1   COMMITTEE SUBSTITUTE

2   FOR

3   COMMITTEE SUBSTITUTE

4   FOR

5   **Senate Bill No. 560**

6   (By Senator Stollings (By Request))

7   _____

8   [Originating in the Committee on the Judiciary;

9   reported February 28, 2011.]

10   _____

11

12

13 A BILL to amend the Code of West Virginia, 1931, as amended, by

14   adding thereto a new section, designated §16-29B-20a, relating

15   to the rate-setting model utilized by the board being exempt

16   from public disclosure; and providing when the options

17   generated by the computer program are available to the public.

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

19   That the Code of West Virginia, 1931, as amended, be amended

20 by adding thereto a new section, designated §16-29B-20a, to read as

21 follows:

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

23 **§16-29B-20a.   Confidentiality of the rate-setting model.**

24   In its decision-making process on standard rate applications,

25 the board utilizes a computer program known as the rate-setting

1 model to generate options for the board. The board's options are

2 various calculated rates that the board may elect to award to a

3 hospital. The rate-setting model is predecisional in nature and

4 part of the deliberative process and, as such, shall be exempt from

5 public disclosure: *Provided*, That the options generated by the

6 computer program shall be made available to the public, upon

7 request, following any decision by the board utilizing the rate-

8 setting model.

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