

NOTICE

TO: STATE REGISTER  
Honorable A. James Manchin  
Secretary of State  
State of West Virginia  
State Capitol Complex  
Charleston, West Virginia 25305

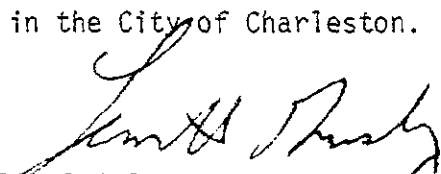
PLEASE TAKE NOTICE that the West Virginia Health Care Cost Review Council proposes to promulgate procedural rules for the convening of its meetings as required by West Virginia Code, §6-9A-3 and §29A-3-3. A copy of the text of the proposed procedural rules and a fiscal note are attached to this notice.

A public hearing for the presentation of written comments on the proposed procedural rules shall be held at 1:00 o'clock P.M. meridian on the 14th day of November 1983. The location of the hearing shall be:

State Office Building No. 6  
Conference Room 607  
Charleston, West Virginia 25305

All citizens and other interested parties are invited to appear and present such written comments as are thought to be needed.

Done this 11th day of October 1983 in the City of Charleston.

  
Chairman Pro Temp, West Virginia  
Health Care Cost Review Council

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE

THIS DATE Oct 13, 1983  
Administrative Law Division



JOHN D. ROCKEFELLER IV  
Governor

STATE OF WEST VIRGINIA  
HEALTH CARE COST REVIEW AUTHORITY

October 13, 1983

SALLY K. RICHARDSON  
Chairperson  
LARRY C. FIZER  
Board Member  
WILLIAM L. GILLIGAN  
Board Member

Honorable A. James Manchin  
Secretary of State  
State of West Virginia  
State Capitol Complex  
Charleston, West Virginia 25305

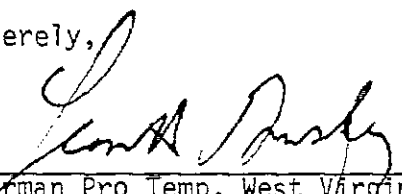
Dear Mr. Manchin:

Re: Notice of Public Hearing on  
Proposed Permanent Procedural  
Rules of the West Virginia  
Health Care Cost Review Council

Pursuant to the requirements of West Virginia Code, §29A-3-5, please be advised that the West Virginia Health Care Cost Review Council proposes to promulgate permanent procedural rules for the convening of its meetings.

Enclosed herewith for filing in the State Register, please find the appropriate notice, text of the proposed procedural rules, and a fiscal note.

Sincerely,

  
Chairman Pro Temp, West Virginia  
Health Care Cost Review Council

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE

THIS DATE Oct 13, 1983

Administrative Law Division

WEST VIRGINIA PROCEDURAL RULES  
HEALTH CARE COST REVIEW COUNCIL

Procedural Rules for Meetings of the  
Health Care Cost Review Council

Chapter 6-9A  
Series I  
(1983)

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE  
THIS DATE Oct 13, 1983  
Administrative Law Division

FISCAL NOTE FOR PROPOSED RULES

Rule No. 6-9A, Series I  
(1983) Emergency Subject Procedural Rules for Meetings of the  
Health Care Cost Review Council

Type of Rule:  Legislative  Interpretive  Procedural

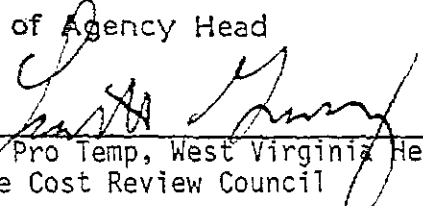
Agency Health Care Cost Review Council Address State Capitol  
Charleston, West Virginia 25305

Authorized Representative \_\_\_\_\_ Phone 348-2678

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Others					

2. Explanation of above estimates.  
 The procedures require nothing that is not already being done.  
 Objective of these rules is to comply with the requirements of West Virginia Code, §29A-3-3, as amended, which mandates the promulgation of procedural rules for the convening of meetings by state agencies or public bodies.

3. Date October 11, 1983 Agency \_\_\_\_\_

Signature of Agency Head  
  
 \_\_\_\_\_  
 Chairman Pro Temp, West Virginia Health  
 Care Cost Review Council

Signature of Authorized Representative  
 \_\_\_\_\_

STATEMENT OF ECONOMIC IMPACT OF PROPOSED RULES OR REGULATIONS

Agency Health Care Cost Review Council

Rule No. 6-9A, Series I (1983): Emergency

Procedural Rules for Meetings of  
Subject the Health Care Cost Review Council

1. 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

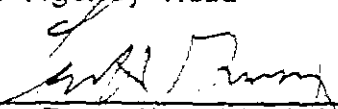
C. Economic Impact on Citizens/Public at Large.

