



STATE OF WEST VIRGINIA

Offices of the Insurance Commissioner

Earl Ray Tomblin
Governor

Michael D. Riley
Insurance Commissioner

January 3, 2014

The Honorable Earl Ray Tomblin
Governor, State of West Virginia
Office of the Governor
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Governor Tomblin:

Pursuant to W.Va. Code §33-2-16 (d), I am pleased to submit the annual report on the activities of the Office of the Consumer Advocate at the WV Insurance Commission for calendar year 2013. Should you have any questions please contact me at 304-558-3864.

Respectfully,

Dennis V. Garrison III, Director
Office of the Consumer Advocate

DVG/vms

cc: Aaron Allred, Legislative Manager
Mike Riley, Insurance Commissioner
Joseph Minard, Clerk of the Senate (via email senate.clerk@wvsenate.gov)
Gregory Gray, Clerk of the House of Delegates (via email house.clerk@wvhouse.gov)



West Virginia Office of Consumer Advocate Offices of the WV Insurance Commissioner 2013 Annual Report

To the Honorable Governor Earl Ray Tomblin:

The purpose of this Annual Report is to comply with W.Va. Code §33-2-16 (d) which reads:

- (d) On or before the first day of each regular session of the Legislature, the Director [Office of Consumer Advocacy] shall file with the Governor, the Clerk of the Senate and the Clerk of the House of Delegates a report detailing the actions taken by the division in the preceding calendar year.*

On November 27, 2007, the undersigned was appointed as the Director of the Office of the Consumer Advocate. During 2008, the Office of the Consumer Advocate was fully staffed. Since 2008, the Office of the Consumer Advocate has not been fully staffed due to the untimely death of a staff member, retirements and statewide governmental budget cuts and belt tightening. Presently, the Nurse III position, Secretary II and the Financial Analyst positions are vacant. The Investigator II retired in October 2012, but the Office of the Consumer Advocate was able to get this highly qualified individual to come back on a part-time basis during 2013. The paperwork to renew the Investigator II part-time contract has been submitted and was recently approved and this highly qualified individual will be able to assist the Office of the Consumer Advocate once again on a part time basis in 2014.

The Office of the Consumer Advocate is presently staffed with the Director, Attorney II, Paralegal and the Investigator II when he returns. Even with staff shortages,

the Office of the Consumer Advocate has maintained a good working relationship with the West Virginia Offices of the Insurance Commissioner while still providing zealous representation for numerous West Virginia insurance consumers.

In 2013, the Office of Consumer Advocate served the interests of the West Virginia insurance consumer and fulfilled the expanded duties conferred upon the Office in the tort reform measures passed in 2005 in Senate Bill 418. A large portion of the Office of the Consumer Advocate's time and resources was devoted to first and third party administrative hearings.

During 2013, the efforts of the Office of the Consumer Advocate on behalf of West Virginia insurance consumers yielded financial awards totaling \$800,665.50 which go directly into the pocket of the consumer as well as a number of other important settlements and regulatory orders directly benefiting the West Virginia insurance consumer.

During the undersigned's entire tenure, the Office of the Consumer Advocate has been involved in obtaining financial settlements totaling \$1,945,659.93 on behalf of West Virginia insurance consumers. These awards go directly into the pocket of the consumer. The Office of the Consumer Advocate is very proud of this accomplishment.

In the health care arena in 2013, the Office of the Consumer Advocate reviewed forty-eight (48) Certificate of Need Applications and thirty-five (35) Rate Review Applications before the West Virginia Health Care Authority. Furthermore, the Office of the Consumer Advocate continues to investigate matters related to the cost of health insurance, including the practice of hospital discount rate contracts and other methods to

foster competition among health insurance companies to facilitate a reduction in costs for consumers.

The Office of the Consumer Advocate attended many State conferences and State festivals as a means of interacting with and disseminating information to West Virginia insurance consumers. State festivals attended in 2013 include the West Virginia State Fair, the West Virginia Forest Festival, the Friends of Coal Auto Show, the Arts and Crafts Fair, the WV Hunting Show, the West Virginia Pumpkin Festival and the Black Walnut Festival.

