

Arch A. Moore, Jr.
Governor



David K. Heydinger, M.D.
Director

1986 OCT 17 PM 2:44

State of West Virginia

DEPARTMENT OF HEALTH
CHARLESTON 25305

SECRETARY OF STATE

NOTICE OF PUBLIC HEARING OR COMMENT PERIOD ON PROPOSED RULE

AGENCY: Health Department
NEW RULE: _____ AMENDMENT TO EXISTING RULE: X
RULE TYPE: Legislative
RULE TITLE: Hospital Licensure Amendment

A public hearing on the above proposed rule will be held at 1:00 p.m. on November 17, 1986, in the Conference Room, P & G Building, 2019 Washington Street, East, Charleston, West Virginia 25305.

Comments are limited to: Oral _____ Written X Both _____

This proposed amendment would allow hospitals to appoint dentists and other licensed health care professionals to their medical staffs. This amendment is consistent with federal regulations, Medicare and Medicaid Programs; Conditions of Participation for Hospitals, and with standards set forth by the Joint Commission on Accreditation of Hospitals.

Comments may be mailed to: Regulatory Services Division, West Virginia Department of Health, 1800 Washington Street, East, Charleston, West Virginia 25305.

Comments may be delivered in person at the hearing or to: Room 7, Second Floor, P & G Building, 2019 Washington Street, East, Charleston, West Virginia not later than 4:30 p.m., November 17, 1986.

The issues to be heard shall be limited to the proposed amendments.

To obtain copies: Write the Regulatory Services Division at the above address or call at (304) 348-3223 or contact the Administrative Law Division, Office of the Secretary of State, Capitol Complex, Charleston, West Virginia 25305, telephone (304) 345-4000.

David K. Heydinger, M.D.
Director of Health

FISCAL NOTE FOR PROPOSED RULES

FILED

Rule Title: Hospital Licensure

1969 OCT 17 PM 2:44

OFFICE OF THE
SECRETARY OF STATE

Type of Rule: X Legislative Interpretive Procedural

Agency Department of Health Address 1800 Washington Street, East

Charleston, WV 25305

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$	\$	\$
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates.

The proposed amendment will create no additional cost.

3. Objectives of these rules:

To allow hospitals the flexibility of appointing dentists and other licensed health care professionals to their medical staffs in accordance with federal regulations (42 CFR Part 405) and with the standards of the Joint Commission on Accreditation of Hospitals.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

None.

B. Economic Impact on Political Subdivisions; Specific Industries;
Specific groups of citizens.


None.

C. Economic Impact on Citizens/Public at Large.

None.

Date August 11, 1986

Signature of Agency Head or Authorized Representative



David K. Heydinger, M.D.
Director of Health

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OFFICE OF THE
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(PROPOSED)

TITLE 64

WEST VIRGINIA LEGISLATIVE RULES
DEPARTMENT OF HEALTH

Hospital Licensure Amendment
(Dentists on Hospital Medical Staffs)

Series 12

For Public Review and Comment (November 17, 1986)

PROPOSED RULE ABSTRACT
WEST VIRGINIA BOARD OF HEALTH

FILED
OCT 17 PM 2:44
SECRETARY OF STATE

TITLE: Hospital Licensure

TYPE: Legislative Rule

NUMBER: Series 12

AUTHORIZING CODE: Chapter 16, Article 5B, Section 1, et seq.

ABSTRACT: This proposed amendment would allow hospitals to appoint dentists and other licensed health care professionals to their medical staffs. This amendment is consistent with federal regulations (42 CFR Part 405) and with the standards of the Joint Commission on Accreditation of Hospitals.

CONTACT PERSON: Joan Rutledge, Research Analyst
Regulatory Services Division, 348-3223

RESPONSIBLE DIVISION: John J. Jarrell, Director
Health Facilities Evaluation Division, 348-0050

TITLE 64

PROPOSED AMENDMENT OF
WEST VIRGINIA LEGISLATIVE RULES
DEPARTMENT OF HEALTH

Series 12

Title: Hospital Licensure

Note: The proposed amendment applies only to Section 14 of the present rule and only that Section is presented herein.

Section 14. Professional Standards

14.1. Medical Staff

14.1.1. Medical Staff - ~~Physicians and surgeons privileged to practice in the hospital shall be organized as a definite group or staff.~~ Each hospital shall have an organized medical staff which includes fully licensed physicians and may include other licensed health care professionals who are privileged by law and by agreement with the hospital to attend patients, as defined in the hospital's governing and medical staff bylaws. The medical staff shall advise and be accountable to the hospital's governing body for quality of medical care provided to hospital patients and for the ethical and professional conduct of its members while functioning in the hospital.

a. All hospitals which admit two or more physicians to practice in the institution shall have an organized medical staff responsible to the governing authority for the fitness, adequacy and quality of medical care provided to patients in the hospital. Satisfactory evidence shall be maintained by the hospital of such organization.

b. The term "staff" is defined here as the group of ~~doctors~~ physicians and other licensed health care professionals who are members in accordance with Section 14.1.1 and practice in the hospital inclusive of all groups, such as the active medical staff, the associate medical staff and the courtesy medical staff.

c. Membership - ~~The medical staff shall be restricted to physicians and surgeons who are:~~

(1) ~~Licensed to practice in West Virginia or approved in accordance with the rules and regulations of the West Virginia medical licensing board;~~

(2) ~~Competent in their respective fields;~~

(3) ~~Worthy in character and in matters of professional ethics. In this latter connection, the practice of the division of fees, under any guise whatever, is prohibited.~~ The medical staff shall be appointed by the governing body of the hospital in accordance with its bylaws, rules and regulations.

1. Each member of the medical staff shall be qualified for membership and the exercise of clinical privileges granted to him or her as evidenced by a current license to practice his or her profession in the State of West Virginia.

2. Clinical privileges of each medical staff member shall be delineated in writing.

3. Members of the medical staff must be legally, professionally and ethically qualified.

d. Rules and Regulations - The medical staff shall initiate and, with the approval of the governing board of the hospital, adopt rules, bylaws and regulations governing the its professional organization and functional work of the medical staff. All medical staff members shall read and sign the rules and regulations upon election to the staff. These rules and regulations, and policies shall specifically provide:

(1) That staff meetings be held at least once each month unless the hospital medical staff has monthly meetings in each department. In the latter case, only quarterly meetings of the full medical staff are required.

(2) That the staff review and analyze at the monthly staff meeting their

clinical experiences in the various departments of the hospital such as medicine, surgery, obstetrics and the other specialities. The clinical records of patients shall be the basis of such review and analysis.

(3) The medical staff shall provide in its bylaws, rules and regulations for the satisfactory performance of functions to be performed by the following committees: credentials, medical records, tissue, utilization review, medical review, hospital infections, pharmacy and therapeutic practices and casualties, and such other committees as might be necessary.

(4) There shall be a chief of staff with direct responsibility for the organization and administration of the medical staff in accordance with the terms of the medical staff constitution, bylaws, rules and regulations.