None

Date October 11, 1983 Agency \_\_\_\_\_

Signature of Agency Head

Signature of Authorized Representative

  
\_\_\_\_\_  
Chairman Pro Temp, West Virginia Health  
Care Cost Review Council

WEST VIRGINIA PROCEDURAL RULES  
HEALTH CARE COST REVIEW COUNCIL

Chapter 6-9A  
Series I  
(1983)

Subject: Procedural Rules for Meetings of the Health Care Cost Review Council

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Section 1. General

1.1. Scope - The West Virginia Open Governmental Proceedings Law, Chapter 6, Article 9A, Section 1 et seq. of the West Virginia Code of 1931, as amended (hereinafter referred to as "the Code"), requires in Section 3 that governing bodies of State public bodies shall promulgate rules by which the time and the place of all regularly scheduled meetings and the time, place, and purpose of all special meetings are made available, in advance, to the public and the news media, except in the event of an emergency requiring immediate official action.

1.2. Authority - These procedural rules are issued under the authority of Chapter 6, Article 9A, Section 3; Chapter 29A, Article 2, Section 9; and Chapter 29B, Article 1, Section 3 of the Code.

1.3. Filing Date - These procedural rules were promulgated on the 11th day of October, 1983, and filed on the 13th day of October, 1983, in the Secretary of State's Office.

1.4. Effective Date - These procedural rules became effective on the 13th day of October, 1983.

4.2. The Chairperson shall notify Council members in writing at least seven days in advance of a meeting setting forth the time and place of such meeting and the matters to be considered, except that such notice is not required if the time, the place, and matters for consideration have been fixed in a meeting where all the members are present.

4.3. The Chairperson shall notify the public and the news media by filing with the office of the Secretary of State a public notice of the meeting at least seven days in advance. The public notice shall contain the time, the place, and the matters to be considered.

4.4. The provisions of this section shall not apply in the event of an emergency requiring immediate official action by the Council.

4.5. Special meetings may be continued to a set time and place on the following workday by a majority vote of the Council members present and voting.

4.6. Special meetings may be cancelled by the Chairperson if no Council member objects.

4.7. All members present at a meeting shall have the same rights to participate in discussion of matters before the Council.

Section 5. Proceeding to be Open; Exceptions; Executive Session Permitted

5.1. All meetings of the Council shall be open to the public, except an executive session closed to the public may be held during a regular, special or emergency meeting, after the presiding officer has identified the authorization under Chapter 6, Article 9A, Section 4 of the Code for the holding of such executive session and has presented it to the Council and to the general public, but no decision shall be made in such executive session.

5.2. An executive session may be held only upon a majority affirmative vote of the Council members present for the following (as from Chapter 6, Article 9A, Section 4 of the Code) reasons:

a. Matters of war, threatened attack from a foreign power, civil insurrection or riot; or

b. The appointment, employment, retirement, promotion, demotion, disciplining, resignation, discharge, dismissal or compensation of any public officer or employee, or other personnel matters, or for the purpose of conducting a hearing on a complaint against a public officer or employee, unless such public officer or employee requests an open meeting; or

c. The issuance, effecting, denial, suspension or revocation of a license, certificate or registration under the laws of this State or any political subdivision, unless the person seeking such license, certificate or registration or whose license, certificate or registration was denied, suspended or revoked requests an open meeting; or

d. The physical or mental health of any person, unless such person requests an open meeting; or

e. Matters which, if discussed in public, would be likely to affect adversely the reputation of any person; or

f. The development of security personnel or devices; or

g. Matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving competition which, if made public, might adversely affect the financial or other interest of the State or any political subdivision.

Section 6. Minutes

6.1. The Council shall provide for the preparation of written minutes of all its meetings. All such minutes shall be available to the public within a reasonable time after the meeting and shall include the following information:

- a. The date, time and place of the meeting;
- b. The name of each Council member present or absent;
- c. All motions, proposals, resolutions, orders, ordinances and measures proposed, the name of the person proposing the same and their disposition;
- d. The results of all votes and, upon request of a member, the vote of each member, by name.

6.2. Minutes of executive sessions may be limited to material the disclosure of which is not inconsistent with the provisions listed above of Chapter 6, Article 9A, Section 4 of the Code.

Section 7. Majority Vote Required; Vote by Proxy Prohibited

The vote of a majority of all voting members present at any meeting of the Council shall be necessary to take any action. Proxy voting is prohibited.

Section 8. Records of the Council - Public

Records of the Council are public records that may be inspected in accordance with Chapter 29B, Article 1, Section 3 of the Code and copied at a charge of 25 cents per page.

WEST VIRGINIA PROCEDURAL RULES  
HEALTH CARE COST REVIEW COUNCIL

Procedural Rules for Meetings of the Health Care Cost Review Council

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