Further, the Office of the Consumer Advocate participated in several telephonic conferences with numerous state insurance consumer advocates from across the nation in an effort to network and gather information that can be used to provide better representation to West Virginia insurance consumers. In addition, the Office of the Consumer Advocate, along with other members of the West Virginia Offices of the Insurance Commissioner (WVOIC), participated in numerous telephonic conferences with other states and federal officials regarding the Affordable Health Care Act.

The Office of the Consumer Advocate participated in mandatory continuing legal education with a focus on insurance and consumer related education.

The Office of the Consumer Advocate kept abreast of any legislation that would affect West Virginia Consumers. Representatives from the Office of the Consumer Advocate reviewed legislation and attended legislative hearings in both the House of Representatives and the Senate.

The Office of the Consumer Advocate also kept abreast of any cases before the West Virginia Supreme Court of Appeals regarding insurance law issues. The Consumer

Advocate read any pertinent opinions and attended oral arguments at the Supreme Court chambers when insurance related cases were on the Court's docket.

Finally, the Office of the Consumer Advocate maintained progress toward the ongoing long term goal of consumer outreach and education. Said goal will be achieved by direct and media outreach to consumers and by setting up information booths across the state at fairs and festivals such as: The West Virginia State Fair, the Friends of Coal Auto Fair in Beckley, the Forest Festival, the Arts and Crafts Fair, the WV Strawberry Festival, The WV Hunting Show and the WV Pumpkin Festival.

Representing Consumers in First and Third Party Administrative Hearings

In 2013, the Office of the Consumer Advocate provided formal representation to insurance consumers in one hundred and five (105) consumer complaints before the West Virginia Insurance Commission. Sixty-four (64) of these complaints these complaints were third party complaints and the remaining forty-one (41) were first party complaints. First party complaints are complaints filed by a consumer against their own insurer, while third party complaints are complaints filed by a consumer against another person's insurer. In addition to formal representation, it should be noted that the Office of the Consumer Advocate also assisted and advised hundreds of West Virginia consumers throughout the year be it via email inquiries, telephonic inquiries, office visits, or other means. This assistance has directly benefited those consumers and in many cases has resolved the consumers' insurance issues or queries without requiring the filing of an actual consumer complaint with the WVOIC.

Whenever a case is received by the Office of the Consumer Advocate, it is evaluated carefully. A number of different things can occur at this time including, but not limited to; the consumer can opt to not request representation; a consumer can

request representation, but after careful review of the case the Office of the Consumer Advocate can decline to represent; the consumer can request representation and the Office of the Consumer Advocate can accept; or the Office of the Consumer Advocate can assist the consumer in finding and obtaining private counsel because the damages in the matter merit a civil lawsuit.

The Office of the Consumer Advocate is proud of the representation that it has provided to consumers. Further, the Office of the Consumer Advocate is also proud of the countless hours that have been spent assisting consumers in evaluating their claims and assisting them in exploring all of their options including possible retaining private counsel when it is in their best interests. This assistance has directly benefited hundreds of consumers every year and in many cases has resolved the consumer's insurance issuers or queries without requiring the filing of a formal consumer complaint.¹

Third Party Complaints

A total of Seventy-Nine Thousand, Sixty-One Dollars, Seventy-Four Cents (\$79,061.74) was awarded directly to West Virginia Consumers in the form of settlements in twenty-nine (29) of the sixty-four (64) third party complaints that the Office of the Consumer Advocate worked on in 2013.² In one of the cases that resulted in a monetary settlement, the insurance company also removed an at-fault incident from the consumers driving record.

In four (4) consumer complaint cases, the Office of the Consumer Advocate either declined to represent after conducting a full investigation of the case and finding no

¹ A detailed breakdown of the work performed by the Office of the Consumer Advocate each week is available for review.

