

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 560**

4 (By Senator Stollings (By Request))

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6 [Originating in the Committee on Health and Human Resources;
7 reported February 25, 2011.]

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11 A BILL to amend the Code of West Virginia, 1931, as amended, by
12 adding thereto a new section, designated §16-29B-20a, relating
13 to confidentiality of the rate-setting model.

14 *Be it enacted by the Legislature of West Virginia:*

15 That the Code of West Virginia, 1931, as amended, be amended
16 by adding thereto a new section, designated §16-29B-20a, to read as
17 follows:

18 **ARTICLE 29B. HEALTH CARE AUTHORITY.**

19 **§16-29B-20a. Confidentiality of the rate setting model.**

20 In its decision making process on standard rate applications,
21 the board utilizes a computer program known as the rate setting
22 model to generate options for the board. The board options are
23 various calculated rates that the board may elect to award to the
24 hospital. The rate setting model is pre-decisional in nature and
25 part of the deliberative process and, as such, shall be exempt from

1 public disclosure. Provided that, the options generated by the
2 computer program shall be made available to the public, upon
3 request, following any decision by the board utilizing the rate
4 setting model.

NOTE: The purpose of this bill is to exempt the rate setting
model from disclosure.

This section is new; therefore, strike-throughs and
underscoring have been omitted.