453](#) – Governor's Bill to repeal CON – ***introduced on 2/13 and pending Senate Health Committee***
- [HB 2007](#) – Governor's Bill to repeal CON – ***introduced on 2/18 and rejected by the House Health Committee on 2/24***
- [HB 3308](#) - Relating to the termination of the authority's CON program – ***introduced on 3/11 and pending in the House Health Committee. Sponsors are: Anders, Kump, Worrell, Horst, Foggin, Ward, White, Coop-Gonzalez, Kimble, Dillon, Ridenour***
- [HB 2046](#) – Require hospitals under CON to accept PEIA – ***introduced on 2/12 and pending House Health Committee. Sponsor is: Burkhammer***
- [HB 2485](#) - Exempt an existing hospital under CON to move their facility up to 10 miles to a new location – ***introduced on 2/17 and pending House Health Committee. Sponsor is: Burkhammer***
- [HB 2707](#) - Relating to exempting a neighborhood hospital from CON – ***introduced on 2/20 and pending House Health Committee. Sponsor is: Horst***
- [HB 3250](#) - Relating to removing CON moratorium on opioid treatment facilities – ***introduced on 3/7 and pending House Health Committee. Sponsor is Pushkin***
- [HB 3311](#) - Exempt counties with certain population growth from the CON process – ***introduced on 3/11 and pending in the House Health Committee. Sponsors are: W. Clark and Kump***
- [HB 3487](#) - Providing that small format, micro hospitals are exempt from certificate of need review - ***introduced on 3/18 and pending in House Health Committee. Sponsor is: W. Clark.***

## Important healthcare bills pending in the Legislature

In addition to transparency bills, the WVHA is managing several bills impacting hospitals' financial stability, clinical practices, regulatory compliance, and day-to-day operations. Just a few that are advancing or being discussed:

- [HB 2402](#) – Access to a minor's medical record – *Senate Floor*
- [SB 606](#) – Notification of breast density – *House Health Committee*
- [SB 719](#) - Age a minor can consent to medical decisions/services – *House Health Committee*
- [SB 159](#) - Prohibiting certain medical exams on anesthetized patients – *Senate Judiciary Committee*
- [SB 833](#) - Excluding pharmaceutical medication from prior authorization gold card process – *Senate Finance Committee*
- [HB 3014](#) - Hospital Police Force Liability Protection - *House Judiciary Committee*
- [HB 2473](#) – To continue and expand the tax on MCOs which provides revenue generation for health care funding in the State, including Medicaid - *Senate Finance Committee*
  
- Patient Care Related Bills
  - [HB 2631](#) - Informed consent for medical treatments – *mark-up stage House Health Committee*
  - [HB 2789](#) - C-peptide or connecting peptide insulin to unconscious patients in the ICU – *mark-up stage House Health Committee*
  - [HB 3328](#) – Require hospitals with no ASL interpreter on staff provide technology for hearing or speech impaired patients to communicate – *House Health Committee*
  - [SB 594](#) - Right to try individualized treatments - *Senate Judiciary Committee*
  - [SB 526](#) - Pharmacist Prescribing Authority Act - *Senate Rules Committee*
  - [SB 810](#) - Administration of anesthesia – *Senate Government Organization Committee*
  
- Behavioral Health / Substance Use Disorder bills advancing / introduced
  - [HB 2347](#) - Mental hygiene regions – *Senate Judiciary Committee*
  - [HB 2349](#) - Long-acting reversible contraception to patients receiving methadone and suboxone at the treatment facility for the methadone and suboxone – *Senate*
  - [SB 655](#) – Immunity for mental health providers who are involved in mental hygiene checks – *Senate Judiciary Committee*
  - [SB 723](#) - Relating to clinical inpatient medical treatment centers for substance use disorder – *Senate Finance Committee*
  - [SB 726](#) - Relating to medication-assisted treatment programs – *Senate Finance Committee*
  - [SB 761](#) – Involuntary hospitalization of a dependent or spouse experiencing substance use disorder – *Senate Finance Committee*
  - [HB 2166](#) – Behavioral Health Workforce Education initiative – *House Finance Committee*
  - [HB 2370](#) – Mental health professionals making application for involuntary hospitalization – *mark-up stage House Health Committee*
  - [HB 2704](#) – Reimbursement/transportation process for post mental health involuntary commitment - *mark-up stage House Health Committee*
  
- Some Workforce-related bills
  - [SB 458](#) - Universal Professional and Occupational Licensure Act - *House Government Organization Committee*
  - [HB 3150](#) – Health Sciences and Medical Student Loan Programs - *House Education Committee*
  - [SB 86](#) - Creating Unmatched Medical Graduate Advisory Council - *Senate Finance Committee*

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