² Some settlements were made in conjunction with private counsel and were confidential. The grand total of all settlements is reflected. That being said, specific settlement amounts in some of the cases are not listed due to the confidentiality requirements.

Unfair Trade Practices Violations and/or the consumer withdrew their claim after the Office of the Consumer Advocate conducted a full investigation and could find no violations of the Unfair Trade Practices Act.

One (1) consumer complaint case went to a full evidentiary hearing and the hearing examiner denied the consumer complaint and dismissed the case after a full hearing.

In eleven (11) consumer complaint cases, the consumer opted to obtain private counsel for representation.

In ten (10) consumer complaint cases, the consumers failed, for whatever reason, to request representation after they were contacted by the Office of the Consumer Advocate.

In nine (9) consumer complaint cases, the matters are still pending and are either awaiting hearing or are awaiting final order or appealed to Circuit Court. One of those consumer complaint cases is currently under investigation by the OIC Legal Division.

First Party Complaints

A total of Seven Hundred Twenty-One Thousand, Six Hundred Dollars and Seventy-Six Cents (\$721,603.76) was awarded directly to West Virginia consumers in the form of settlements in twenty-three (23) of the forty-one (41) first party complaints that the Office of the Consumer Advocate worked on in 2013.³

In six (6) consumer complaint cases, the Office of the Consumer Advocate either declined to represent after conducting a full investigation of the case and finding no Unfair Trade Practices Violations and/or the consumer withdrew their claim after the

³ Some settlements were made in conjunction with private counsel and were confidential. The grand total of all settlements is reflected. That being said, specific settlement amounts in some of the cases are not listed due to the confidentiality requirements.

Office of the Consumer Advocate conducted a full investigation and could find no violations of the Unfair Trade Practices Act.

One (1) consumer complaint case went to a full evidentiary hearing and the hearing examiner denied the consumer complaint and dismissed the case after a full hearing.

In two (2) consumer complaint cases, the consumer opted to obtain private counsel for representation.

In one (1) consumer complaint case, the Office of the Consumer Advocate was able to negotiate a successful settlement wherein the insurance company would adjust the consumers claim history so the consumer could get a new loan on a house.

In one (1) consumer complaint case, the Office of the Consumer Advocate was able to negotiate a successful settlement wherein the consumer was able to get a higher life insurance policy that also included a \$2,000.00 credit on the premium payments.

In seven (7) consumer complaint cases, the matters are still pending and are either awaiting hearing or are awaiting final order or appealed to Circuit Court. One of those consumer complaint cases is currently under investigation by the OIC Legal Division

THIRD PARTY COMPLAINTS

HANDLED BY THE OFFICE OF THE CONSUMER ADVOCATE IN 2013

RESPONDENT	THIRD PARTY COMPLAINTANT	RESOLUTION
GEICO General Insurance Company	Andrew Smith	Appeal to Circuit Court
State Farm Mutual Automobile Insurance Company	Joseph McCutcheon	Under investigation in Legal Division
National General Assurance Company	Wanda Maynard	Settlement - \$1,000.00
Nationwide Union Fire Insurance Company	Joan Potter	Settlement - \$400.00
Safeco Insurance Company of America	Carol Yacenech	Private Counsel
Liberty Mutual Fire Insurance Company	Evelyn Belangia	Private Counsel

