

1 **H. B. 4163**

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3 (By Delegates Walker, Smith, Moye, and Lynch)  
4 [Introduced January 14, 2014; referred to the  
5 Committee on Health and Human Resources then the  
6 Judiciary.]  
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10 A BILL to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §16-5B-2a, relating  
12 to requiring outpatient surgical facilities to meet the same  
13 facility and surgical standards as ambulatory surgical  
14 facilities; and providing rule-making authority.

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

16 That the Code of West Virginia, 1931, as amended, be amended  
17 by adding thereto a new section, designated §16-5B-2a, to read as  
18 follows:

19 **ARTICLE 5B. HOSPITALS AND SIMILAR INSTITUTIONS.**

20 **§16-5B-2a. Outpatient surgical facility standards; rule-making.**

21 (a) For purposes of this article an outpatient surgical  
22 facility operating in the State of West Virginia is an "ambulatory  
23 surgical facility" as that term is defined by section one of this

1 article and is subject to the same minimum facility and surgical  
2 standards as required by this article for other ambulatory surgical  
3 facilities.

4 (b) The Department of Health in conjunction with the  
5 Department of Health and Human Resources shall propose rules for  
6 legislative approval in accordance with article three, chapter  
7 twenty-nine-a of this code to implement the provisions of  
8 subsection (a) of this section. The rules shall, at a minimum,  
9 impose minimum facility and surgical standards and require  
10 inspections by the Department of Health and Human Resources.

NOTE: The purpose of this bill is to require outpatient surgical facilities to meet the same facility and surgical standards as ambulatory surgical facilities. The bill provides rule-making authority.

This section is new; therefore, it has been completely underscored.