

2 **Senate Bill No. 295**

3 (By Senators Minard, Snyder, Prezioso,
4 Unger, Boley and K. Facemyer)

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6 [Introduced January 27, 2011; referred to the Committee on Health
7 and Human Resources; then to the Committee on Finance; and then
8 to the Committee on the Judiciary.]

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11 A BILL to amend and reenact article 5, chapter 64 of the Code of
12 West Virginia, 1931, as amended, relating to authorizing the
13 Department of Health and Human Resources to promulgate a
14 legislative rule relating to a safety and treatment program.

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

16 That article 5, chapter 64 of the Code of West Virginia, 1931,
17 as amended, be amended and reenacted to read as follows:

18 **ARTICLE 5. AUTHORIZATION FOR DEPARTMENT OF HEALTH AND HUMAN**
19 **RESOURCES TO PROMULGATE LEGISLATIVE RULES.**

20 **§64-5-1. Department of Health and Human Resources.**

21 The legislative rule filed in the state register on the
22 thirtieth day of July, two thousand ten, authorized under the

1 authority of section three, article five-a, chapter seventeen-c, of
2 this code, modified by the Department of Health and Human Resources
3 to meet the objections of the Legislative Rule-Making Review
4 Committee and refiled in the state register on the third day of
5 December, two thousand ten, relating to the Department of Health
6 and Human Resources (safety and treatment program, 64 CSR 98), is
7 authorized.

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9 NOTE: The purpose of this bill is to authorize the Department
10 of Health and Human Resources to promulgate a legislative rule
11 relating to a Safety and Treatment Program.

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