Garrison Property & Casualty Insurance Company	Teresa McCoy	Case denied and dismissed by hearing examiner after full investigation
National Union Fire Insurance Company of Pittsburg PA	Travis Hocum	Settlement - \$291.09
American Alternative Insurance Company	Carmen & Mary Romano	Private Counsel
GEICO General Insurance Company	Eugene Fortney	Consumer failed to request representation
Philadelphia Indemnity Insurance Company	James Carter	Settlement - \$35,000.00
Westfield Insurance Company	Ray Thompson	Consumer failed to request representation
GEICO	Robert Caul	Settlement - \$2,400.00
National Union Fire Insurance Company of Pittsburgh, PA	Luther Bennett	Settlement - \$1,750.00
USAA Insurance Company	Christopher Trotter	Private Counsel
State Farm Mutual Automobile Insurance Company	Jay Ruberto	Settlement - \$2,250.00
Westfield Insurance Company	Timothy Eaton	Settlement - \$6,102.03
National Union Fire Insurance Company of Pittsburgh, PA	Crystal Casto	Private Counsel
Allstate Indemnity Insurance Company	Lisa Knox	Settlement - \$1,500.00
National Union Fire Insurance Company of Pittsburgh, PA	Larry & Sandy Davis	Declined representation after full investigation
State Farm Mutual Automobile Insurance Company	Catherine M. Jarrett	Settlement - \$500.00 (at fault incident was removed from consumer's driving record)
Phoenix Insurance Company	John Carpenter	Settlement - \$350.00
Progressive Direct Insurance	Jonathan Houck	Consumer withdrew complaint
Erie Insurance Company	Laura Jackson	Settlement - \$500.00
Progressive Max Insurance Company	Janet Glasspel	In house (DOH) attorney
Allstate Insurance Company	Billy Poe	Settlement - \$3,000.00
Safeco Insurance Company	Karen Morgan	Settlement - \$3,470.15
State Farm Mutual Automobile Insurance Company	Kevin McMullen	Private Counsel
American Alternative Insurance Company	Kenneth Gardner	Settlement - \$3,500.00
Sentinel Insurance Company, Ltd.	Denise Graves	Private Counsel
Westfield Insurance Company	Andrew Smith	Settlement - \$750.00
GEICO Indemnity Company	Larry Diamond	Consumer failed to request representation
Phoenix Insurance Company	Dewey Holton	Settlement - \$2,900.00
GEICO General Insurance Company	Samantha Silva	Settlement - \$1,000.00
GEICO Indemnity Company	Frederick Ward	Settlement - \$1,000.00
National General Assurance Company	Kelly Lusby	Consumer failed to request representation
Liberty Mutual Fire Insurance Company	Tad Robinette	Settlement - \$1,500.00

GEICO Indemnity Company	Justin Boyle	Settlement - \$500.00
Horace Mann Insurance Company	Troy Haynes	Consumer failed to request representation
State Farm Mutual Automobile Insurance Company	Kathleen Hansen	Consumer failed to request representation
Safeco Insurance Company of America	Amy Rife	Settlement - \$1,500.00
Erie Insurance Property & Casualty Company	Connie Lubbs	Settlement - \$500.00
Erie Insurance Property & Casualty Company	Austin Secret	Consumer failed to request representation
Allstate Property & Casualty Company	Candace Faw	Settlement - \$2,102.02
National General Assurance Company	Mindy Simons	Settlement - \$1,000.00
Unfair Claims Settlement Practice Trust Fund	David Mitchell	Consumer failed to request representation
Grange Insurance Company	Tammy Leggett	Settlement - \$1,000.00
State Farm Mutual Automobile Insurance Company	Sue Watson	Consumer refused representation
Erie Insurance Company	Lucas Chlebnikow	Settlement - (confidential)
National General Assurance Company	William Toppings	Settlement - \$1,000.00
Nationwide Casualty Company	Dan Murdock	Consumer failed to request representation
Insurance Company of the State of Pennsylvania	Eyston Young	Private Counsel
Insurance Company of the State of Pennsylvania	Crystian Young	Private Counsel
Liberty Insurance Underwriters, Inc.	Andre Portee	Consumer withdrew complaint after full investigation
GEICO Indemnity Company	Geraldine Dunbar	Settlement - \$1,065.52
Encompass Insurance Company of America	David Miller	Declined to represent after full investigation
Allstate Property & Casualty Insurance Company	Brenda Smith	Pending
GEICO General Insurance Company	Jeff Gerencir	Consumer failed to request representation
United States Automobile Association	Joshua Sherman	Pending
State Auto Property & Casualty Company	Jason Yuan	Pending
USAA General Indemnity Company	Daniel Davis	Consumer failed to request representation
Grange Mutual Casualty Insurance Company	Darrell Pearson	Private Counsel
OneBeacon America Insurance Company	Derek & Kelly Blunden	Pending
Erie Property & Casualty Insurance Company	Pearl Saunders	Pending

