

Title 64 Series 12  
Department of Health and Human Resources  
Office of Inspector General  
Office of Health Facility Licensure and Certification  
HOSPITAL LICENSURE

### **Summary of Public Comments**

#### **Comment**

The WVHA strongly supports this proposed legislative rule which helps implement the provisions of SB 767 from the 2020 Regular Session. The bill repealed outdated *Code* requirements from the early 1980s mandating non-profit hospital board composition.

No other state has such a regulatory requirement for hospital Board composition, and the legislation was initiated to bring our state in line with the rest of the nation. More specifically, the legislation and corresponding legislative rule helps address a problem experienced by many hospitals and health systems in West Virginia that are simply having difficulty meeting statutory Board composition requirements – as a condition of licensure with OHFLAC. This rule gives hospitals and health systems the flexibility to meet these licensing requirements at a time when it's becoming more difficult for them to recruit community and volunteer Board members who are willing and able to make the commitment of serving on a Board.

#### **Response**

The Department has reviewed this comment. This comment is general in nature and offers no specific areas for amendment.



100 Association Drive  
Charleston, WV 25311-1571  
Phone (304)344-9744  
www.wvha.org

July 29, 2020

April Robertson  
One Davis Square, Suite 100 East  
Charleston, WV 25301

Dear Ms. Robertson -

**Re: LEGISLATIVE RULE 64CSR12, HOSPITAL LICENSURE**

On behalf of the West Virginia Hospital Association and its 61 member hospitals and health systems, we respectfully submit this letter to provide public comments in support of the above referenced **Hospital Licensure Legislative Rule**.

The WVHA strongly supports this proposed legislative rule which helps implement the provisions of SB 767 from the 2020 Regular Session. The bill repealed outdated *Code* requirements from the early 1980s mandating non-profit hospital board composition.

No other state has such a regulatory requirement for hospital Board composition, and the legislation was initiated to bring our state in line with the rest of the nation. More specifically, the legislation and corresponding legislative rule helps address a problem experienced by many hospitals and health systems in West Virginia that are simply having difficulty meeting statutory Board composition requirements - as a condition of licensure with OHFLAC. This rule gives hospitals and health systems the flexibility to meet these licensing requirements at a time when it's becoming more difficult for them to recruit community and volunteer Board members who are willing and able to make the commitment of serving on a Board.

We appreciate the opportunity to submit comments in support of this proposed rule, and we look forward to working with the WV Department of Health and Human Resources (WVDHHR) on this rule, and other issues impacting our member hospitals and health systems.

If you have any questions or concerns, please contact me at (304) 353-9720.

Sincerely,

Brandon Hatfield  
General Counsel