FIRST PARTY COMPLAINTS
HANDLED BY THE OFFICE OF THE CONSUMER ADVOCATE IN 2013

RESPONDENT	FIRST PARTY COMPLAINTANT	RESOLUTION
Farmers & Mechanics Mutual Insurance Company of WV	Freda Bradley	Pending in WV Supreme Court
Farmers & Mechanics Mutual Insurance Company of WV	Joseph Komorowski	Private Counsel - Settlement - (confidential)
American National Property & Casualty Company	Wayne Kerby	Settlement - \$13,000.00
Allstate Property & Casualty Insurance Company	Linda Fisher	Private Counsel - Settlement - (confidential)
Nationwide Mutual Fire Insurance Company	Charles E. Namack	Settlement - \$86,152.00
Westfield Insurance Company	Dean & Karen Starkey	Request for hearing pending with OIC Legal
State Farm Insurance Company	Steve & Susan Ball	Settlement - \$15,000.00
Farm Family Casualty Insurance Company	Mike Ross	Pending
Hartford	Dewey Keiper	Pending
Hartford Insurance Company of the Midwest	Suzanne Chapman	Private Counsel – Settlement confidential
State Farm Fire and Casualty Company	Carl L. Johnson	Declined representation after a full investigation
Highmark West Virginia	Andrew Smith	Pending
Hartford Underwriters Insurance Company	Mary Williams	Rehearing denied by Commissioner
Bankers Life & Casualty Company	Donald Chapman	Private Counsel – Settlement – (confidential)
Washington National Insurance Company	Barbara Rowzee	Settlement - \$7,930.35
Washington National Insurance Company	Angie M. Alt	Settlement - \$13,276.13
Washington National Insurance Company	Doris J. Davison	Settlement - \$17,267.26
Washington National Insurance Company	Elizabeth A. Nazeirod	Settlement - \$17,238.91
Washington National Insurance Company	Carolyn V. Wilson	Settlement - \$11,955.79
Washington National Insurance Company	Della I. Davidson	Settlement - \$16,378.08
Washington National Insurance Company	David A. Landis	Settlement - \$9,054.54
Washington National Insurance Company	Theresa Peters	Settlement - \$9,727.15
Washington National Insurance Company	Robin Skipper	Settlement - \$12,778.63
Philadelphia Indemnity Insurance Company	Albert Tichenor	Settlement - \$5,000.00

Encompass Indemnity Company	James Summers III	Settlement - \$1,865.00
Auto Club Property Casualty Insurance Company (AAA)	Stephanie Anderson	Private Counsel
Property & Casualty Insurance Company of Hartford	Daniel Yonkosky	Assisted consumer in adjusting claim history so he could get new loan
SunAmerica Annuity and Life Assurance Company	Brenda Hunter	Consumer withdrew complaint after full investigation
Lincoln National Life Insurance Company	Brenda Hunter	Consumer withdrew complaint after full investigation
Baltimore Life Insurance Company	Patricia Funderburk	Settlement - \$2,500.00
Allstate Property & Casualty Company	Sherry Hammitt	Private Counsel
Nationwide Insurance Company	Bernard Lindsey	Declined representation after full investigation
Aviva Life and Annuity Company	Lee Roy Muck	Settlement - \$99,961.42
Jackson National Life Insurance Company	Allen Davis	Consumer Advocate withdrew representation because Consumer failed to comply with settlement agreement
Jackson National Life Insurance Company	Dannie R. Kimble	Settlement – (confidential)
Jackson National Life Insurance Company	Mary Kimble	Settlement – (confidential)
Nationwide Property & Casualty Insurance Company	Alex Racadag	Consumer withdrew complaint after full investigation
State Farm	Amy Rhoe	Pending
Knights of Columbus	James G. Silosky	Consumer got life insurance policy with a \$2,000 credit on the premiums
Allstate Vehicle and Property Insurance Company	Thomas Coberly	Settlement - \$250.00
State Farm Mutual Automobile Insurance Company	Lauren Keller	Pending

Certificate of Need Review

The Office of the Consumer Advocate participated in the review of Certificate of Need (CON) applications before the Health Care Authority. All health care providers must obtain a CON from the West Virginia Health Care Authority to develop, add, or acquire new health care facilities and equipment. The Office of the Consumer Advocate reviews all CON applications and may intervene for the interests of West Virginia residents in the Health Care Authority's CON review process. The Office of the

Consumer Advocate carefully reviewed and considered the following forty-eight (48)

CON applications: (total capital expenditure \$209,604,103.69).

CERTIFICATE OF NEED - January 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
Highland Health Center, Inc.	12-3-9740-X/BH	Expansion of Crisis Residential Beds	\$35,000.00
West Virginia University Hospitals, Inc.	13-6-9804-A	Acquisition of Fairmont Regional Cancer Center	\$14,000,000.00
Humana, Inc.	12-1-9796-A	Humana Metropolitan Merger Project	\$500,000.00

CERTIFICATE OF NEED – February 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
Bio-Medical Applications of WV, Inc. d/b/a Fresenius Medical Care Hawk's Nest – Montgomery	13-4-9813-A	Develop a new 13-station dialysis facility in Montgomery, WV	\$1,309,610.00
Imagine Medispa, LLC	13-4-9807-P	Expansion of services to Lewisburg, WV	\$7,500.00
TERPAX, Inc. PROTO EQUITY HOLDINGS, LLC WEST VIRGINIA HOLDCO, LLC	13-2-9825-A	Acquisition of Seventeenth Street Associates LLC d/b/a Huntington Health and Rehabilitation Center Nursing Home Operations	\$2,500,000.00
WV University Hospitals, Inc.	13-6-9817-P	Development of WVU Healthcare Outpatient Center	\$52,250,000.00
Ambergris, LLC	13-9-9824-E	Acquisition of a second linear accelerator	\$5,350,000.00

CERTIFICATE OF NEED – March 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
United Hospital Center, Inc. d/b/a United Hospital Center	13-6-9845-P	Acquisition of laboratory services	\$50,000.00
Greenbrier Valley Medical Center	12-4-9730-P	Development of an ambulatory care facility in Monroe County	\$180,000.00

CERTIFICATE OF NEED – April 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
Greenbrier Valley Medical Center	13-1-9867-P	Development of ambulatory care facility in Summers County	\$180,000.00
Monongalia General Hospital	13-7-9871-P	Development of an ambulatory care center in Elkins, WV	\$10,000.00
Starlight Behavioral Health Services, Inc.	13-3-9811-BH	Provide outpatient behavioral health services to Putnam Co.	\$0

CERTIFICATE OF NEED - May 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
Gilbert Ultrasound Services LLC	13-2-9840-X/P	Provide medical diagnostic services to persons of Mingo Co.	\$25,000.00
HealthSmart Benefits Solutions	12-3-9755-P	Development of on-site primary health care clinic on 1 st floor of HealthSmart office located in Charleston	\$189,756.52
Bio-Medical Applications of West Virginia, Inc. d/b/a FMC Harrison County	13-6-9887-R	Development of a new 13-station dialysis facility in Clarksburg	\$1,766,053.00
Vandalia Acq., LLC Birch Holdings, LLC	13-7-9904-A	Acquisition of Braxton Health Care Center	\$9,600,000.00
Total Renal Care, Inc. and Tugaloo Dialysis, LLC	13-6-9903-R	Development of a renal dialysis center in Bridgeport, Harrison County, WV	\$1,175,000.00

CERTIFICATE OF NEED – June 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
Healthsmart Primary Care Clinics, LP	12-3-9755-P	Long Range Plan for the Healthsmart Primary Care Clinic, Charleston, WV	\$131,277.17
Stonewall Jackson Memorial Hospital	13-7-9915-H	Outpatient Physical Therapy Relocation	\$170,000.00
Bluefield Hospital Company, LLC	13-1-9875-E	Acquisition of a fixed site MRI	\$3,300,000.00
Monongalia General Hospital	13-6-9870-E	Development of Radiation Therapy	\$6,819,000.00
United Hospital Center	13-6-9932-H	Development of medical office building on hospital campus	\$15,000,000.00

CERTIFICATE OF NEED - July 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
Good Shepherd Nursing Home, LC	13-11-9884-NH	Relocation and constructions of dietary department	\$4,177,061.00
Bio-Medical Applications of WV, Inc. d/b/a FMC Grafton	13-6-9947-R	Develop a new 13-station dialysis facility in Grafton, WV	\$1,540,919.00
Webster County Memorial Hospital	13-4-9876-X/P-	Development of ambulatory care facility in Webster County	\$60,000.00
Monongalia General Hospital	13-6-9870-E	Renovation-Replacement of Acute Care Facilities	\$2,339,309.00
Chesterfield Company LLC	13-3-9959-A	Acquisition of licensed operations of Heartland of Charleston	\$13,000,000.00

CERTIFICATE OF NEED - August 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
Precision Diagnostic Services, Inc.	13-1-9934-X	Acquisition of stock of Professional Sleep Diagnostics, Inc.	\$100,000.00
Amedisys West Virginia, L.L.C.	13-6-9946-X	Acquisition of assets of Morgantown Hospice (Exemption request)	\$1,200,000.00
Monongalia County General Hospital Company	13-6-9961-X	Acquisition of Morgantown Internal Medicine Group, Inc. (Exemption request)	\$2,000,000.00
CHS/Community Health Systems, Inc.	13-2-9989-A	Merger of Health Management Association , Inc.	\$13,000,000.00

CERTIFICATE OF NEED - September 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
St. Joseph's Hospital of Buckhannon	13-7-9976-X	Conversion of 10 acute care beds to 10 skilled nursing beds	\$60,000.00
West Virginia University Hospital, Inc.	13-6-9998-A	Acquisition of Potomac Valley Hospital, Inc.	\$26,000,000.00
Acuity Specialty Hospital – Ohio Valley, L.P.	13-10-10000-H	Development of Long-Term Care Hospital on Wheeling campus	\$1,300,000.00
Acuity Specialty Hospital – Ohio Valley, L.P.	13-11-10001-H	Development of a long-term acute Care Hospital on Weirton Medical Center	\$1,875,000.00

CERTIFICATE OF NEED - October 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
Monongalia General Hospital	13-6-10004-A	Affiliation of MGH and Preston Memorial Hospital	\$9,500,000.00
United Hospital Center	13-7-10026-P	Lewis County Medical Oncology Physician	\$50,000.00
Charleston Area Medical Center	13-3-10006-P	Oncology office in Teays Valley	\$150,000.00
Appalachian Regional Healthcare, Inc ARH Tug Valley Health Services, Inc.	13-2-10029-A	Acquisition of Williamson Memorial Hospital	\$15,000,000.00
Dermatology Centers, Inc.	13-1/49986-E	Provision of superficial radiotherapy using the SRT-100	\$0

CERTIFICATE OF NEED - November 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
Monongalia County General Hospital Company	13-6-10033-A	Acquisition of Morgantown Internal Medicine Group	\$630,000.00
Kanawha Hospice Care, Inc.	13-3-10010-X/P	Grief and loss recovery services	\$0
United Hospital Center, Inc.	13-6-10049-E	Second fixed site MRI unit	\$2,500,000.00
Appalachian Regional Healthcare, Inc.	13-4-10039-P	Development of ambulatory care facility in Oak Hill, Fayette County, WV	\$75,000.00

CERTIFICATE OF NEED - December 2013

FACILITY	CON NO.	REQUEST	CAPITOL EXPENDITURE
Princeton Community Hospital	13-1-9800-X/E	Mobile MRI Service in McDowell County, WV	\$0
Camden on Gauley Medical Center, Inc.	13-4-9975-X/P	Camden Family Health-Gauley River Elementary School-Based Health Center	\$38,565.00.00
Camden on Gauley Medical Center, Inc.	To be assigned	Camden Family Health-Lewis County High School-Based Health Center	\$460,053.00

Hospital Rate Review

The Office of the Consumer Advocate reviewed thirty-five (35) hospital rate increase applications. The West Virginia Health Care Authority approves or disapproves hospital rates and budget adjustment applications. The Office of the Consumer Advocate reviews all rate filings and may intervene for the interests of West Virginia residents in the Health Care Authority's rate filing review.

The Office of the Consumer Advocate reviewed the following rate increase applications:

RATE INCREASE REQUESTS – APRIL 2013

HOSPITAL	RATE REQUEST
Camden Clark Medical Center	\$759,649.03 reduced from penalties; \$3,164,595.16 remain in abeyance
Wetzel County Hospital	3.75%
Weirton Medical Center	12.0%

RATE INCREASE REQUESTS – MAY 2013

HOSPITAL	RATE REQUEST
Monongalia General Hospital	3.25%
Princeton Community Hospital	6.25%
Beckley Appalachian Regional Hospital	5.50%

RATE INCREASE REQUESTS – JUNE 2013

HOSPITAL	RATE REQUEST
Charleston Surgical Hospital	Discount Contract Approved
Fairmont General Hospital	Discount Contract Approved
Fairmont General Hospital	Discount Contract Approved

RATE INCREASE REQUESTS - JULY 2013

HOSPITAL	RATE REQUEST
Saint Francis Hospital	4.50%
Thomas Memorial Hospital	7.5%
Cabell Huntington Hospital	5.0%
St. Mary's Medical Center	4.75%
St. Joseph's Hospital – Buckhannon	5.0%
Stonewall Jackson Memorial Hospital	5.75%

RATE INCREASE REQUESTS - AUGUST 2013

HOSPITAL	RATE REQUEST
Reynolds Memorial Hospital, Inc.	5.50%
Wheeling Hospital, Inc.	7.5%

RATE INCREASE REQUESTS – OCTOBER 2013

HOSPITAL	RATE REQUEST
Pleasant Valley Hospital	?
Davis Memorial Hospital	Discount Contract Approved
Princeton Community Hospital	Discount Contract Approved
Williamson Memorial Hospital	8.0%
United Hospital Center, Inc.	3.75%
Raleigh General Hospital	4.50%
Camden Clark Medical Center	4.50%
CAMC Teays Valley Hospital, Inc.	4.0%
Charleston Area Medical Center, Inc.	5.25%

RATE INCREASE REQUESTS – NOVEMBER 2013

HOSPITAL	RATE REQUEST
Greenbrier Valley Medical Center	6.750%
Logan Regional Medical Center	4.0%

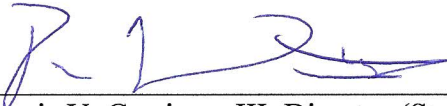
Bluefield Regional Medical Center	4.75%
Ohio Valley Medical Center	6.25%
West Virginia University Hospital	6.25%
City Hospital (d/b/a Berkeley Medical Center)	3.75%
Davis Memorial Hospital	4.75%
Fairmont General Hospital	17.09% inpatient 14.00% outpatient

RATE INCREASE REQUESTS - DECEMBER 2013

HOSPITAL	RATE REQUEST
Charleston Surgical Hospital	\$9,643.25 inpatient \$2,616.91 outpatient

Conclusion

The Office of the Consumer Advocate continues to remain dedicated to providing consumer protection and promoting consumer awareness. Further, the Office of the Consumer Advocate will track trends in the insurance industry and educate West Virginia insurance consumers regarding insurance issues and practices. The Office of Consumer Advocate remains a remarkable resource for West Virginia insurance consumers and will continue to do everything possible to protect citizens and advocate for a fair and accessible insurance marketplace for everyone.



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